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April 27, 2018

Mayor Bill de Blasio
City Hall
New York, NY 10007

Re: An Accountable Landmarks Preservation Commission

Dear Mayor de Blasio:

On behalf of the Board of Save Chelsea, I would like to take the occasion of the resignation of Landmarks Preservation Commission Chair Meenakshi Srinivasan to make sure the Commission changes course for the better. We are particularly concerned that commissioners with conflicts of interest, particularly Fred Bland, may continue to serve. We feel that his working relationship with private developers and their consultants may explain how the Commission has come to make otherwise inexplicable, anti-preservation decisions.

In the 2016 public hearing on the replacement of 404 West 20th Street, the oldest house in Chelsea, Mr. Bland led the discussion in the direction of accepting the most damaging aspect of the applicant's proposal – the filling in of the house's side alley and demolition of its adjacent, original, wood side-wall. He recommended that these character-defining features be replaced with a façade recess clad in cement-board siding of a dark color which would visually recede and recall the lost alley and wood siding, a ludicrous suggestion which was nonetheless adopted and approved. The house's actual two-century old wood siding and the story it tells of the involvement of Chelsea's founder, Clement Clarke Moore, are now destined for demolition along with the entire, largely intact house except for its brick street facade.

Commissioner Bland was a party to accepting the applicant's unsubstantiated claims that the house was structurally beyond salvage, a lie clearly trumped up to get it out of the way of the applicant's plans for a new house twice its size. As a principal in one of New York's most celebrated preservation firms, Beyer Blinder Belle, he certainly knows that structural deficiency is never a reason to demolish a landmark, that structural repair is a standard part of restoration, and that in having been continuously and code-compliantly occupied before its recent purchase by the applicant, the house would never have merited condemnation. Mr. Bland did not recuse himself from deliberating on the proposal even though it was presented in part by land-use attorney Valerie Campbell, of the law firm Kramer Levin, who has served on development teams

with Beyer Blinder Belle and is in a position to steer commissions its way. Their collaborations include a 2014 project to alter the landmark Clock Tower Building at 346 Broadway in Manhattan in which Campbell served as an attorney for the owner. After the Commission issued a permit for the project, a group of citizens mounted a successful lawsuit against Beyer Blinder Belle, the City and the building owner. The permit for the project was overturned by a judge who found it “irrational, arbitrary, or capricious.”

Kramer Levin’s website states that when Campbell won LPC approvals for three separate projects in a single day, “Landmarks Commissioner Fred Bland remarked at the public meeting that it was a perfect trifecta of projects and that it was one of the most thrilling days he had experienced serving on the Landmarks Commission.” This seems calculated to suggest to the firm’s potential clients that LPC commissioners keep Champagne on ice to celebrate issuing permits for her projects. It appears to advertise the sale of influence.

According to news accounts, developer Daniel Strauss hired Campbell to advise him on the Whitney Townhouses project even before he purchased the property and hired Beyer Blinder Belle as its architect. The firm’s design gutted nearly a quadrant of a city block in the Upper East Side Historic District, preserving only historic row house facades while inserting a single new luxury condominium apartment building behind and above them. The same project gutted the distinctive interior of the adjacent 1901 Robbins House by notable architect Grosvenor Atterbury, the designer of Forest Hills Gardens. Reconfigured with an inauthentic modern interior, it was marketed as the Atterbury Mansion, or “the old Attenbury Mansion,” as it’s called in a promotional video narrated by a Beyer Blinder Belle principal who couldn’t be bothered to correctly pronounce the name of the architect whose legacy he had helped destroy before milking his name for profit. The so-called Atterbury Mansion, marketed as “restored to its original grandeur,” was sold to a Russian billionaire for \$42 million. We don’t agree that this is restoration. It is the hollowing out of New York’s supposedly protected historic substance to profiteer off underlying land values on the international market. As a landmarks commissioner, Fred Bland is in no position to criticize any other architect or developer for engaging in the same thing; he certainly didn’t do so when a foreign real estate investor proposed similarly gutting the oldest house in Chelsea. His very presence on the commission lends a sorry new meaning to “preservation.”

Even as Kramer Levin’s website advertises Valerie Campbell’s former role as the Landmarks Commission’s General Counsel and ability to delight Fred Bland, Beyer Blinder Belle’s website biography of Bland hints at special access; it promises that “as a Commissioner on the New York City Landmarks Preservation Commission, he plays an active role in shaping the future of America’s largest metropolis.” His profile on the LPC website is an even more explicit piece of marketing, posted at public expense, of his proficiency in securing the Commission’s approval; it states that “his projects include the consolidation of Manhattan’s landmark General Theological Seminary, as well as the construction of a new building on the campus.” The ability to win such approval is a skill for which developers are willing to pay dearly. It is discouraging to see those

with expert knowledge of preservation using their skills not to save landmarks but to guide developers around doing so.

The Chelsea Historic District has particularly been damaged by Commissioner Bland and his firm's projects, including the one cited on the Commission's website at the General Theological Seminary. A 2011 design by Beyer Blinder Belle for the Brodsky Organization introduced a new luxury condominium building on its open grounds, space originally intended as a park-like neighborhood focus and in fact long called "Chelsea Square" in imitation of neighborhood parks like Washington Square. The firm's chunky new building diminishes the long-completed, late-19th century master plan of architect Charles Coolidge Haight and its careful balance of evocative collegiate Gothic architecture and quadrangle-like open space. It also crudely blocks views of Haight's bell tower which was meant as a community-unifying visual landmark. Nonetheless, Beyer Blinder Belle brought its preservation credentials to bear in successfully arguing before the Landmarks Commission that the project was an "evolution" of Haight's historic campus plan.

