

A Court Bid to Preserve 2 Mansions

1 ROBERTA B. GRATZ

Neighborhood groups were in Supreme Court today in an effort to permanently prevent the wrecker's ball from demolishing two 19th century mansions facing the Metropolitan Museum of Art.

The two symbols of bygone elegance were already partially destroyed by demolition company whose work was temporarily halted Tuesday by court order.

Two other buildings of similar architectural vintage that are still occupied are scheduled to be razed as well to make way for a new 24-story apartment house on the corner of Fifth Av. and 82d St.

But whether community efforts are temporarily or permanently successful, the plight of the four threatened "landmark quality" structures underscores the continuing difficulty in salvaging the treasures of the

city's rapidly disappearing past.

"This case clearly highlights a critical weakness in New York City's landmarks law," says Kent Barwick, director of the Municipal Art Society which has long been in the forefront of landmark preservation.

The problem, Barwick says, is that by law the Landmarks Preservation Commission—an 11-member body appointed by the Mayor—can only hold hearings on new landmark proposals for six-months every three years. It "has absolutely no power to work on an emergency basis during the interim period," Barwick says.

When the Neighborhood Assn. for the Preservation of the Fifth Avenue Houses appealed for help to the commission in July, they were told by chairman Harmon H. Goldstone that "the commission can only consider for landmark designation items that have had a public hearing."

Since the next hearings were not scheduled until July, 1973, the commission could do nothing to help in the current rescue attempt, Goldstone said. (The last hearings were held in January, 1970.)

'Tragic and Unnecessary'

Because of the three-year interim period, says Barwick, "it is impossible for them to even consider landmark protection for innumerable threatened buildings. The result is frequently the tragic and unnecessary destruction of buildings and districts that many New Yorkers just assume are landmarks."

The Municipal Art Society, Barwick notes, recently proposed legislation to enable the commission to hold hearings on its own schedule. The society recommended further changes to overcome other limitations after conducting an 18-month study of the law requested by the commission.

Asked if the commission would push for such changes, Goldstone said there had not yet "been any official move to do so. The commission has not taken any policy stand on this matter."

Councilman Carter Burden (D-Man.) however, is planning to introduce City Council legislation to greatly expand commission power. "I very definitely get the feeling, however, that the commission is not anxious to have that power," Burden says.

'Real Estate Interests'

"One problem is getting the Council to act quickly is that there is no sense of urgency from the city Administration. Any landmarks issue is a nest of vipers because you're dealing with very powerful real estate interests," he said.

Burden, Assemblyman Anthony Oliveri (D-Man.), the art society and neighborhood groups initiated today's court action.

The threatened mansions are only three blocks from where the chateau-like Brokaw Mansions stood at 79th St. and Fifth Av. They were torn down in 1964, over the loud protests of the then powerless landmarks commission that had declared them a city landmark. A luxury apartment house now stands in their place.

Largely because of the public outcry over the loss of the Brokaw Mansion, legislation was passed in 1965 giving the commission greater—but still limited—authority to prevent similar loss of landmarks.