

Village Views

Volume VII, Number 2

Village Views

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On the cover: The Brooklyn Historical Society.

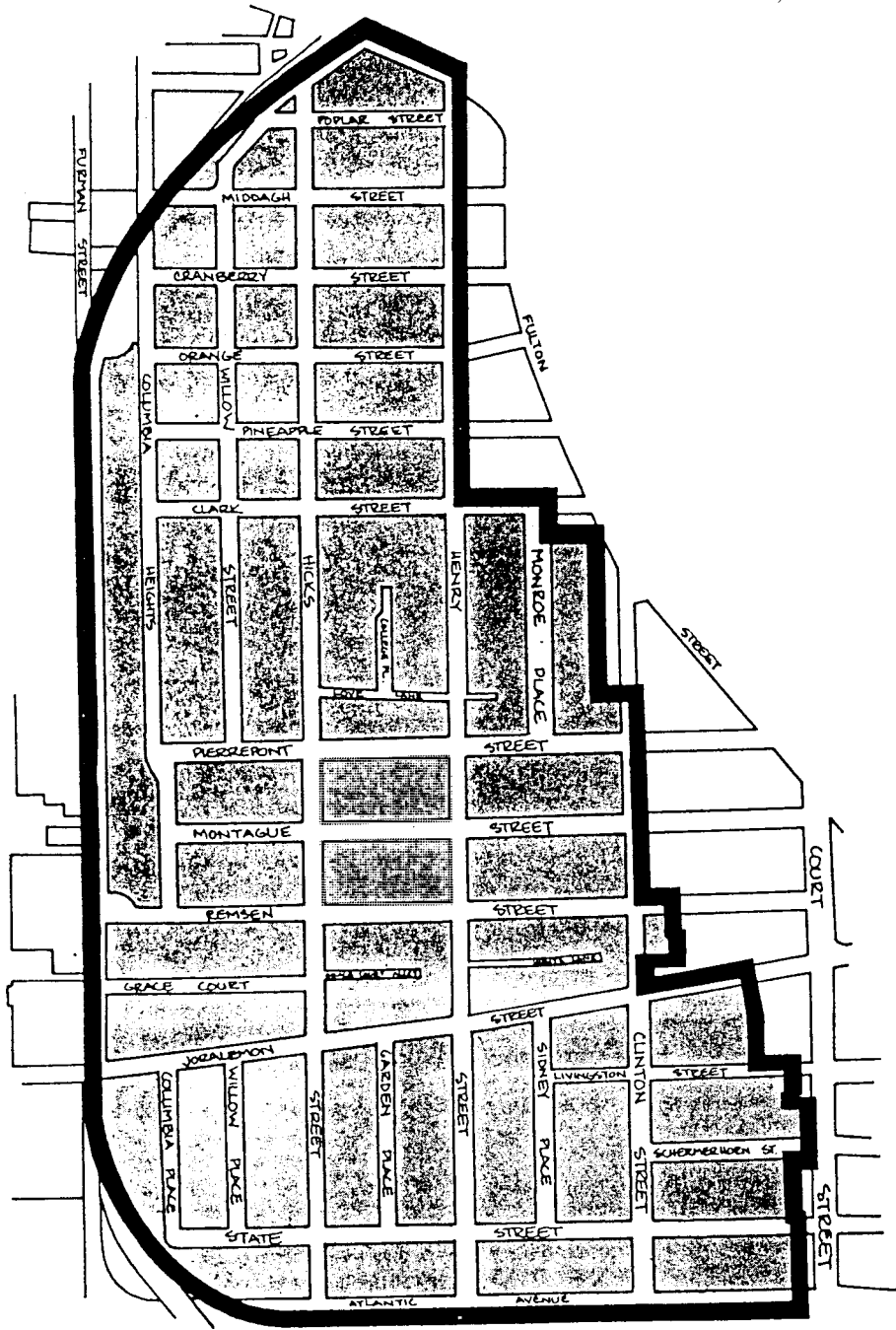
*Centerfold. The Leavitt-Bowen mansion, which stood on the Heights overlooking the harbor from 1844 to 1904.
From the collection of Otis Pratt Pearsall.*

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BROOKLYN HEIGHTS HISTORIC DISTRICT

BROOKLYN

DESIGNATED: NOVEMBER 23, 1965



Map courtesy of the Landmarks Preservation Commission.

HOW BROOKLYN HEIGHTS SHAPED OUR LANDMARKS LAW

Twelve years ago Anthony C. Wood began to think about preserving the history of historic preservation, and initiated a series of most interesting interviews, some of which were published in Village Views in 1987. This *Pioneers of Preservation* series began with the recollections of Geoffrey Platt, founding chairman of the Landmarks Preservation Commission, of his successor, Harmon Goldstone, and of Adolf Placzek, who, as Avery Librarian, had been close to Talbot Hamlin and Alan Burnham. In this issue, Mr. Wood brings us the surprising story of Otis Pearsall--surprising because the facts run counter to so many misconceptions defended by both friends and foes of historic preservation.

In Brooklyn Heights in the 1950s, a wave of young professionals moved into what was then a somewhat declining neighborhood convenient to Wall Street, learned to love it, and organized to demand its preservation--years before New York City had a landmarks law, years before elite Manhattan civic organizations--which sometimes take credit for establishing historic preservation in New York--had thought of asking for historic districts.

Enemies of preservation sometimes say that historic district designation--engineered by preservation elitists--causes gentrification and ousts the ordinary man from hearth and home. The Brooklyn Heights story shows the exact opposite: an influx of small investors, who became frightened of losing their stake in a historic neighborhood threatened by "urban renewal," sought protection for their district, but found that their cause was ahead of its time, when they received a "dusty answer" from the Manhattan preservation elite.

Ultimately, the young activists won stability for the Heights, in a political battle that pitted homeowners, small businesses and brokers--those who could profit from the incremental growth of an existing neighborhood--against speculators seeking quick rewards from an assemblage and demolition scenario. And already, then, non-profit institutions and government initiatives were also primary threats.

In Mr. Pearsall's account, we read of intriguing figures; Mrs. Darwin James, who called in her chips to persuade Robert Moses to spare Willowtown; Borough President Cashmore, who wanted to build the Champs Elysees of Brooklyn outside his office window; Arden Rathkopf, author of a textbook on zoning, who quietly drafted a first landmarks law that shaped the one we have today and in some ways went beyond it. But Mr. Pearsall will speak more eloquently of the ins and outs of this history.



The Leavitt-Bowen House in Brooklyn Heights, demolished in 1904; a photograph from Mr. Pearsall's collection.

OTIS PRATT PEARSALL'S REMINISCENCES
OF THE NINE YEAR EFFORT TO DESIGNATE BROOKLYN HEIGHTS
AS NEW YORK CITY'S FIRST HISTORIC DISTRICT
AND ITS FIRST LIMITED HEIGHT DISTRICT

Delivered by Mr. Pearsall at Brooklyn Borough Hall, March 8, 1993, on the occasion of receiving the Historic Districts Council's 1993 Landmark Lion Award.

I recognize, of course, that in honoring me, what we are actually doing is taking a moment to look back for some sense of our collective roots; celebrating the beginnings, some 35 years ago, of an incredible success story--the importance of which to our city today could scarcely have been imagined by that band of urban pioneers who in the fall of 1958 first gathered in the undercroft of the First Unitarian Church.

And so I'm proud to accept this award--on behalf of that original group and the many others who worked with the Brooklyn Heights Association over the seven long years it took to achieve designation of the Heights as our first historic district, on November 23, 1965.

Although no one has offered a very satisfactory explanation, in 1956, '57 and '58 significant numbers of young professionals, my wife, Nancy and I among them, began moving into Brooklyn Heights, and for the first time, certainly in New York and I'm told perhaps anywhere in urban America--a declining downtown neighborhood turned around. By the fall of 1958, these newcomers to gracious living in charming period houses on tranquil, tree-lined streets just across from Wall Street spotted serious threats to their new-found way of civilized urban life, and they began meeting regularly in the undercroft of the Rev. Donald McKinney's First Unitarian Church--the same Don McKinney, by the way, who marched with Dr. King, and for over 30 years (as Rector of Minard LaFever's splendid 1844 church) nurtured so much of what has been good for our community.

The most important of these perceived threats were the well-advanced plan of Bob Moses' Slum Clearance Committee to replace the deteriorating northeast corner of the Heights with high-rise luxury-priced rental efficiencies, the accelerating destruction and defacement of houses at the hands of an expanding institutions, and developers taking advantage of the neighborhood's economic upturn.

Calling themselves the Community Conservation and Improvement Council--CCIC, pronounced "Kick"--the newcomers set out to challenge Moses' Cadman Plaza Project, believing that if it could not be stopped it should at least be converted from a haven for wealthy transients to family-sized middle-income cooperatives for people who would stay and contribute to the community. And a second CCIC committee set about trying to figure out whether the Heights could perhaps be preserved through some sort of esthetic or historic zoning controls.

The Brooklyn Heights Association, which had successfully defended the interests of the community since 1910, and only a few years earlier had saved the Heights from Moses' devastating plan to bisect it with the Brooklyn-Queens Expressway--but which was at this time a bit staid--to its great credit reacted positively and with alacrity to CCIC's preservation ideas. The Association's Housing Committee, under Bill Fisher, was designated to coordinate with the new group--which in turn reciprocated by appointing Bill a CCIC co-chair. Through that crucial, formative spring of 1959, the two groups worked closely together, and within a year the CCIC activists' youthful energies were absorbed into the Association. Thenceforth the preservation battle was waged under a single, unified banner.

From the outset CCIC was generally aware of the Beacon Hill historic district established by *the* Massachusetts legislature two years earlier, and from the National Trust we obtained the texts of a

number of other historic district zoning ordinances and a practical "How To" booklet entitled "Preservation of Historic Districts By Architectural Controls," authored by John Codman, the guiding spirit of the Beacon Hill success, and based on the actual experience of the Beacon Hill Civic Association.

