

## Updating the Landmarks Law

by Gifford Miller

Monday, August 01, 2005 12:00 AM

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*The four Democratic candidates for mayor discussed issues of historic preservation at a series of forums sponsored by coalition of groups, including Landmark West, the Historic Districts Council, the Municipal Art Society, and the New York Landmarks Conservancy. The following is an edited transcript of the candidate's opening remarks on June 15, 2005, and a sample of some of the questions from the audience.*



### Other Candidates Speeches

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[Fernando Ferrer: The Irreplaceable Treasures of the Bronx](#)

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[C. Virginia Fields: Looking Beyond the Big Ticket Items](#)

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[Anthony Weiner: Old New York as a Gateway to the new New York](#)

Many of you, know my mother, who designed the Conservatory Garden, Bryant Park, Wagner Park, Madison Square Park, Herald and Union Park, New York Botanical Gardens, and gardens in Rockaway, Red Hook, and Staten Island. So she's done a park in every borough which she completed before I decided to run. And my father served on the community board in East Harlem for the last 20 years. He served in the Johnson and Kennedy administrations. So I was raised as a boy with a deep love for New York City, and also a belief in the importance of public service.

After graduating from college, I went to work for Congresswoman Caroline Maloney because I wanted to be able to serve my city, as well, in the tradition that my parents had brought me up in.

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Over the last 10 years that I've been in the New York City Council, I've loved what I've had the chance to do, to help change the course of our city's future, to contribute something to the greatest city in the world. In particular, over the past four years as speaker of the council, I've had an even greater privilege, which is to fall in love with all of New York. I grew up in Manhattan. It was concerned an enormous liability when I ran for speaker, but I like to say nobody's perfect. This is an extraordinary city, filled with unbelievably diverse and exciting different neighborhoods all over New York. And also filled with people that love New York and want to spend and give their time similarly to its future to preserve and to strengthen this greatest city in the world.

I'm running for mayor because I believe we need new leadership, new leadership for the city that has a sense of that whole city, of the challenges that we face, and of the opportunities that are presented, and of a vision of what we can accomplish that is better and great.

I think that landmarks and historic preservation is an example of the failure of leadership that we've had on the part of this mayor.

It's not just that he hasn't done a good job of administering our school system, or getting our fair share from Washington or Albany, or really figuring out how to deal with the structural problems. It's that he doesn't understand, to my mind, the opportunities that are presented and the responsibilities that are incumbent upon a mayor to provide real moral and political leadership on issues of tremendous concern to New Yorkers. On too many issues, what we get from this mayor are excuses about how things can't be done, rather than examining innovative ways in which things can be done.

And again, it's not just on schools, where we hear sort of a pat on the back for the fact that we've finally reached the point where half of our kids are failing in our schools, or on the fact that each year he rolls over for Washington and Albany and doesn't go out and do something about the fact that we're sending \$24 billion more to Washington and Albany, or the notion that he has an economic development vision which seems to be centered solely on getting the Olympics or our goose is cooked.

It's on issues like landmarks where over and over again, rather than figuring out ways in order to accomplish something, what we get are excuses about how difficult it will be to accomplish something, and, as a result, inaction.

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So, what we've seen over the last three and a half years is a real failure to exercise the sort of moral and political leadership to preserve communities that are under attack all over the city and the failure to expand and open up the landmark process to real public review and involvement and participation. That is another hallmark of this administration: an extremely closed process. This mayor doesn't believe in listening to other people, and doesn't believe that our problems can be solved by anyone outside of his own small cadre of administration.

As a result, what we've seen on issue after issue, and I think landmarks and historic preservation is a very good example of these kinds of issues, is a lack of imagination, a lack of political and moral leadership, and a closed process, which, in the end, leaves us more mystified at the end than we were in the beginning. I'm running for mayor because I want to change that, and I think if you look at my leadership of the City Council over the last three and a half years, you'll see I have a very different model of leadership and a different proven record of accomplishment.

