

Landmark Law—a City Tragedy

By ROBERTA BRANDES GRATZ

One of the city's tragedies is that so little remains of its architectural heritage: it is rapidly destroying its past.

¶ Item: For seven years the city has had a landmarks preservation law and a Landmarks Prevention Commission

¶ Contradiction: The law which created the commission effectively prevents it from fulfilling its purpose.

¶ Irony: Considerable evidence exists that the commission likes it that way.

The law itself is hardly a mammoth barrier to the bulldozer. It allows the commission to operate only for six-month periods, following three-year intervals. While the demolition crews work during the three-year period, the commission is powerless to stop them.

For the commission may designate landmarks only after a public hearing, and it may hold those hearings only every three years.

(Once designated a landmark, a building may be torn down or externally altered only with commission approval.)

The law is interesting for its omissions: It does not cover interiors. Thus if the Grand Central landmark designation, now being challenged in the courts, is upheld, Penn Central would still be able to gut the interior so long as it left the facade alone.

The law does not cover scenic landmarks. Thus Central Park, Prospect Park and any other treasured patches of green are not qualified for landmark protection.

The law is binding only on private owners. A privately

owned designated landmark—such as the turn-of-the-century Plaza Hotel—cannot be torn down or its exterior altered without commission approval.

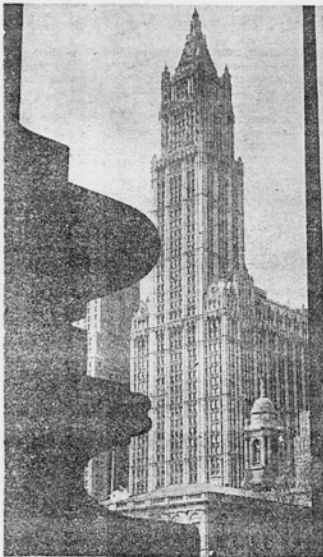
But the Metropolitan Museum of Art, also an official landmark, can simply ignore—and has—the commission's disapproval of plans for its new Lehman wing. If the Administration should decide to tear down City Hall, the commission would have no power to stand in its way. The commission's judgements on public buildings are not a matter of public record.

And then there is the commission. Some critics have gone so far as to say that it is the worst enemy of the work it professes to do.

In December, 1970, the commission declared a moratorium on landmark designations. Meeting in executive sessions, it decided without formal vote that no more designations would be made except where a building was in immediate jeopardy. Four "historic districts" and 54 individual sites were designated before the moratorium. Five proposals were rejected.

Eighty-six individual landmark proposals and seven historic districts remain pending from the commission's 1970 hearings and there is nothing legally stopping the commission from making a decision on them. By law, the commission—an 11-member body appointed by the Mayor for three-year terms—can designate any site or district studied

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City Hall is an official landmark. The Woolworth Building, which towers above it, is not.

Post Photo by Louis Lloffa