Most importantly, however, included in the National Trust package was a copy of the Bard Law, a simple, one-paragraph enabling act authored by Albert S. Bard--an expert on the law of zoning and city planning who had devoted a lifetime to good citizenship--which was enacted by the New York legislature in 1956 to empower cities to adopt regulations to protect "places, buildings, structures, works of art, and other objects having a special character or special historical or esthetic interest or value."

For us do-it-yourself preservationists this was pretty exciting stuff. The basic authority for what we wanted to do was already there, but were we really a place having "special historical or esthetic value?" While there were many enthusiastic young architects in our group, they were, of course, all trained in the contemporary vein and, though reasonably confident of our ground, lacked authoritative architectural history expertise.

Any question on that score, however, was short-lived since almost immediately there came to hand three crucial booklets: Huron Jackson's 1952 *Guide to New York Architecture* (prepared with the assistance of the A.I.A. New York Chapter, the Municipal Art Society, the Society of Architectural Historians and Prof. James Grote Van Derpool for distribution to delegates attending the 84th Convention of the A.I.A.) the Municipal Art Society's 1957 index of architecturally notable structures in New York City entitled *New York Landmarks*, and the brand new report of the Joint Committee on Design Control of the N.Y. Chapter, A.I.A., and the N.Y. Regional Chapter, A.I.P., published by the Regional Plan Association in May, 1958 and entitled *Planning and Community Appearance*.

More than half the Brooklyn structures listed in the 1952 A.I.A. *Guide* were in Brooklyn Heights and to our delight the Heights was singled out for a laudatory preamble which observed that "This neighborhood, having remained outside the main stream of great population increases for a relatively long period, has remained intact to a much greater extent than comparable neighborhoods in Manhattan, such as Greenwich Village or Chelsea." Similarly, Heights structures conspicuously weighted the Brooklyn index compiled by the Municipal Art Society's Committee on Historic Architecture. But the hefty report of the Joint Committee on Design Control was the *piece de resistance*, commenting specifically that the endangered areas of historic and esthetic value which the 1956 New York Bard Law was drawn to protect were exemplified in New York City by Greenwich Village and Brooklyn Heights. That for us was the touchdown: we had the enabling act we needed and we now knew we could make the case for special historical or esthetic value. What could be simpler.

A critical source of encouragement in this formative period was Richard Margolis, publisher and editor of the *Brooklyn Heights Press*. With the advent of CCIC and the mini-rivalry it stimulated with the Brooklyn Heights Association, Margolis had the wisdom to sense that a genuinely important movement was emerging and he played it up big. He had published CCIC's Statement of Objectives announced in late December 1958 which included our first guarded suggestion of historic zoning, though for the moment this element of the program seemed overshadowed by the drama of the sudden challenge to Moses' well-greased plan on Cadman Plaza. But by the end of February 1959, bolstered by these publications supporting our case, and reassured by the enthusiastic encouragement of architectural historian Henry Hope Reed with whom we had made contact, the Brooklyn Heights Association and CCIC went public with their joint proposal for Brooklyn Heights historic zoning and Margolis gave it banner headlines.

The next week in his editorial entitled "How to Make History," Margolis waxed euphoric about the "zoning plan that would preserve the Heights forever as an historic area." He observed:

This plan is based on the State Bard Law which enables cities to make regulations to protect areas of architectural and historic significance. If accepted by the City Planning Commission and the Board of Estimate, historic zoning would virtually guarantee

stability on the Heights. The community would be free of all the predatory monsters that traditionally devour a neighborhood--the crowded rooming houses, the super block-high income developments, the institutional dormitories.

The "if" in Margolis' rhetoric turned out to be a very big one indeed, but from that point forward, throughout the seven years it in fact took to get the job done, Margolis and his successors at the *Brooklyn Heights Press* were at every opportunity solid supporters of Brooklyn Heights historic zoning.

At the same time we went public, we were reaching out to the city-wide organizations we hoped would be supportive. The most important of these for our purposes was the Municipal Art Society, and at Henry Hope Reed's suggestion in late February, 1959 we wrote its President, George Hopper Fitch, explaining our project and seeking help and advice. Fitch responded at once by appointing a special subcommittee of Alan Burnham's Committee on Historic Architecture to offer us every possible encouragement, consisting of Burnham, Henry Hope Reed and Albert S. Bard, himself, who was then in his 92nd year.

This immediately led to one of the most memorable of our movement's defining moments, the gathering hosted by Mrs. Darwin James, herself an MAS Board member, in the sumptuous top floor apartment of her Richard Upjohn Heights townhouse overlooking the harbor, with the MAS special committee, including the sprightly Mr. Bard. The discussion was excitedly animated and clear-cut that Brooklyn Heights had every entitlement to become the first historic district under the Bard law. When it was over, and Messrs. Bard and Burnham disappeared up Willow Street enthusiastically pointing out to each other architectural gems along the way. I was left with the euphoric sense that we were onto an idea that was truly meant to be.

It bears noting that over the next crucial years the Municipal Art Society and the Brooklyn Heights Association enjoyed a peculiarly synergistic, reciprocally reinforcing relationship. As MAS pressed the landmarks cause from a relatively narrow-based, cultural vantage point that risked appearing elitist, the loud, grass-roots clamoring of an actual community demanding immediate historic district status validated the cause with the politicians, thus in the end enabling both groups to achieve their fundamental goal.

Having satisfied ourselves that the legal structure was available and the architectural history case was there to be made, the next step was to make it. Inquiries to Henry Reed, Alan Burnham, Wayne Andrews (who was President of the Society of Architectural Historians,) and Maud Dillard all pointed to the same place, to the greatly respected architectural historian Clay Lancaster-who, unknown to us, was living right under our noses at 18 Cranberry Street. Despite everything, when it comes right down to it, no one can ever rightfully claim that we didn't have more than our share of luck.

On April 1st we slipped a letter in Clay's mail box explaining our historic zoning goal, our need for a survey to provide accurate, detailed, authoritative evidence, and our hope that he might be prevailed upon to assist. We met the next day and not only was he willing, he had been tempted for some time to do the very same thing on his own, and was now delighted to have the occasion and excuse to proceed.

Modest and unassuming, but toweringly authoritative, and in his own way exceedingly tough-minded, the learned Clay became our intellectual guru. He educated and inspired us, and his exhaustive report on more than 600 preCivil War Heights houses, published in book form by Charles Tuttle in October, 1961 as "Old Brooklyn Heights, New York's First Suburb," became the sustaining, evidentiary linchpin of our entire effort. Under his tutelage, the dates, styles and myriad decorative details indigenous to the Heights became second nature to us. His many slide lectures, Heights Press articles, and walking tours aroused an almost religious fervor in an entire neighborhood of recently converted preservationists, and I have not the slightest doubt that the uncontested credibility and solid -scholarship he accorded our case, far more than any other factor, was responsible for our priority in ultimately attaining the City's first historic district designation.

With Clay launched on his pivotal house-by-house, street-by-street survey, two further defining events transpired before this multifaceted explosion of activity that gave birth to our historic zoning movement succumbed to the summer doldrums. These events were CCIC's wildly successful town meeting held in the Bossert Hotel ballroom on April 21, 1959, and the significantly less propitious proposal of a full-blown city-wide landmark preservation law at the City Planning Commission hearings in April and May on the proposed new Zoning Resolution.

On the morning of the town meeting, the *New York Times* published a glowingly supportive full column report headlined, "Brooklynites Set Action on Heights, Residents Meet Tonight to Discuss How To Preserve Community's Charm, Seek To Use State Law, Ask City To Invoke Measure To Protect Area's Historic and Esthetic Values." A day or so earlier the *Brooklyn Heights Press* had published a special four page CCIC Supplement filled with articles on Heights preservation by Henry Reed, Alan Burnham and others, plus photos of the recent house demolition along Willow Street. And that evening, in what was said to be the largest nonpolitical meeting ever held in the Heights up to that time, a more-than capacity crowd of over 400 crammed in to hear why Brooklyn Heights needed Historic Zoning, what it was, and how we planned to achieve it. The atmosphere was electric, charged with enthusiasm and excited expectation, and left no doubt that in addition to legal authority under the Bard Law and a good architectural history case, we could now count on a third crucial element, overwhelming community support.

Almost simultaneously, however, we tested the political waters and discovered to our disappointment though not surprise that, rather than quick success, the idea of Historic Zoning for Brooklyn Heights likely faced an indeterminate period of gestation before it was realistic that the community's enthusiasm would be embraced by our City Fathers. Fortuitously, the City Planning Commission in February had unveiled its plan for a wholly new Zoning Resolution, and encouraging contacts with the Planning Department suggested that hearings scheduled for the spring would present a perfect opportunity to air our proposal. Some of us felt that the best chance for success was to minimize real estate industry opposition by presenting the narrowest profile, with an ordinance like Beacon Hill's, limited specifically to Brooklyn Heights. Arden Rathkopf, however, argued that only a City-wide ordinance had any realistic chance of inclusion in the new Zoning Resolution and, bowing to his far greater experience, we went along. Arden, backed by Arthur Hooker (the original chairman of CCIC'S Statute Committee,) proceeded to draft a complete City-wide Landmarks Law, echoes of which still strongly resonate in the version actually adopted six years later and, together with Ted Reid, unsuccessfully urged it upon the Planning Commission at the April 13th and May 19th hearings in Manhattan and Brooklyn. [*The proposal is reprinted on page 23 of this issue.*]

In retrospect, it was naive for us to think that Planning Chairman James Felt, whom we would later discover to be a great friend of preservation, would add to the immense difficulties he already faced in accomplishing his complete zoning reform by taking on at the same time the predictable, incremental controversy and real estate opposition implicit in our landmarks law. We resolved to watch for a more opportune moment, meanwhile building our case and keeping it in the public eye.