The City Council, for the first time, has held two public hearings on the processes of the landmarks commission, examining what the challenges are and trying to get people involved and recognize that openness and transparency are not a problem. They are the solution. We don't have to, at the end, agree on every point and every decision that is made, but we ought to, in a democracy and in a proper administration, be able to agree that there's a fair shake being given and that the process has been open and transparent and accountable.

That is the work that the City Council has been moving towards, and I think that there are very common sense things that can be done in order to improve that.

There ought to be adequate time given for the public to review applications for certificates and appropriates, including revisions to those applications.

There ought to be just a hearing room that has a sound system that you can hear what's going on. There decisions about whether or not to hold hearings on items ought to be conducted in the open with clear and frank reasons given to why some things are given a hearing and why other things are not given a hearing.

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We certainly need to expand the budget for the Landmarks Preservation Commission, because it is woefully underfunded. In the end, it doesn't serve anybody well. There has to be enough staff to be able to respond swiftly to decisions and to matters that are timely and require a timely decision. There has to be enough money to be able to complete its mission. Otherwise, we shouldn't pretend that it's there to accomplish what it says it's there to accomplish.

So we have work to do there, but that is certainly something that I support as speaker, and would support as mayor.

More broadly, I am proud of the work that the council has done, not just with regard to the Cathedral of St. John the Divine (which had landmark status rejected by the council because it wanted to build apartment buildings on its grounds), but also with regard to the demolition-by-neglect legislation, which the council passed over the objections of an awful lot of people in the city.

Powerful interests in this city came together to object to this legislation, but, in the end, it was the right thing to do. It is wrong to allow owners of landmarked properties to allow their properties to become demolished by their neglect, and then to say, well now that it's destroyed you don't have to bother saving it. It doesn't make any sense.

And this legislation that we passed in the council, for the first time, allows the city to do something about that. You know, we had cases in which owners would actually open up their roofs so that the building, the structure would become completely destroyed and then say, "I can't save this structure because it's destroyed, and so I have to tear it down."

There was no legal method for handling that. We, as a result of my leadership and my colleagues in the council, for the first time now have the ability to attack that problem. The New York City Council cares deeply about this matter, that even when it's not easy, and we're going to take steps in order to try to protect our city.

I love this city, you love this city, and I'm running for mayor because I don't believe in listening to all of the voices that tell me what I can't do. You know, in government there's always people that will tell you that you can't do something that's difficult to do.

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They tell you “Look, you’re never going to fix the schools. You’re never going to get our fair share. You’ll never be able to create affordable housing. You’ll never be able to create jobs for every community.”

That’s why I’m running for mayor. We need a mayor that doesn’t listen to those voices. That looks at what can be done, rather than what can’t be done. That thinks about the possibilities for what kind of city we can be and should be, rather than just keeps going down the same road of where we are. And we do face real challenges. I know we’re going to have lots of questions about them. I look forward to working with you in this battle as well, because this is a battle that is worth fighting, that is worth waging, and, most importantly, worth winning. I thank you all for you spirit and optimism and faith in the future of our city.

### **SURVEY OF HISTORIC BUILDINGS**

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*“Our landmarks law was a model when it was passed. But that was 40 years ago. Even models must be*

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**Q:** When [now State Senator] John Sabini was chairman of landmarks subcommittee, the City Council held a hearing on how the city is treating its historic public schools. At that time they asked the city to complete a survey of older building to see which ones would be eligible for listing on the national register. So my question is, as mayor would you insist that that survey be completed and would you treat historic public schools with the care and respect that they deserve as building that can serve out children today?

**Miller:** Yes, and let me just explain it briefly. The city does a pretty good job of certain landmarks, of restoring them, ones that are high profile, that for whatever reason somebody in city government has adopted it as a particular pet cause. The city does not do a good job in dealing with the comprehensive aspect of this problem.