The nearby High Line Hotel which occupies the west end of the Seminary complex is co-owned by the Brodsky Organization and another major client of Beyer Blinder Belle, MCR Development, for whom the firm designed the renovation of the former TWA terminal at JFK Airport into a hotel. In 2014, a proposal by Beyer Blinder Belle for modest changes to the Hotel's outdoor forecourt areaway fronting on Tenth Avenue was approved by Community Board 4 and the Landmarks Commission. Major unapproved alterations were then built which left the space unrecognizable as the proposal which had been issued an LPC permit. These included introduction of an outdoor bar with a canopy on a permanent foundation, a built-in perimeter planter for a privet hedge blocking views of the Seminary's historic architecture from the sidewalk, and a reduction in planted ground surface to less than half of what had been presented and publicly deliberated, among many other disparities. These violated not just the particulars of the LPC permit but its stated predication on the understanding that "the alterations to the areaway . . . will retain substantial green space . . . and will create an open, inviting space." Community Board 4 painstakingly enumerated the discrepancies and together with the Borough President wrote to the Commission asking for any violations to be cured by their removal or for any proposals the Commission wished to consider for curing them by other means to be reviewed by the Board and go before a further public hearing of the Commission. The violations were instead all legalized in a sweeping amendment issued at staff level by the Commission with no public input. Whether Mr. Bland or anyone else within LPC inappropriately intervened on his clients' behalf, the impression that they received special treatment is unavoidable and diminishes public trust in the Commission.

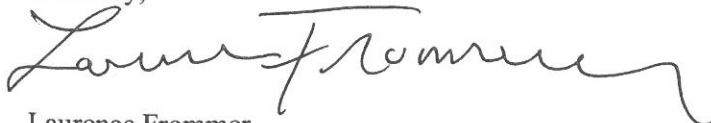
Commissioners who are architects like Fred Bland are required to recuse themselves from hearings on their own firms' proposals, but they may still decide on proposals by other commissioners' architecture firms or presented by owners' representatives with whom they have interdependent professional relationships. This unavoidably creates opportunities for trading in

favours. Further, if such commissioners take positions contrary to those of the chair or other commissioners, it may harm the prospects for approval of their own firms' future proposals before the Commission. While the City Charter requires that three commissioners be architects, there is no stipulation that they be financially disinterested, as would be the case for retired architects or ones whose practices don't regularly entail securing LPC approval as Bland's does to such a high degree. For the Commission to function, common sense must prevail in the selection of its members.

It is evident from publicly available video recordings of the Commission's public hearing and two public meetings on the oldest house in Chelsea that the Chair was intent on allowing the house's virtual demolition. Oppositional input from Community Board 4, including evidence it presented that the Commission's Deputy Counsel knew the owner's architect was misleading the Commission, was completely ignored. No reference was made to the historic significance of the house's side yard and the wood cladding it revealed, as specifically detailed in the Chelsea Historic District Designation Report. Instead, Chair Srinivasan dismissed it as a "quirk," frivolously saying "I can't get all romantic about that side yard" and stating that she could support filling it in. It was obvious from the project's submitted drawings that only the street façade was to be preserved and yet she engaged in a charade that only an addition to the house was being proposed. Although Community Board 4's advisory letter to the Commission and several public speakers in the public hearing criticized the house's proposed virtual replacement, Chair Srinivasan asked the applicant's counsel, Valerie Campbell, "How much of the building will be retained?" She did not challenge Campbell's answer that, "in trying to stabilize the building and to bring it up to code, there is a significant amount of work that has to be done to the building." Campbell otherwise spoke in the hearing of measures needed to ensure the house's "preservation" or "longevity." Even the permit ultimately issued for the project seems ashamed to admit that it allows the house's demolition and describes the approved application as one "to construct additions and excavate the rear yard." Fred Bland would certainly have felt a responsibility to his firm to submit to both the Chair's indomitable agenda and his associate Campbell's professional interest. Only Commissioner Michael Devonshire voted against the proposal, saying he couldn't support the obliteration of a landmark. We know the Commission is in serious trouble when only one of its members dares speak such an obvious truth.

The Commission rose out of the loss of Penn Station to prevent more such losses. The loss of the oldest house in Chelsea brings us to a new Penn Station moment. It's a call to action. We ask you to remove Commissioner Bland and offer Michael Devonshire the position of chair of the Landmarks Preservation Commission.

Sincerely,

A handwritten signature in black ink, appearing to read "Laurence Frommer". The signature is fluid and cursive, with a long horizontal stroke at the end.

Laurence Frommer
President
Save Chelsea

cc: Corey Johnson, New York City Council
Gale Brewer, Manhattan Borough President
Richard Gottfried, New York State Assembly
Brad Hoylman, New York State Senator
Letitia James, Public Advocate for the City of New York
Simeon Bankoff, Historic Districts Council
Lynn Ellsworth, Human-scale NYC