But from that point forward, until mid-August 1962 when Mr. Felt finally informed us we had no choice but to await enactment of a City-wide ordinance, we single-mindedly pushed for a standalone Brooklyn Heights Historic District, in the image of Beacon Hill, on the theory that since we were ready and willing, we should be permitted to go first, rather than stand by and suffer possibly years of destruction while the rest of the City caught up.

The next two years (1960-1961) are a blur of all manner of activity, preparing the huge color-coded maps, identifying every Heights building by date and style, converting Clay Lancaster's detailed report into book form, developing battle plans, organizing committees, delivering speeches, coffee clutches in every corner of the Heights to explain the program, public relations and reaching out to local politicians. But the outstanding occasions were the Brooklyn Heights Association's Golden Jubilee annual meeting in May,

1960-attended by more than 700 people in the St. George Hotel ballroom, at which Clay's friend, Richard H. Howland, President of the National Trust, beat an eloquent drum for Heights preservation-and the annual meeting the following May, also well attended, where John Codman, the Beacon Hill realtor who had accomplished that community's historic zoning, drove home by vivid example the Heights' destiny to achieve no less. Before leaving town, at a private gathering of virtually all the Heights' realtors, Codman explained from a realtor's perspective the tangible benefits realtors could anticipate from preservation. It was notable that as the struggle progressed they were to a man among our strongest supporters.

By the fall of 1961 all our preparations were complete. Most important, the publisher Charles Tuttle had delivered the advance copies of Clay's beautifully produced hard cover book, *Old Brooklyn Heights, New York's First Suburb*. The large, colored style-and-date maps were finished, and based on them, we had prepared an intriguing chart showing (for the 1192 structures within our then anticipated district boundaries) the number of buildings of each style constructed decade by decade, together with a variety of other statistical breakdowns. In addition, we finally had in the form of an amendment to the Zoning Resolution a complete, agreed-upon ordinance establishing the stand-alone historic district of Old Brooklyn Heights and, in the Department of Buildings, an Old Brooklyn Heights Architectural Commission to administer it. Moreover, we were assisted by the National Trust's annual meeting held in New York in October, which occasioned an elaborate and enthusiastically received Association-sponsored and led walking tour of the Heights for the Trust's many attendees.

In short, we were as ready as we'd ever be. Given the Mayor's appointment in July of a Committee for the Preservation of Structures of Historic and Esthetic Importance, chaired by Geoffrey Platt, to work with the City Planning Commission to develop a city-wide program, we concluded it was now' or never to make a determined try for Brooklyn Heights priority.

Our first step was to meet in October (1961) with City Planning Chairman, James Felt who, of course, was already well aware of our efforts and purpose. Equipped with Clay's book and our vastly impressive maps, we argued that Brooklyn Heights had already done its homework, was richly deserving of preservation, was threatened by continual instances of demolition and defacement, was united in its readiness to accept immediate historic zoning, and should not be made to wait indefinitely for resolution of the city-wide problem. Felt listened attentively, asked interested questions and expressed warm support for our general objectives. But, while not saying "no" he seemed noncommittal on immediate action for the Heights, and urged us to work with Platt's group which he had been instrumental in setting up the previous summer. Following up with encouraging letters to the same effect, shortly thereafter he sent the message yet again in a *New York Times* article occasioned by publication of Clay's book, in which he "applauded the general aim to preserve the character of Brooklyn Heights," but directed us to the Mayor's Committee.

While we feared that coordinating with the Mayor's Committee would entangle and bog us down in the morass of the city-wide problem, we nevertheless concluded we should do so. We reasoned that if it should prove politically possible to achieve priority action for the Heights, we would have lost nothing. On the other hand, if such a solution were not in the cards, our fate might depend on the Mayor's Committee--in which case its education concerning the Heights should begin at once.

Our initial contact was certainly pleasant enough. Mrs. James arranged lunch at her wonderful house with Harmon Goldstone, the Committee member closest to Platt. He was enthusiastic about the Heights, Clay's book, and all that we had done. Offering us genuine encouragement, he, too, urged a prompt meeting with Platt, and this finally occurred a few weeks later, on December 22, 1961.

Our presentation to Platt was essentially the same as to Felt, as we sought to persuade him to support an immediate ordinance for the Heights without bogging us down interminably in the city-wide problem. Thereafter we had many meetings with Platt and established a cordial relationship, but while, as we'd hoped, this process clearly contributed to the Heights' ultimate designation, I must be frank to say that from our first meeting onward Platt seemed wholly absorbed by the complexity of developing a viable

preservation approach for the entire City, and exhibited absolutely no patience with our desire to make the Heights an immediate priority.

Undeterred, on April 30, 1962 the Association formally dispatched to Mayor Wagner and every other relevant city, state and federal official we could think of our Brooklyn Heights preservation proposal, including our statute, a map showing the boundaries of the proposed district, an expanded chart of our date and style statistics, and an eloquent press release that pitched our case. The proposal received extensive, favorable coverage in the *Herald Tribune* and other dailies, with the *Tribune* reporting that:

Builders of high-rise apartment houses have their eye on the Heights, and Geoffrey Platt, Chairman of the Landmarks Preservation Commission believes the district should have first priority in any effort to preserve what is left of old New York.

In retrospect, an interesting feature of our proposal was the matter of district boundaries, since with two exceptions the Association's proposed boundaries, as amended in light of community reaction, were those ultimately adopted by the Landmarks Commission. Although most of the Heights was included, certain peripheral areas were either excluded altogether or included only within dotted, trial-balloon "alternative boundaries," reflecting the Association's concern that development plans for or real estate interests in these areas might embroil the overall proposal in political controversy that would delay or defeat it altogether. The prevailing sentiment was, let's try to get the bulk of the Heights protected as quickly as we can and later, to the extent practical, push out the margins.

The most obvious exclusion, of course, was the Cadman Plaza Title I Redevelopment Site and what I will call the Morgan Stanley building block to the south. These sites had long been designated for development by the time our efforts began in 1958, and Moses' plans for Cadman Plaza were so far along that not only the Association but also the youthful activists in CCIC believed that it could not be stopped, only perhaps changed in character.

There was no question that much of importance was at stake in these sites, including Frank Freeman's 1894 pedimented Brooklyn Savings Bank at Pierrepont and Clinton Streets, which had been one of the first signs of the Chicago World's Fair influence in the New York area, the Saracenic architecture of the 1894 former Crescent Athletic Club just north of the bank on the east side of Clinton Street, the Greek Revival structure at Cranberry and Fulton Streets (where in 1855 Walt Whitman's *Leaves of Grass* was first printed,) and a wealth of handsome, if now decayed, early houses and commercial buildings-which, had they survived, surely would have been restored to their former glory as an integral part of the Heights fabric.

Many, particularly in the North Heights, argued for inclusion of the Cadman Plaza site within the historic district. On May 2, 1961, at the behest of Martin S. James, a professor of art at Brooklyn College who has made many contributions to the Heights and ultimately served as an Association governor, **Brooks Atkinson** published a powerful "Critic at Large" column in the *New York Times* arguing the obvious merit of preserving the more than 75 buildings of historical or architectural significance in this corner of the Heights. The Association, however, swallowing hard, adhered in its April 30, 1962 proposal to its tough-minded judgment that the Cadman Plaza project was an irreversible fait accompli beyond its realistic power to prevent, and that entangling Cadman Plaza with the historic zoning issue would involve an unacceptable risk to the larger goal of Heights preservation.

Apart from Cadman Plaza, the Association's proposed boundaries demonstrated--by means of dotted lines--uncertainty on including the western part of Willowtown, the commercial strip on the west side of Court Street south of Livingston Street, the Montague Street commercial strip, and the west side of Henry Street between Middagh and Pineapple Streets opposite the redevelopment site. Excluded altogether were the north side of Atlantic Avenue, which was the subject of an ongoing urban renewal study, the St. George Hotel block, the south side of Poplar Street, and Block 207, the northernmost in the Heights, which was technically a late addition to the Cadman Plaza site. This block, while not yet the subject of a

specific development plan, and clearly on a separate track, also appeared to present the entanglement issue.

To our delight, the immediate response to these boundaries indicated we had underestimated our support, and we hastened to make amends by issuing two weeks later a revised map that included all of Willowtown, Montague Street and a dotted alternate boundary around the north side of Atlantic Avenue. Now a "Committee for the Alternate Boundary" sprang up and, eventually, on December 2, 1964, the day before the City Council hearing on the Landmarks Law, we issued our final map definitively including the north side of Atlantic Avenue and the west side of Henry Street opposite the Cadman Plaza site, definitively excluding the Court Street commercial strip previously in doubt, and adhering to our entanglement rationale by excluding the St. George Hotel block and Block 207 up at the north end.

While I am now getting well ahead of the story, I'll close out the matter of boundaries by skipping to our September, 1965 presentation to an executive session of the Landmarks Commission, which amounted to the dress rehearsal for the Brooklyn Heights hearing the Commission proposed to schedule for November. Platt felt strongly that except for the Cadman Plaza project and the built up commercial section on the eastern edge, Brooklyn Heights should be treated as a single homogenous entity. He recognized that the St. George block might some day undergo alterations or even complete reconstruction. In addition, he recognized that while Block 207 consisted in part of undistinguished modern structures which should one day be replaced, it also boasted the Ruskinian Gothic Children's Aid Society Building-as well as a number of other 19th Century vernacular structures which should be protected as part of the district. His view, therefore, was that the Landmarks Commission's jurisdiction would be important when and if redevelopment occurred in these blocks, to assure that it would be consonant with the character of the Historic District. Having left these blocks out in the first place only because of the anticipated difficulty of including them, we were heartened by the strength of Platt's support and enthusiastically agreed that our proposed boundary, which was otherwise accepted as presented, should be adjusted to include them both.

