



BROOKLYN  
HEIGHTS  
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June 6, 2016

Hon. Stephen Levin  
NYC Councilman, 33<sup>rd</sup> District  
410 Atlantic Avenue  
Brooklyn, NY 11201  
Via Email to Jbero@council.nyc.gov

Re: Intro 775A

Dear Councilman Levin:

I am writing to voice the Brooklyn Heights Association's continued opposition to Intro 775 and its amended version 775A, which we understand could be brought before the City Council Land Use Committee tomorrow for a vote. We urge you to vote "no" and use your influence among fellow Council members to make more changes to the bill.

As it currently stands, Intro 775A still contains three fatal flaws:

The deadlines being imposed on the Landmarks Commission to vote on individual building and historic district designations (1 and 2 years respectively) are impossible given the LPC's current staff capacity. These timeframes are indicative that the Council is not well informed regarding the amount of historic and architectural documentation required, and the expertise necessary to conduct this research, for a proposed district, or even a single building, to be considered worthy of landmarking. The BHA is cognizant of the inordinate difficulty that researchers confront in obtaining records from the Department of Buildings' archives, but that is only one piece of the challenge. It further requires multiple years, not one or two, for the LPC to complete the necessary documentation, disseminate descriptions to property owners and process their comments, and photograph each property.

If the Council is indeed supportive of the Landmarks Law and concerned about expediting the designation process, it would allocate additional funds to the Commission in the City budget so that the LPC can finally acquire the capacity to complete its work in a more timely fashion. While we are very familiar with the pressure placed on NYC Commissioners to make do with less and to not request additional resources, we believe that this pressure is unacceptable when the Mayor and Council are motivated to undercut an agency's work, which will be the case if Intro 775A is adopted. By approving Intro 775A as is, the City Council will be acting to countenance the loss of the city's historic character.

At the only Council hearing held on Intro 775 last fall, LPC Chair Srinivasan objected to the deadlines and asked that the Commission be allowed to address the Council's concerns through the agency's own rulemaking authority. In our view, that is precisely how it should be. It is our position that the City Council's role is to provide funding

necessary for the Commission to carry out the mission of the Landmark Law, not to interfere with its ability to do its job and not to act as an agent of the real estate industry. The BHA is all for accountability, but we think the Commission, and not the Mayor or City Council, ought to prescribe what they would need to accelerate their ability to protect all the buildings in NYC that deserve preservation.

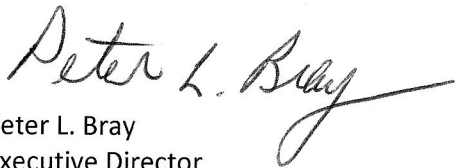
Finally, it is our contention that Intro 775A will dilute the strength of the Landmark Law by giving any owner the ability to veto designation decisions. The good reasons that have kept the owner consent provision from the Landmark law are as strong today as they were in 1965.

We urge you to press for three changes in this bill or hold back the vote until:

- 1) Enough time is allowed between the calendaring of historic building and district designations and an actual vote by the LPC. HDC is correct when it says that "timelines will not speed the process of designation; rather they will discourage the LPC from considering extensive, complicated and/or controversial designation, especially with larger districts. The more buildings that are placed under its jurisdiction, the bigger its job and the more staff required. Five years is more realistic.
- 2) With the continued imposition of any timelines, there has to be a quid pro quo, and the LPC budget needs to be increased for hiring additional staff, and
- 3) Remove the "veto" power given to an owner.

We appreciate your support of these amendments to the bill.

Sincerely,

A handwritten signature in cursive script that reads "Peter L. Bray". The signature is written in dark ink and is positioned above the printed name and title.

Peter L. Bray  
Executive Director