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**Gale A. Brewer, Borough President**

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## **PROPOSED BACKLOG ACTION PLAN FOR THE LANDMARKS PRESERVATION COMMISSION (LPC)**

Over the last year, my office has met with a number of stakeholders: New York Landmarks Conservancy, Historic Districts Council, Municipal Art Society, Greenwich Village Society for Historic Preservation, Friends of the Upper East Side, Landmark West!, and the Real Estate Board of New York. My office has heard from Community Boards and block associations. They all want the same thing: a clear, consistent, and transparent designation process.

But before we move forward we need to consider the current calendar volume. The current backlog at the Landmarks Preservation Commission occurred over a long period of time, over many administrations. This proposal seeks to address the current list of properties and should not be seen as the template moving forward. Real process reform needs to occur as well.

### **BACKGROUND**

The Landmarks Preservation Commission (LPC) has the power to designate landmarks under the 1965 Landmarks Law. Landmarks include Historic Districts (collections of buildings such as the SoHo Cast Iron District), Scenic Landmarks (Central Park), Individual Landmarks (Brooklyn Bridge) and Interior Landmarks (Merchant's House Museum).

The first step toward designation is being placed on the calendar for a hearing. However, no hearing date actually needs to be set. There are no set timeframes or milestones in the same way ULURP has in order for an item to be officially designated.

There are approximately 100 items that have been on the calendar for five years or more, and some of these items date back to 1966. In November 2014, the LPC proposed removing these items from the calendar in an administrative action with no regard to merit. This action was later postponed.

### **ACTION PLAN PROPOSAL**

In summary, the proposal recommends that items that have been on the calendar for five years or more should be brought to public hearing and to a decision regarding designation in order to ensure a public and transparent process. However, given the volume, it is not intended that each item be heard individually. The merits of each individual item should be encouraged to be submitted in writing and a summary of that work should be presented to the Commissioners of the LPC. The purpose of the hearing is to ensure the discussion regarding these items is open, not a yes or no vote, and to allow for the public to comment within a limited timeframe on merits.

The LPC currently has announced a public comment period on how to proceed. It is this plan's recommendation that at the end of that period, beginning in May 2015, on a rolling basis up to a duration of one year, the LPC should issue a 60-day public notice and comment period in advance of a public hearing at which members of the public may testify on the subject whether all, any, or none of the items for consideration shall remain on the calendar and proceed in the queue for designation.

The public notice should include at minimum the address, block, lot, community district and if hearings were held in the past, when those hearings occurred. In addition, where possible, the following additional information should be included: the LPC's official statement of significance, and the record of public support or opposition (from the original hearings). It is recommended that a full list with this information be made publicly available before the roll-out begins.

Items for consideration should be grouped geographically, at a number set to be reasonable by the LPC. It is recommended that a minimum of two hearings be held for Brooklyn, Manhattan, Staten Island and Queens given the density and geographic spread of items within these boroughs.

These hearings can occur coincidentally with the regularly scheduled public hearings. After the hearing, at the following session, the LPC must vote on record to: a) designate an item, b) keep an item on the calendar for a maximum period of one year, at which point a decision should be made whether to designate, or c) given the summary presentation on the merits submitted by the public and presented by LPC staff, the LPC should make a decision to either not designate or d) issue a no action letter.