Parenthetically, twenty-eight years later, the ultimate benefit of this decision to include the St. George block is, of course, yet to be determined. What we do know for certain is that the decision on Block 207 proved critical to preventing its wholesale redevelopment and, eventually, to the successful preservation and restoration of its many 19th century buildings, including the splendid 1883 orphanage, and to the excellent design by Charles Platt of its infill row houses.

At the Brooklyn Heights Association's May, 1962 annual meeting, Congressman Hugh Carey, stated that he--and, he believed, all of our other political representatives--supported in principle the Association's April 30th proposal. In June, Milton Mollen, Chairman of the City's Housing and Redevelopment Board, appeared to do likewise. But despite this support, it was soon evident that while we had given it our best shot, the excitement surrounding the announcement of our proposal was the last hurrah for the concept of a stand-alone Old Brooklyn Heights Historic District.

On April 21, 1962, in response to the uproar over plans to demolish Stanford White's Pennsylvania Station, Mayor Wagner appointed Geoffrey Platt Chairman of a new twelve member Landmarks Preservation Commission, replacing the Mayor's earlier Committee, and having responsibility, among other things, for preparing within a year a detailed landmarks legislative program.

While we obviously recognized the tremendous importance of the Mayor's action and supported it wholeheartedly, we nevertheless continued to hope for priority action on Brooklyn Heights, and to that end early in the summer collected the signatures of over 2,000 residents, including over one-third of the property owners, on petitions supporting our stand-alone district proposal. But the moment of truth finally came on August 12th, when in the course of a CBS television panel discussion, City Planning Commission Chairman James Felt pronounced himself once again enthusiastically supportive of Brooklyn Heights historic zoning, but spelled out for us clearly, so there could be no mistake, that it was

not going to be practical to accomplish this other than through the new Landmarks Preservation Commission, as part of the city-wide legislative solution.

Like it or not, that was it. Our ultimate fate was now exclusively in the hands of the Commission, to which we fortunately gained access when, through the good offices of Hugh Carey, Mayor Wagner on October 30, 1962 appointed Bill Fisher a member.

But not having any idea how long we might have to wait, we decided to take action on our own to limit, so far as possible, the interim damage. Accordingly, that fall the Association organized its Design Advisory Council, consisting mostly of architects under Chairman Edward Rullman, whose function was to provide free advice, short of actual plans, for appropriate work on facades. The Council immediately set to work showering every Heights property owner with educational materials on the types and original characteristics of our architecture, the owner's responsibilities to himself, his neighbors and the community, appropriate practices in renovation and restoration, and how to access the Council's services. In fact, owners did solicit the advice of the Council's architects in innumerable cases, and without doubt this remarkable do-it-yourself historic preservation program was directly responsible for the minimal damage suffered over the next three years prior to designation.

By January, 1963, the Landmarks Law had already gone through two or three drafts and by April it was approaching final form. Yet for reasons on which I'm no longer clear-if indeed I ever was--the finished bill was not introduced into the City Council until October 6, 1964. Meanwhile, under its able Executive Director, James Grote Van Derpool, the Commission's staff, which included Henry Hope Reed, proceeded with its responsibility to identify proposed landmarks, and by July 21, 1963 was able to give us a moment's cheer by reporting in the *New York Times* that, in addition to 300 individual buildings, the Commission had tentatively designated Greenwich Village and Brooklyn Heights as historic districts. This good news was again publicly confirmed in the October 7, 1964 *New York Times* article announcing the bill's introduction into the City Council, and, incidentally, noting that the Brooklyn Heights district would encompass 1192 structures, the same figure we had provided Platt in December, 1961, before the expansion of our proposed boundaries.

We now really were in the home stretch. In recognition of our frontrunner status, Platt came to Brooklyn Heights in November 1964 to address a town meeting at Plymouth Church on the meaning for the Heights of the proposed statute and, I believe, to gauge for himself the temper of the community which up to now he knew only through our representations. If reassurance was what he wanted he certainly got it. Despite a cold and rainy night, an enthusiastic audience of 250 turned out to cheer both Mr. Platt and another of Clay Lancaster's inspiring slide presentations on our architectural wealth--and on some of the architectural losses that historic zoning could have prevented.

Immediately prior to the December 3rd, 1964 City Council hearing on the landmarks preservation statute, the Association arranged for delivery of a copy of the Brooklyn Heights book to every councilman, and at the hearing offered a detailed presentation on the statute's necessity in terms of the Brooklyn Heights example. Now again it was time to wait.

On January 13, 1965 Senator Javits informed us that the Department of Interior had designated the Brooklyn Heights Historic District a National Historic Site. Finally, on April 6, 1965, the City Council unanimously approved the landmarks preservation statute, which Mayor Wagner signed into law on April 19th. At last we had the goal line in sight.

All along as the Landmarks Law had approached reality it was taken for granted by all concerned, including Chairman Platt, Executive Director James Grote Van Derpool, as well as other Commissioners and staff personnel with whom we were in touch, that the first historic district to be considered for designation would be Brooklyn Heights. The reasons were simple enough. The Commission wanted to be able to demonstrate its ability to act quickly on a major matter. Brooklyn Heights, thanks to Clay

Lancaster, had long since done its homework, and being of one mind on designation, was the only district ready.

During the late summer of 1965 we met a couple of times with Jim Van Derpool to review our state of readiness and, especially, the matter of boundaries. Jim had just one more task for us but that proved to be Herculean, the preparation of a card file providing date, style and other pertinent data for each of the 1,316 separate lots within the proposed district. The burden fell on Clay Lancaster and Nancy Pearsall, and countless hours were devoted to this laborious exercise during the summer and fall of 1965. Dwight Demeritt also produced the photographic record of the Heights at its moment of designation, and performed exhaustive research in the Buildings Department. I certainly hope the Commission found it useful. Then, in September, we had the "dress rehearsal" mentioned earlier at an executive session of the Commission where the major, if only, issue was the boundary.

After seven years, November 17, 1965--the day of our hearing--perhaps should have been anticlimactic, but I promise you it was anything but. Supported by a great crowd of Heights rooters, the Association presented the entire case for designation that we had so carefully constructed over so many years. A large number of other Heights residents also spoke and it was immensely gratifying that with just two exceptions, the community was unanimously in favor.

The two exceptions were St. Francis College and the Watchtower Society. St. Francis, which was not familiar with the community's long pursuit of historic zoning, had recently purchased the Behr Mansion within the district and, learning of the hearing at the last minute, had decided somewhat hastily to take the safe course and voice opposition. But upon reviewing with the Association almost immediately after the hearing the implications of designation and anxious to be as one with the community on this important matter, it acted at once to withdraw its opposition, leaving the Watchtower, which had plans for new construction, as the sole objector.

Just six days later, on November 23, 1965, the Commission promulgated its three-page designation decision and New York City had its first historic district, the Brooklyn Heights Historic District. Now, some 28 years later, New York has 58 historic districts and each of you who struggled for the designation of your district has a story of commitment, hard work, disappointment and ultimate success not unlike ours. We just happened to be the first.

Hardly, however, had that fleeting glow of success subsided before we discovered that our legislative work was not yet at an end. Even before Mayor Wagner signed the Landmarks Law, the Association heard that the Watchtower Society was seeking to purchase as much as possible of the block bounded by Columbia Heights, Clark, Willow and Pineapple Streets, and eventually we learned that it had acquired the frontage along Columbia Heights between Clark and Pineapple to a depth of 100 feet, on which it proposed to construct a 12 story "community facility."

This news, needless to say, caused us to scrutinize closely two key provisions of the new Landmarks Law, Sections 207-3.0 and 207.b(3) [now Sections 25-304 and 25-307.b(3)]. The former, dealing with the "Scope of Commission's Powers," stated that nothing should be construed as authorizing the Commission, in acting with respect to any historic district or improvement therein, to limit the height of buildings. The latter reiterated that the Commission, in making its determinations, shall not apply "any regulation, limitation, determination or restriction as to the height of buildings other than regulations, etc. otherwise provided by law," which we understood to mean the Zoning Resolution. To our disgust we were forced to acknowledge based on these provisions that if open space for any reason became available in an historic district, a developer would surely argue that, regardless of the district's predominating scale, the height of permissible new construction was constrained solely by whatever limits pertained to the area under applicable zoning.¹

¹ It should perhaps be noted that historically, under a different interpretation of the Landmarks Law, the Landmarks Commission has found certain designs for new buildings to be inappropriate to the special character of historic districts on

Naturally, we recognized that open space would inevitably occur over time in Brooklyn Heights or any other district for any number of reasons. Buildings sometimes simply collapse or are demolished by fire or explosion; the Commission might allow the demolition of a nondescript structure that did not contribute to a district's character; or, the Commission might be required to permit demolition on grounds of insufficient return: we envisioned that this might occur where, for example, the value of several contiguous lots occupied by small houses might rise to reflect the potential for large scale development. But more specific to our immediate problem, we were very unsure how the limitation on demolition might be construed to work in the context of an application by a nonprofit such as the Watchtower Society. In short, we were greatly concerned that we had discovered a serious possible gap in the statute's protection, with dangerous immediate and long term implications for the Heights.

Since the Columbia Heights site included several buildings that clearly contributed to the district's character, we believed, but could not be certain, that we could block their demolition. But assuming they were demolished, the applicable Heights zoning would clearly permit a community facility of 12 stories or even more. What we needed, therefore, was a clear-cut height limitation tailored to the prevailing scale of our brownstones that would apply regardless of the circumstances giving rise to new construction. And since we were familiar with the 50 foot limitation originally imposed on the piers below the Esplanade following construction of the Brooklyn-Queens Expressway to protect our famous harbor view, it was no big jump to conceive the idea of proposing to the Placating Commission a Zoning Resolution amendment authorizing the Planning Commission to establish "Limited Height Districts" in areas previously designated by the Landmarks Commission as historic districts. Not only would a fifty foot height limitation assure that any future development conform to the brownstone scale of the Heights, which would result over time in some tendency to replace nonconforming structures with conforming ones, but it would remove virtually all future incentive to tear down brownstones in the first place.

