

**Testimony of LANDMARK WEST!
Certificate of Appropriateness Committee
Before the Department of Information Technology and Telecommunications
Regarding the Proposed Rule Relating to Regulation of Public Pay Telephones
Thursday, February 26, 2004**

LANDMARK WEST! is a not-for-profit community organization committed to the preservation of the architectural heritage of the Upper West Side.

The Certificate of Appropriateness Committee wishes to comment on the proposed rule relating to regulation of public pay telephones. The Committee supports the adoption of the proposed amendments to Chapter 6 of Title 67 of the Official Compilation of Rules of the City of New York. The prohibition on advertising on public pay phones installed in Community Districts 1 through 8 in Manhattan will serve as an important step towards re-claiming the city's streetscapes from the current advertising stronghold.

However, the proposed amendment states that "advertising on public pay telephone installations that are relocated may be allowed at the discretion of the Commissioner if the original installation was established prior to the effective date of this subdivision." Any phones that are relocated should be categorized as new installations, and the prohibition on advertising should be extended to these relocations, regardless of the circumstances. To allow otherwise subverts the intent of the proposed rule.

We applaud DoITT for standing behind this proposal, which would be a breakthrough for protecting our streets and sidewalks from further advertising encroachments. In fact, we believe it could go even further. The proposed change would "grandfather" innumerable existing and unsightly payphones with advertising, and would do nothing to curtail the proliferation of payphones ads in other parts of the city where they also pose a major detriment to neighborhoods:

- Public payphones can no longer be placed in the same category of "background," utilitarian street furniture as mailboxes and fire hydrants – invisible, except when you need them. They are now very much "foreground" objects, their designs informed not by the function they serve, but by the amount of advertising they can accommodate. Advertising is now, in fact, their primary reason for being.
- The current city-wide telephone franchise agreement facilitates the approval of overscaled phones that incorporate nearly 130 square feet of illuminated advertising—essentially billboards with telephones attached.
- Their location and their sheer numbers do not correspond to any rational public need. For example, in the three-and-a-half-block portion of Broadway included in the Upper West Side/Central Park West Historic District, there are *12 payphones*. And there are *11 payphones* within one block of 72nd Street along Columbus Avenue.

- The extent of different, frequently incongruous designs that are put forward by the various telephone companies often results in cacophony at the corner, as each company vies to establish its own, unique presence. For example, among the 12 payphones in the historic district along Broadway, four different styles are represented. There are three different styles at the intersection of 72nd Street and Columbus Avenue.
- Advertising dictates the overall dimensions of payphones: for example, a double unit (two phones) of approximately 6 feet in width, 3 feet in depth, and 7 feet in height, this could mean a total of as much as *60 square feet of advertising per location*. Illuminated signs require thick panels and wiring, which in turn require a stocky supporting structure. The resulting bulky payphones are a hindrance to pedestrian traffic flow, block sightlines, and thereby impede views of historic streetscapes, building facades, and business signage.
- Advertisers claim that the revenues they get from advertisements allow them to maintain existing phone installations as a public service. It is hardly a service to the public when public payphones are littered with trash and do not work.
- In historic districts, the integrity of a whole environment, not just one landmark building, is at stake. A proliferation of phones, individually and collectively, creates unnecessary clutter that ultimately erodes the visual character of historic neighborhoods and detracts from a historic district's sense of place, thereby undermining the City's own legislation designed to protect historic resources in context.

Real reform is needed to reduce the number of payphones cluttering our sidewalks, to locate them where they are truly needed, NOT simply where advertisers want them, and to limit their size—billboard-scaled phone enclosures clearly benefit advertisers, not the public.