We own a lot of land and a lot of property and a lot of historic structures. Nobody in this room is exactly sure of how comprehensive a list that is. There ought to be a full review of this. Then

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once we have that full review, there ought to be a report on a regular basis to the council, to the Landmark Preservation Commission, and to the public in general about where we are in terms of the preservation of these structures. If we are going to ask private landlords and property owners to take care of their structures we have to lead by example. There is a moral issue here and this is not a mayor that believes in moral leadership. In the end when you think about it, what are the moral issues that the mayor has provided real leadership on? I guess smoking and the Olympics. And that's about it. There is an opportunity for the city to provide moral, as well as actual leadership in showing that we are going to be a property owner who will respect our own historic structures and do it in a comprehensive and open and transparent way, its not happening. As mayor I will make sure that it does.

### **WHO WOULD YOU APPOINT TO THE LANDMARKS COMMISSION?**

**Q:** We are presently experiencing the cost of the lack of leadership at the helm of the Landmarks Preservation Commission. Would you commit to appoint a chair to the Landmark Preservation Commission who has a proven track record and knowledge base in the subject that they are asked to control for the city of New York?

**Miller:** What I would commit to do is work with the people in this room to identify candidates for that position. Again, I have a different style of leadership than this mayor. I think in the end it's a more effective style of leadership. I like to engage, rather than disengage. I believe in testing the power of my ideas against others. I believe in listening. I don't think that makes me a less effective leader. I think it makes me a more effective leader. And if you look at my record as speaker of the City Council that's the way that its worked. I have led a council that has had more independence. We have members that call press conferences about just about any subject at the drop of a dime. And I am not somebody who believes in closing that off. I believe in allowing that to flourish because I think in the end you accomplish more that way.

So the answer to your question is, is that I will certainly engage in an open and constructive dialogue with the people in this room about how and who to appoint to that position. I'll make my judgment at the end about who I think would be best.

**Q:** Mayor Bloomberg, standing at this platform before the same crowd in 2001, made a similar statement to the one you just made. We would hope and expect that if you are elected we would have a better follow through than we had in the prior exercise with the same question and really the same answer.

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**Miller:** How many of you have seen this cult movie right now called Napoleon Dynamite? A young man runs for president of the high school. The candidates are supposed to give speech about what they'll do when they are elected president of the student body. And he asks his friend what he should say because he doesn't know what to say, and the friend says, "Tell them that you will make all of their wildest dreams come true." So we're at the point of the campaign right now where candidates come before groups like this one and tell you that we are going to make all of your wildest dreams come true.

And that's what happened four years ago when Mike Bloomberg came here, he told you what you wanted to hear. The challenge is to ask yourself - who is mostly likely to go out and actually live up to the pledges and the commitment that they have made? And I just suggest to you that I am the candidate that is most likely, because if you look at my character, if you look at my style of leadership, and you look at my proven record.

I mean look when the real estate and religious communities and other communities who are powerful in this city, all got together and said that they didn't like the demolition by neglect legislation, there was a choice that had to get made by somebody in a real position with real power. Which way are you going to go? And a lot of people would have said you know what it's stirring up to much of a hornets nest. And I proved that when push came to shove, we were going to go forward anyway when I thought it was the right thing to do.

So I am not going to commit to you specifically. But I would be very surprised if I were to choose someone to the Landmarks Preservation Commission who didn't have landmarks experience. I can't see a reason why I would choose somebody to run a landmarks commission who doesn't have landmarking experience.

## 2 COLUMBUS CIRCLE

**Q:** 2 Columbus Circle has yet to receive a public hearing by this administration. Will you invite us down to City Hall to hold a "people's landmark hearing," since the Landmarks Preservation Commission under this mayor refuses to use the landmarks law to provide a public hearing for this worthy building?

**Miller:** I will seriously consider that request. My only concern is that I don't want to misplace where the pressure should be. If it's a "people's hearing" it's not a real hearing. A real hearing is what ought to happen. I agree with you. Given the extraordinary amount of discussion on this subject and the amount of concern about it, it is a case and point about the conduct and

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leadership of the Landmarks Preservation commission. People have different opinions about 2 Columbus Circle. But it certainly is a serious issue. The landmarks commission can say yes or no, but at least they should have to say why. What are the criteria by which a hearing is granted. This building is by a well-known architect. It is in a well known and important public space. If this isn't a building that deserves a hearing, then I don't know what it is.