Through the good offices of Beverly Moss Spatt, who was then a Planning Commissioner, we took the matter up with Millard Humpstone of the Planning Department's staff and, to our great relief, received a wholly favorable response. Here was a government agency that not only understood our practical problem but was eager to be of help. We were thrilled.

The next step was a formal Association letter to Planning Chairman William F. R. Ballard explaining the statutory issue which--based on our review of over fifty preservation laws nationwide--was unique; its range of potential implications for the Heights; and our proposed limited height district solution. Although to minimize the risk of organized real estate industry opposition our actual proposal to Chairman Ballard contemplated a limited height district just for Brooklyn Heights, Mr. Humpstone preferred an amendment that would authorize the Planning Commission to create one or more limited height districts in any historic district, since any district where scale contributed significantly to character would face issues similar to ours.

Eventually a satisfactory set of amendments were developed authorizing creation of one or more 50, 70, or 100 foot limited height districts within (but not necessarily coterminous with) the boundaries of designated historic districts. In November, 1966 these amendments were approved by the Commission. Now came the hard part, approval by the Board of Estimate. As we had predicted, the real estate industry was resolutely opposed to this notion of superseding the ordinary zoning regulations governing height, and fought us toe to toe. Happily, however, this was pre-Charter Revision, when a Borough President, if you could persuade him of the justice of your cause, had the clout to even the odds for individual neighborhoods caught up in the powerful cross-currents of big city politics. Abe Stark was in our corner on this one, and with his help, in December, 1966, the Board of Estimate narrowly approved the limited height district enabling amendments.

esthetic grounds, in henna of their massing. Of course, such grounds require a funding of the Commission, whereas under the limited height district zoning a universal prohibition is immediately clear. Subsequent City Planning Commissions have been reluctant to extend limited height district protection to other historic districts. -The Editors.

Now it was a matter of designating Brooklyn Heights the first LH-1, or 50 foot, Limited Height District. Although we made elaborate supporting presentations, it really wasn't necessary. The real estate industry, it seemed, didn't care about the particular Brooklyn Heights case, only the authorization of limited height districts in general, and having lost that battle, did not oppose us. So in June, 1967 the Planning Commission designated the bulk of the Brooklyn Heights Historic District the first 50 foot Limited Height District. In August, at a hearing attended by a large group of Brooklyn Heights residents, the Board of Estimate approved.

The City's rationale for this unprecedented action, set forth in Millard Humpstone's report for the City Planning Commission to the Board of Estimate, may not be widely understood and so, I think, bears repeating here:

The Landmarks Preservation Commission, in designating the Brooklyn Heights area as an 'historic district', recognized that its history and the general excellence and homogeneity of its buildings warranted keeping the character of the area substantially as it is. This decision has not only been confirmed by the Board of Estimate but the national importance of Brooklyn Heights was recognized by the Federal Government in January 1965 when it was designated a National Historic Landmark. While the Landmarks Preservation Commission is empowered to prevent, within statutory limits, the demolition or inappropriate exterior alteration of existing structures within a 'historic district', it is quite specifically barred from controlling the height or bulk of new buildings which might be built on parcels which are presently empty or which might, in the future, become available for redevelopment. Yet an important characteristic of Brooklyn Heights is the generally uniform height of buildings--typically three and a half or four stories and it is essential that this generally uniform height be maintained if the character of the district is to be preserved.

The proposed establishment of an LH-1 District within most of this 'historic district' would limit the height of buildings to a maximum of 50 feet above curb level. It is recognized that there are many existing buildings within the proposed boundaries that presently exceed this limit. The 50-foot height is, however, characteristic of the majority and of the best of the area--the fine individual buildings and, more especially, the many continuous rows of buildings which it is the Nation's hope and the City's expressed intention to see preserved. Existing intrusions will, of course, be unaffected by the proposal; constructed before the zoning change, they can remain as a matter of right. The LH-1 designation will, however, prevent their replacement by new structures higher than 50 feet. Thus, the proposal will not only prevent the further spread of intrusive structures in a designated 'historic district' but may act, over the years, effectively to reduce their number and so bring about throughout the entire district, the harmony and homogeneity that are now characteristic of its best parts.

As an historical footnote, I should mention that while the effort to obtain limited height district status was on-going, the Association, with the active involvement of Planning Commissioner Sweeney, made good use of its imminent prospect, and our historic district status, to reach a relatively happy settlement with the Watchtower Society. This, in essence, involved the Society giving up its proposed 12-story structure along Columbia Heights between Clark and Pineapple Streets, demolition at the corner of Clark and Pineapple Streets of the nondescript Norwegian Club (the 19th century origins of which were unrecognizable), and construction in its place and behind the front parlors of three adjoining houses of the first new building in an historic district, a contemporary treatment barely over 50 feet in height, sensitively modeled in brick by Ulrich Franzen to gently echo the bays of the house row next door.

So it was that by August 1967, just nine years after that original group of urban pioneers began meeting in Don McKinney's undercroft, the struggle for legal protection of Brooklyn Heights' architectural heritage

was finally over. Since that time, while there certainly has been some minor erosion, we have not suffered the loss of a single house or a single stoop or, indeed, any of the depredations which motivated us at the outset and along the way. To the contrary, the high value the community learned to place on our historic architecture has brought about a wealth of splendid restoration. To be sure, we still live with significant problems, the St. George, piers redevelopment, and institutional expansion, to name just a few. But compared to the fragility we faced 30 years ago, history has fully vindicated Richard Margolis' extravagant editorial prediction in March, 1959 that "historic zoning would virtually guarantee stability on the Heights." Grandest of all, tic miracle Margolis predicted has proved true not just for the Heights but for our multiplicity of historic districts throughout the City. Looking back, it is clear that nothing in the hurly-burly of a lifetime career has given me such satisfaction as watching the trickle that began in Brooklyn Heights become the powerful preservationist torrent of today.

BROOKLYN HEIGHTS AND THE LANDMARKS LAW:
AN INTERVIEW WITH OTIS PEARSALL

This interview was conducted on July 19, 1994, in the offices of Mr. Otis Pearsall, by Anthony C. Wood, author of the "Pioneers of Preservation" series of interviews. Also present were Ronald Kopnicki, President of the Society for the Architecture of the City, and Christabel Gough.

MR. KOPNICKI

We are here to interview Mr. Pearsall, who is indeed one of the pioneers, instrumental in the creation of the Brooklyn Heights Historic District, and a recent recipient of the "Landmarks Lion" award from the Historic Districts Council. And with that, Tony, take it away.

MR. WOOD

We have to begin with a heartfelt thank-you to you, Otis; because of all the people who played a role in this, I think you are the only one who's had a real, conscious sense of wanting to keep a record of what happened--I mean, you have such good records of what actually happened when and who was involved, it gives us the luxury of trying to get a little behind some of those facts and getting a sense of some of the "people-dynamics" and a little more of the political dynamics of that time.

Before you moved to Brooklyn Heights, that community had successfully fought Robert Moses on the Brooklyn-Queens Expressway. Was that battle something that was fresh in people's minds at the time when you became active in the Heights which I think, if I'm right, was '57= 58-ish?

MR. PEARSALL

Nancy and I moved to Brooklyn Heights in the fall of '56, and it wasn't very long after that we started getting involved, one way or another--although actual focus on preservation I don't think began until a year or so later. But I think, to answer your question, that it was certainly fresh in the minds of some people.

You have to realize that at that juncture an event was occurring that probably hadn't occurred anywhere in a downtown, declining residential area before--that is, that a whole lot of young professionals had started moving into Brooklyn Heights. And that group, by and large, knew of the event that you speak of through hearsay. I, with Brooklyn roots, knew something more about it.

But there was another whole group in Brooklyn Heights--which of course is now entirely gone--of indigenous inhabitants, so to speak, who had lived through this. Roy Richardson was one, and there were a number of other old-timers still on the Board of the Brooklyn Heights Association, who had participated in one way or another in all of that. But it wasn't this young group of professionals who were now moving into the Heights, and who ultimately formed the life-blood of the preservation effort as it began to develop in '58, '59 and '60.

MR. WOOD

So there really wasn't any cross-pollination between those two fights.

MR. PEARSALL

Not really. The two fights, I think, really should be viewed as entirely separate.

MRS. GOUGH

At a later stage, perhaps, Mr. Bard's interest would be connected with that earlier struggle ...

MR. PEARSALL

Well, that's true; because Mrs. James, who was heir to the Underwood Typewriter money, and who had a marvelous house overlooking the river--reputedly designed by Richard Upjohn, although I think as a practical matter that may not even be true--she was sort of the *grande dame* of Brooklyn Heights, and had been for a long time. And before any organized efforts at preservation took place, she was fighting her own preservation battle, using her own connections and her own money.

She was a personal friend of Bob Moses, and shortly before the events that we're talking about this morning--say, it must have been around '54--Moses wanted to tear down the whole southwest corner of Brooklyn Heights, called Willowtown. Mrs. James effectively stopped that by inviting him to her apartment--they were friends--and had a group there; and talked to him very earnestly about how destructive to the Heights that would be, and succeeded in persuading him to give up that particular development plan that would have torn down all of Willowtown.²

MR. WOOD

Now is that the Brooklyn-Queens Expressway fight, or is that yet still another Moses fight?

MR. PEARSALL

No, the Brooklyn-Queens Expressway was earlier. That was in the 40s, late '40s. I mean, I think the construction occurred in '50, '51, '52, somewhere in there. Then he had this idea of knocking down this Willowtown area. Later he did succeed in setting in motion a process that ultimately knocked down the whole Cadman Plaza area, although he was gone by the time it actually happened. But Mrs. James had a lot of connections, and she was the one contact with the Manhattan elite who were interested in such subjects. She was on the board for many years of the Municipal Art Society, and she may well have known Bard as a consequence of that Municipal Art Society activity. She was certainly the host of the event that he came over to participate in, and maybe they had known each other from earlier wars such as the BQE thing. But if there was any connection at all between the Heights and Bard prior to these events, it would have been through Mrs. James.

² Given the usual inflexibility of Robert Moses, we were puzzled by this account of the persuasiveness of Mrs. Darwin James. A possible key is found in *The Power Broker* by Robert A. Caro: Darwin James had been responsible for a turning point in Moses's rise to power. In 1914, reform Mayor John Purroy Mitchel appointed a new Civil Service Commission, intended to institute controls over patronage. One of the two new commissioners he named was "banker Darwin R James., a natty one-time Princeton track captain and president of the Brooklyn Bureau of Charities". On the strength of Moses's doctoral thesis, *The Civil Service of Great Britain* and his position at the Bureau of Municipal Research (a non-governmental institution bent on reform)-and with the support of the Mayor-Darwin James gave Moses his first job in government. He was to draft a detailed program to free the civil service from Tammany Hall through a system of examinations, job definitions, and regulated salaries. Although this first attempt at reform failed, it led to Governor Alfred E. Smith's appointing Moses as head of a special commission on government reorganization, launching his political career. Darwin James had also been among those who had supported Robert Moses as a reform candidate for Mayor in 1933-a move vetoed by Samuel Seabury. -The Editors.

MR. WOOD

I'm getting a sense from what you're saying that she was probably also then a real powerhouse on the Municipal Art Society board.

MR. PEARSALL

She was. She was still on the board when I went on the Municipal Art Society board, which would have been in the late '60s. I remember she would always have a big black car, and a driver to take her home to Brooklyn Heights, and occasionally I bummed a ride with her. But she was a very interesting and energetic woman, who was tremendously keen on the Heights. And she invested personally; when a lot of houses along Columbia Heights were in jeopardy, she bought those houses just to preserve them, then ultimately sold them off when she found opportunities to put them in strong hands. And she did many things that I could go on about in terms of getting young people, as they began to arrive in Brooklyn Heights, interested in the Heights--interested in the Brooklyn Heights Casino--she took Nancy and me under her wing, along with other people, when we arrived on the Heights, and she had parties at her house at which she tried to have all these young people introduced to one another. I had known her because I had grown up in Brooklyn; I was a great friend of her two daughters. So she was very kind to us. I think that her enthusiasm for it communicated itself to Nancy and me and probably contributed, in some indirect fashion, to our willingness to put our shoulder to the wheel.

MR. WOOD

Taking us to the town meeting of April of 1959, and the larger meeting in May of 1960, what just fascinates me is--we're talking about the May, 1960 Brooklyn Heights Association Golden Jubilee annual meeting--you've got the head of the National Trust for Historic Preservation speaking; you've got a crowd of 700 people, all talking about historic preservation on the Heights; and this is now a full year or more before M.A.S., with the help of Felt, even suggests to the Mayor the notion of this committee.³ So I mean clearly Brooklyn Heights' consciousness is way ahead of any other group or neighborhood in the city about historic preservation. I mean, that's what the facts plainly reveal. Am I right? You were way, way ahead.

MR. PEARSALL

True, absolutely true. We were absolutely the only ones who were beating this drum.

MR. WOOD

Were any of the other neighborhoods discussing things at all like this?

MR. PEARSALL

No, no, no. Greenwich Village--well, let's see. What was the nice old lady--the wonderful woman ...

³ The Mayors Committee for the Preservation of Structures of Historic and Esthetic Importance, proposed by Harmon Goldstone, Geoffrey Platt and James Felt in May, 1961 (*Village news*, Vol. VI, No. 3, p. 12) and appointed in June of 1961.

MR. WOOD

Ruth Wittenberg?

MR. PEARSALL

Yeah, Ruth. Eventually our paths crossed, but it would be hard for me now to recall when that occurred. I'm sure it occurred at some point before the Landmarks Law was enacted. I remember going to her house; her husband was very interested in the subject, and I remember him delivering a little bit of a speech about how terrible it was to build these "filing boxes" for people. It was a concept that has remained in my mind ever since; and I would imagine that Greenwich Village began perking in, maybe, '63 or thereabouts.

MR. KOPNICKI

In a speech he made in 1978 to the Mechanics Institute, Harmon Goldstone expressed surprise that preservation had developed in a direction which really was favoring districts over individual landmarks in terms of proportion of designations. When you were starting things going in Brooklyn Heights, was that your vision of the future of preservation: being centered in districts? Do you think that some of the other districts that were designated, after the Heights sort of served as a pioneer in this way, have been up to the same standard? I mean, there was controversy at the time about Greenwich Village and its degree of aesthetic unity; it's referred to in the Platt and Goldstone interviews--some people thought at the time that the Village should not be one large district, but rather a group of smaller districts. When we first started getting interested in preservation, we were still encountering that view among people working officially in preservation for the City: that the Village really should have been smaller districts, and not just one; some parts were "more equal than others," in their view. How did you react to the developing emphasis on districts and the controversies about the degree of aesthetic unity that a district should possess in order to be worthy of designation?

MR. PEARSALL

Well, that's a multi-faceted question. First, I will say that it is my impression, I believe correctly, that what the Municipal Art Society was thinking in terms of in 1959 was individual landmarks. They had their Committee on Historic Architecture and produced these lists, starting maybe in '54, '55; that effort goes back into the early '50s, and I had one of the early copies. What the Municipal Art Society was focusing on was individual landmarks. They were not thinking of historic districts at all.

MR. WOOD

Mostly in Manhattan, too, right? Mostly in Manhattan, individual landmarks.

MR. PEARSALL

Oh yeah, yeah. Well--no, that's not fair. If you look at that original--a very large number of the buildings are not in Manhattan. They have a bunch of them in Brooklyn, but most of the ones from Brooklyn were in Brooklyn Heights. But there were others too. So they weren't looking just at Manhattan; that original list is more than just Manhattan. But that's what they were thinking of; they were not thinking of historic districts at all, until we came along.

Then there was an interesting kind of amalgam that occurred, because they had sort of the elitist connections, which we didn't have, but we had that kind of populist, grass-roots enthusiasm, which they saw that they could use. I mean, Platt and Goldstone had no political support of a grass-roots nature. They had contacts, but they didn't have any political support. So they saw that there was a "cross-ruffing" here that was potentially beneficial to everybody and slowly they began thinking about historic districts.

It was thought, I think, then, by me as well as others--that the Heights, and good parts of Greenwich Village would be the historic districts. I had no idea--and nobody did--there would be 50 or 60 historic districts. That was a completely foreign thought. Everybody would have blanched had they thought that it might develop to that extent, although in retrospect, given the fact that the city had no other means to preserve special districts, this clearly was the vehicle that had to be used, and I think has been very effectively used. But it wasn't in the contemplation at all of the people that I talked to back in those days. And I was aware that in Greenwich Village there were elitists who thought that the good blocks off Fifth Avenue were really what needed to be preserved; a lot of stuff didn't need to be preserved. It's amazing to me that as much got preserved as did, because exactly that kind of indifference--to some of the areas of Greenwich Village that actually contribute a great deal -- was marked at that time.

MR. WOOD

I want to ask you a couple of questions about some preservation battles just to get a sense of weight, in terms of if they were just blips on the screen or impact. I know there was a flurry about the building in which Walt Whitman's "Leaves of Grass" was published, when that was threatened and I guess ultimately lost. Was that a significant event at all in your memory?

MR. PEARSALL

Well, it was significant. Cadman Plaza was a pretty well crystallized, Title One defined project, in 1956. Although we fought Moses to the point where the project did not in fact go forward as it was originally planned, it remained a designated Title One project. And it had the support of people like John Cashmore, who was the long-term Borough President of Brooklyn, who saw Cadman Plaza as a personal monument. He's responsible for a lot of the terrible stuff that we see there: that horrible--well, I think it was a horrible-war memorial (we could have had a wonderful war memorial, but--); that war memorial. But, you know, the Supreme Court building; we had a wonderful Renaissance Revival Supreme Court building. Of course, it probably wouldn't have been suitable for current needs, but that monstrosity that's been built there is his doing. The closing of Fulton Street was his doing, and he wanted to see Fulton Street enlarged as it went down to the river, to become sort of a "Champs Elysees" of Brooklyn. He wanted to be able to look out his office and see this park and big wide street; and that was consistent with tearing down the eastern edge of Brooklyn Heights. So he was firmly supportive of the Title One designation, and so although there were many people, including myself, who greatly regretted the notion of leaving it behind, I made a judgment that we dare not risk this whole new idea and the possibility that we could actually get the preservation of Brooklyn Heights officially in place through a designation. I didn't want to risk that by dragging in the future of Cadman Plaza. And as I say, I've had regrets about that. If I had been tougher, maybe we could have pulled it off, and stopped it in its tracks, but that was the judgment that was made. And so the Heights Association, in its policy formulations, decided that they would go for the designation of Brooklyn Heights, either as a stand-alone district, or as a district within a larger system, with defined areas that excluded what's now the Cadman Plaza site.