**Q:** Can you explain your vote on 2 Columbus Circle at the borough board meeting supporting the transfer of the property to the museum, when everyone know they wanted to destroy the facade?

**Miller:** I think a museum use for that building is a good idea. There isn't anything else on the table. It has the support of the local council member. But I don't think that it negates the need for landmark consideration. The landmarks commission hasn't done its job. We have to live within that reality.

## OVERDEVELOPMENT

**Q:** In Staten Island and Queens one of the biggest issues is overdevelopment and tearing down existing buildings to build new ones. The mayor has a solution, which we call "landmarking by ambush." He comes out to a public meeting where a developer has bought a building and plans to tear it down and the mayor pledges to have it landmarked. We have a proposal before the City Council (Intro 317) on delaying demolitions so there can be an orderly process and having a hearing for each building. Can you help us move that bill along? And what is your platform on overdevelopment and teardowns?

**Miller:** With regard to that bill, we are working very hard to see how we can move it forward. It's a good concept. We need to look at what the resources are and it's important for people to be able to build in this city. You are right, there is no orderly way to deal with these issues. The way it works now is that if you have community group that gets whipped up enough about a particular aspect in an area where the mayor feels it's a good political issue, he will call a town meeting, arrive, and announce that all is well again.

More broadly, this is an area when we get a piece meal approach from the mayor. That is because of a lack of resources at the City Planning Commission. The City Council has worked hard to expand the planning commission's budget. And there is a lack of political will. We need a comprehensive citywide review. Land values have distorted our process. The zoning process was fine for a long time because it did not make sense 10 years ago to tear down existing

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building and then build to the property lines. But now, it makes sense. People are paying so much for housing and property in this city. The response from this administration has been too slow. We need to make the zoning match what we want to accomplish.

### REFORMING THE PROCESS

**Q:** You've talked about your record and the need for a comprehensive plan. But beyond these symbolic measures, can you initiative legislation to reform the Landmarks Preservation Commission? Other cities allow citizens to gather signatures and have access to the process.

**Miller:** Our landmarks law was a model when it was passed. But that was 40 years ago. Models need to be updated. There are issues that need to be addressed and I am open to hearing suggestions on how that could be done.

### HISTORIC SCHOOLS

**Q:** Is it time for someone to do something about the school construction authority? Has it outlived its usefulness? Who is in charge in this city when it comes to our historic schools?

**Miller:** I don't think its about the school construction authority, it's about the person in charge â€” the mayor. The best thing the mayor has accomplished in 3 1/2 years is getting control of the schools. I supported it. If the mayor isn't doing enough about historic schools, we have to hold him accountable.

### GOVERNORS ISLAND

**Q:** What would you do with Governors Island?

**Miller:** I don't have a plan for Governors Island. I have a lot of concern about the administration's failure to come forward with a thoughtful proposal that re-imagines the island and builds on this extraordinary asset. The idea of having CUNY use it was good, but nothing has happened since. More broadly there has to be a process that helps us move forward and make the best choices for a city's future.

### PARKS ON THE RIVER

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**Q:** On 69th Street and Hudson River, the parks department will be restoring the 1911 New York Central Railroad transfer bridge into a public pier and ferry and water taxi landing. The parks department needs another \$1 million. Will you support it?

**Miller:** I will talk to the council members about it and I hope that I will be able to support it.

## COMMUNITY BOARDS

**Q:** Do you have any plans to give resources to the community boards or community organizations in dealing with land use issues?

**Miller:** I believe in the work of community boards. Some elected officials try to control or compete with community boards, I don't believe in that. Community boards make my life easier as an elected official because I don't have to conduct my own public forum that I have to administer. I believe in community based planning and as speaker and have helped fund them. I would like to see them get more funding. The notion of community board as pure constituent provider is changing. Community boards ought to be more planning oriented.

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