Now there was Dan Knickerbocker; he was the head of the group, but I have no idea what--he left the Heights some years later, and I don't--he's probably dead now--but he and a band of very strenuous adherents tried to use the "Leaves of Grass." The building in which it was printed was there, it had a plaque on the wall, it was in the Cadman Plaza site, and while they wanted to preserve the building, what

they really wanted to do was to save the Cadman Plaza development site from the wreckers' ball. That group had a name, and I've forgotten what that name was, and things were very tense for a while because I was fearful that they were going to undermine our efforts to preserve the rest of the Heights, and they felt that I was doing the wrong thing by not standing up for right and justice and saving Cadman Plaza. You know, I had great respect for their views, but we-just didn't want to take a chance, and so that's what happened.

MR. WOOD

In terms of opposition to the Brooklyn Heights District and its designation, there were the Watchtower interests. Were there other kind of organized opposition or was that really the only organized voice against your District?

MR. PEARSALL

I remember Norval White at the hearing saying that we were making a very big mistake not to include the eastern edge, which was the office building edge, facing Court Street: the block between Clinton and Court Street. And he was right. But we had excluded it because we didn't want all those big property owners coming in against us. But he was right. It would have been much better to have included it. But he was an advocate, not an opponent.

The only two formal opponents were the Watchtower Society and St. Francis College. The Watchtower people obviously saw what this was going to do to their efforts, and St. Francis had just bought a wonderful mansion, the Herman Behr mansion at the corner of Henry and Pierrepont Streets. They had monks back in those days, quite colorful folks in brown garb, who were living there. They were a little out of it; they didn't really know what was going on. Somebody told them that there was about to be this thing that was going to limit what they could do, and so they went down-they sent a lawyer down, or somebody, to oppose it. And that just came out of the blue. But we knew all kinds of people who were involved with them, so in no time we had a meeting with them, and explained, to them that this wasn't-you know, what this was, and how it was going to be good for them, not bad for them; and they withdrew their opposition, leaving only the Watchtower Society. This is now-you know, we've been talking about this for six years in Brooklyn Heights and we had systematically reached every quarter of the Heights. We had reached, through an early effort using John Codman, who was the father of the Beacon Hill Historic District-he came down. He was a realtor. He met-we had a big meeting of all of the Brooklyn Heights realtors, and explained to them how this was all going to work, and they all thought it was a terrific thing. It could sell houses for them, and so they thought this was great. So we had absolutely no opposition from within the community; by that time everybody was just all revved up.

MR. WOOD

I was reviewing some of the documents that you've given me over the years, and....

[Mr. Wood and Mr. Pearsall have a pile of historic documents on the desk, and turn their attention to "Document 20, " the "Historic Zoning" proposal advanced by Arden Rathkopf which is reprinted in full on page 23 of this issue.]

MR. PEARSALL

That whole story is set out in my reminiscences, it takes place in the spring of '59, and I've got a fair amount of detail on that--a copy of the statute--you know, there are a lot of resonances of that original draft in the current Landmarks Law. I'm sure that there are threads that went all the way through. As far as I know, this is the first attempt to prepare a Landmarks Law for the city.

MR. WOOD

To clarify, this would be the document or the idea presented at those April and May hearings in 1959 that Arden Rathkopf presented--this draft zoning amendment for a citywide Landmarks Law. That is what document 20 is.

MR. WOOD

What firm was he with?

MR. PEARSALL

He had his own firm; it was Rathkopf and somebody. But he wrote the treatise; he was a wonderful guy, he had a great sense of humor, and of all the old codgers that were involved in the Brooklyn Heights Association at that time--and the Heights Association was very different then than it is today--the Board was a group of elderly men who did their best to maintain (and they did a damned good job of maintaining) the standards of Brooklyn Heights. But they weren't very flexible; let's put it that way. Arden was very flexible, and welcomed all of these ideas, and I'm sure that he and Shulman were the principal authors of this document number 20. He felt that the thing to do was have a citywide--essentially like we have now. That was what he wanted, and then you'd have individual districts designated under that. He thought we had a better chance of accomplishing it, rather than a special-interest provision for Brooklyn Heights. So this was prepared to take advantage of the fact that Felt was working on a substantial revision of the Zoning Resolution, and he was going around the boroughs holding hearings. He had a hearing in Brooklyn, he had a hearing in Manhattan, and this was presented on both occasions. Ted Reid was our guy, that is to say, the "Young Turks" guy, and he was a member of our CCIC group, and Arden carried the ball for the Heights Association. This is the document, and I think if you look at it you will be astounded. This is a very thin paper, but essentially it's all here; it's all here, and a lot of the same language is here. This is clearly the point of departure for what we now have as the Landmarks Law.

MR. WOOD

While we're on that subject for a minute: that was an effort to advance a city-wide zoning, the spring of '59, through the zoning reform process that was going on. Felt, I know, sent signals--I mean it was clear that that didn't seem to be moving forward with great alacrity, and you continued to then push kind of the single solution, the Brooklyn Heights solution, which I know you pushed for several years; and then, at a certain point--and one of my questions is, I know there was a radio show that Felt was on--I got a sense that it was clear the boom had descended and Brooklyn was kind of sat on, in a sense. I also remember, in one of the other interviews--I think it was either with Platt or Harmon Goldstone--that he made some reference to the, not the "Young Turks," but some phrase like that, in Brooklyn that had to be sat on.

MR. KOPNICKI

It might have been "lunatics."

MR. WOOD

That was a reference to the people in the Village. I don't think Brooklyn earned that. But it was kind of this notion that at some point they had sat on the Brooklyn effort to cool it down, to let the city-wide one move forward.

MR. PEARSALL

That's exactly what happened. It was after the Mayor's committee had been set up that basically Felt, while encouraging us, urged us to work with Platt; and that led to Harmon coming over, and we had a nice lunch at Darwin-at Mrs. James' apartment, following which--and we had the first pre-publication copy of the "Old Brooklyn Heights" book by Clay Lancaster, which I gave to Harmon--then we drove around the Heights afterwards. And he seemed very enthusiastic; but Platt was clearly the guy in charge, and so he set up a meeting with Platt, and that was the first of many meetings with Platt. The long and short of it was that Platt right from the very beginning, made it clear that he had no patience at all with our idea for a Brooklyn stand-alone. Yet we realized that if we got swept up into the city-wide vortex, where the Real Estate Board and its associated allies were very serious opponents, that we could be delayed for many years; and in fact that's exactly what happened.

In the spring of '62, in a last-ditch effort to give vitality to our stand-alone program, we went public with a full-blown Brooklyn Heights statute, a press release, all kinds of charts and schedules and maps that defined the styles, the dates, and all this; and we got a fair amount of publicity in the city-wide press. We sent copies of the book to a whole lot of different people. This is the book; I don't know whether you've seen the original edition of *Old Brooklyn Heights*, but it's a hard-bound book, and it was a very impressive vehicle. We sent it around to everybody we thought would be influential. But it was clear that there was not going to be any support for everybody who was interested in the subject in city government wanted to focus on the city-wide project and, as you point out, I made one last sally with Felt on that radio show. He was very encouraging; he said, gosh, you've got to be a historic district; but you've got to fold in your effort with Platt's group. And that was our last real effort to stand alone.

MR. KOPNICKI

What is your final evaluation of the role of Felt in the whole process? Because Platt and Goldstone both speak very highly of him. However, what always strikes me is the remark I believe Platt cites of Felt, about how "you're going to lose some buildings; you're going to lose them." And it's struck me that it's a bit like St. Augustine's prayer, "Lord, make me chaste, but not yet." In other words, Felt was willing to help with a certain amount of preservation but, nonetheless, some buildings would still have to be sacrificed. Do you think that it was necessary to compromise to that degree in order to accomplish anything?

MR. PEARSALL

I really don't know; I really don't know. I've been curious for a long time myself about what actually happened. We were essentially shut down, and what we did for the next two or three years was to hold meetings and have speakers and generate enthusiasm at the Brooklyn Heights grass-root level. But in the

spring of '62, the Mayor changed his committee, made its report recommending a Landmarks Commission, and by December of '61-I may have the dates wrong--but then it was in the spring of '62 and there was a whole hoo-hah going on about Penn Station, and Platt was made the head of the Commission. There was a lot of overlap between the members of the original committee, but it was a different group and, to some extent, different people. Shortly after the appointment of that, one of my colleagues, Bill Fisher, who had been interested in this--who'd been one of our CCIC co-chairs, we'd made him a CCIC co-chair to try to embrace the Brooklyn Heights Association to the extent that we could, and see if we could pull together instead of in different directions--he was the head of the Housing committee of the Brooklyn Heights Association at that time. He was a good guy. He later became President of the Long Island Historical Society, and he was helpful in the whole process as we went forward. He had developed a relationship- through the Brooklyn Historical Society, then the Long Island Historical Society- with Hugh Carey, and Hugh Carey got him appointed to the Mayor's Commission. But Bill was not a "doer"; he really was perfectly content to kind of sit by and listen to people. He was not an activist, but he was the only eyes and ears that we really had into the Commission. He took very much of a back-seat role in all that, but we did learn some things. I did see, and was able to make some comments about, the Law as it was being developed, and did have a chance to review an early draft. But they had a draft in essentially its final form by '63. The thing was done, and yet it was not presented to the City Council until winter, late winter I would think, of '64. I don't know, to answer your question, I don't know what the forces were that held up the Law for as long as possible. I've always attributed it to the real estate effort to defeat the thing one way or another, and I suspect that I probably had reason to believe that that was the case based on things that Bill Fisher was telling me were going on in the Commission. But I have no real information about exactly what was taking place, or why it took so long. It was two years, or at least a year and a half, after the Law was fully drafted, before it was presented to the City Council.

MR. WOOD

A quick question about Fisher: is he a different Fisher than the one who was with the MTA? A different Fisher than the family behind our current council member from Brooklyn Heights?

MR. PEARSALL

Oh yeah.

MR. WOOD

Totally different.

MR. PEARSALL

Yeah. Bill Fisher--nothing to do with any of them. Bill Fisher was a lawyer who, in this part of his career, was one of the chief lawyers for 20th-Century Fox, and had nothing to do with any of these other people.

MR. WOOD

The question I had was now, in the process when the law is actually being drafted, in the kind of fuzzy time period before it suddenly appears on the Mayor's desk, you said you'd had an ability to make some comments on it.

MR. PEARSALL

I made some comments, but I was not in the center of that effort.

MR. WOOD

You weren't in the loop?

MR. PEARSALL

I wasn't really in the loop. The meetings with Platt and Goldstone tailed off in '62. The effort to produce the statute was in the Commission. I mean, there were some things that we did; I remember Jim Vanderpool-I gathered a collection of all (I guess I didn't get them all, but I got 90 percent) of the preservation laws throughout the country, I gathered personally, put them in a book, and provided them to the Commission, so that they would know what was out there. And I made comments to Bill about what I thought needed to be focused on, and I did see an early draft that is to say, I saw a draft sometime in '63; I saw a draft and I commented on that, and eventually Seymour Boyers, who was the head of a City Council committee, and I suspect that Boyers, who was a lawyer and counsel to his committee, probably participated-I don't know whether Boyers is still alive or not--but he is the guy that introduced the bill and shepherded it through the City Council process. I do not know who the principal draftsmen were of the actual language. I did not draft it. My contributions were limited to: a), collecting all those statutes; b), making comments to Bill and then commenting on a draft.

MR. WOOD

That takes us to an interesting moment in time, though; that we've got a law that now finally has appeared on a Mayor's desk, and the City Council hearings on the law, and great speculation-

MR. KOPNICKI

According to the Goldstone interview, he says "it got turned over to the Corporation counsel and Morris Handel took over, and Bernard Friedlander. . . "

MR. WOOD

Who's still around, Bernie Friedlander.

MR. KOPNICKI

". . . and several others." And then he mentions Lee Rankin, who was the Corporation counsel.

MR. PEARSALL

You know, the thing must have been--I remember generally who was on that Commission; there wasn't anybody on the Commission that would have done it. They didn't really have any staff. Jim Van Derpool was the staff, I think, and he was, of course, an eminent architectural historian but he certainly was not a draftsman. The thing has to have been drafted in the Corporation counsel's office.

MR. WOOD

Just to follow up on this Felt thing for another minute, because we come to this with Watergate mentalities, as opposed to the mentality of that time; but with him playing this key role, and kind of advising those trying to get the Landmarks Law passed; at the same time, his brother was a major player in the Penn Station thing.

MR. PEARSALL

I saw that in your questions, and I probably once knew that, but it is a new fact for me now. I've lost track of the fact that his brother was--of course, it was a real estate family, and I'm not surprised to hear that, and I must have known it at the time, but I certainly have lost track of it. There was never any indication, in my dealings with Felt, that he was other than completely sincere; but because of his -- - this is just total speculation on my part--I mean, he was really plugged into the real estate group, the real estate families that really dominated the scene. And he probably knew that they were going to fight it tooth and nail and that this was going to be an anathema, and that it was going to take a lot of hard work. But, you know, I don't think the thing would ever have gotten across the goal line had it not been for Felt's support and efforts. He was the one person in city government that took what appeared to be a genuine interest. I mean, Wagner was the Mayor at the time, but although Wagner always said the right things, you never had any sense that he was actually concerned about this issue. Felt seemed to be the only one that was concerned about it, and I think he's the one that gets the credit for causing the city to listen. But I don't know why it took so long, and my guess is that it was probably just a political problem trying to get the thing accomplished in the teeth of very fierce opposition.

MR. WOOD

But Felt was positioned in such a way clearly--I just want to make sure I understand this--that he knew intimately what was going on in the real estate world as well as what was going on the civic world, so

MR. PEARSALL

He's the only one, as far as I know, that had the whole picture.

MR. WOOD

Jumping back a bit to CICC, and its getting off the ground: would you say it's fair to characterize CICC as a reaction to Bob Moses?

MR. PEARSALL

It's an accurate, but only partially correct, statement. There were two things that got people going, that caused this young group to start meeting together in the undercroft of the Unitarian Church. One was the Moses plan for Cadman Plaza, which envisioned a destruction of the whole quarter and construction of efficiency apartments, small apartments, small, very expensive apartments. There weren't going to be family-sized apartments. And there was a whole group of these young people who saw as the principal issue, not so much the destruction, but the kind of apartment buildings and what the complex was going to be like. They wanted to have subsidized, middle-income, family-sized apartments because it was felt that such people would take an interest in whether there were trees on the street, whereas essentially high-income, small apartment uses would involve people that would not have an interest in the

community. So there was one part of our contingent that saw that as the principal issue; there was another part that saw the destruction of the architecture as the principal issue, and then going along with that as the other primary source of inspiration, if you will, was the Watchtower Society. The Watchtower Society was busy tearing down houses. Just before I arrived, five houses on Willow Street, right near where I lived, were taken down by a private developer who put up an apartment house. Then right after that, in the winter of '57, the Watchtower acquired another group of houses, a whole block of houses, further north on Willow Street, and tore those down. It seemed as though a combination of private development taking advantage of the increased values in Brooklyn Heights as a consequence of its newfound popularity, on the one hand, and the Watchtower on the other hand, could be a very destructive force. So it was really, I guess, three things. There was a fear of private developers, absentee developers, who didn't have any stake in Brooklyn Heights, but would take advantage of increasing real estate values; there was the Watchtower Society, that was totally untamed and prepared to tear anything down that it felt it heeded in order to have its buildings; and there was Moses, who was prepared at that point to tear down the whole northwest corner of Brooklyn Heights.

MR. WOOD

Those are good motivating factors to get one going.

MR. KOPNICKI

What do you feel about how the Commission--say now looking back over all these years--how have they done regulating the Heights as a District, and in general?

MR. PEARSALL

I think by and large they've done an okay job. I have gotten pretty far away from that process and so I'm really not very expert any more. For a long time I was very much involved in the regulatory process because I would go to hearings and I would represent the Heights in the various application hearings of one kind or another. You know, there's designation, there's the regulation, but there's another piece of it, which is enforcement. And I think, on the third leg, throughout the City of course, I feel that enforcement has not been as effective as it should be. I can't cite you some examples right now, but over the years there have been plenty of examples in which it would have been nice for the Landmarks Commission to have been more rigorous in enforcing the Law. This has been a problem right from the very beginning. I had to fight tooth and nail to try to get any regulation or any enforcement of the Law at all in its early years. I prepared a desk book of the Landmarks Law. You know, it's a criminal statute, and I figured if I couldn't get the Landmarks Commission to enforce it, I would get the local precinct to enforce it. So I gave a copy of the Landmarks Law to the local captain and I indicated that, you know, the Brooklyn Heights Association was going to be calling the precinct to get some enforcement here.

MR. WOOD

I get a sense that that's an attitude that was at the top and--you know, a top-down attitude, from talking to Platt and Goldstone, that they were very worried about shaking the boat, or whatever.

MR. PEARSALL

This is exactly right. I mean, I have to say that Platt was worried, and so was Goldstone. And although nobody gives Beverly Moss Spatt much credit for anything, the truth of the matter is she brought a lot of courage to the Commission.

MRS. GOUGH

That's very interesting.

MR. WOOD

She certainly also brought its focus on neighborhoods again, I mean, for the first time in a broad sense.

MR. PEARSALL

She did.

MR WOOD

I get a sense--and you and I had the--I don't know if we could call it pleasure--but we were on the Historic Cities Committee, and you had that wonderful idea of trying to get the enforcement provision of the Law as something that a citizen--I can't remember the right legal term--but it was something to be initiated by a citizen.

MR. PEARSALL

It was a private right of action. Under the Landmarks Law, only the Commission can institute proceedings for injunctions and so on. But our idea was to allow any private citizen--we had some qualifications on it so it wasn't going to be a bunch of crazies; it would have to be some organization or something like us--

MR. WOOD

Organized crazies.

MR. PEARSALL

It would have to be organized crazies, but could bring injunctive actions if they had proper standing.

MR. WOOD

Because right now, we're all in the position, if you want to force something, you have to first try and do an Article 78 against the Commission. I mean, you really have to litigate the Commission for not enforcing the Law.

MR. KOPNICKI

There's just one sort of minor, and somewhat comic, factual question that I have. Is the Abe Stark who was Borough President of Brooklyn and was of help--is he the same Abe Stark whose name appeared in the late '40s on a sign in Ebbets Field saying "Hit Sign, Win Suit"?

MR. PEARSALL

Yup. Abe Stark--you say he was of help?

MR. KOPNICKI

Yeah. I think I read somewhere that he helped you in your--no? Not at all?

MR. PEARSALL

Abe Stark is the Borough President who wanted to rip the portico off the front of Borough Hall.

MR. KOPNICKI

Now I must try and track down where I read someone saying something nice about Abe Stark.

MR. PEARSALL

He wanted to rip--you know the Brooklyn Museum--well, you know the Supreme Court House--how they both lost their front steps? Well, Abe Stark's thought was that nobody used those steps, and they were in the way, and they were a maintenance problem, and they should be ripped off. And we had to battle him to get him to leave it alone. Fortunately now it's been wonderfully restored and looks just great, but if you'd left it up to Abe Stark, he would have torn the front steps off. I really don't remember--to be serious about it, I don't remember Abe Stark

That's accurate [*referring to a document which was produced*]. He did save absolutely--you're absolutely right--he did save the day on the Limited Height District.

MRS. GOUGH

But he wasn't too keen on architecture, from what you were saying.

MR. WOOD

There may be totally other reasons why he did it.

MR. PEARSALL

He did it because he wanted to support the Brooklyn Heights Association. This was a political thing that he did, but he did stand in our corner, and we only just squeaked that Limited Height District thing through the Board of Estimate, 12 to 10, and it was because of Stark that we were able to get that done. So, to be fair, he does get the credit for that.