



THE COMMITTEE TO PRESERVE THE UPPER WEST SIDE

Testimony of LANDMARK WEST!

**At the A5026A/S3820A Press Conference
City Hall Steps, May 16, 2019, 11am**

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

LANDMARK WEST! wishes to comment on bills A5026A/S3820A sponsored by Assembly member Linda Rosenthal and Senator Robert Jackson respectively.

LANDMARK WEST! is grateful that our legislators are taking action to close loopholes and level the playing field of development in the densest City in America. The bills before us today as well as the Zoning Text Amendment from City Planning that Council will decide in the coming days are the direct result of community outcry from real New Yorkers and are evidence that at least some politicians recognize that they work for their constituents!

A5026A/S3820A will return fairness to the process of development, aligning it to the intent of the zoning code. It will offer transparency and yield predictability in planning to communities citywide, an assurance first challenged in 2012 when human-scaled floors bulked up to averages of 16'5" and beyond, while the average American male homo sapiens height held steady at 5'9"!

Had this legislation already been in place, it would outright stop developments such as 36 West 66th Street, a 127-unit mixed use residential building that seeks to cast shadows from the midblock between Columbus Avenue and Central Park West to the Children's Zoo off of 5th Avenue.

Had this legislation already been in place, the community would not have needed to file challenges with the Department of Buildings, nor multiple appeals with the Board of Standards and Appeals. They would not have needed to commit tens of thousands of dollars to protect their rights supposedly already afforded by the taxes they pay, and as intended by the spirit and letter of the Zoning Code that developers dutifully flaunt.

In our egregious case, a developer seeks to build the tallest building on the island of Manhattan north of 59th street. This 39-story structure—as tall as a 77-story office building—was designed with a singular 161' void and a cumulative 215' of void over its 775' rise. After public outcry, and FDNY involvement, that void was reapportioned across three re-designed floors, but the 215' of mechanical void ballooned 24' in the process to 239'! 30.8% of the building's rise is attributed to mechanical no-counts.

The need for action against mechanical abuse is acutely visible.

Our primary mission follows the story of the Upper West Side. It is one of character and pride. This past Tuesday, the Landmarks Preservation Commission took steps to landmark the James Baldwin Residence. A prolific advocate, writer and poet, some of his writings can't escape us as we look at today's bill:

Imagination
creates the situation,
and, then, the situation
creates imagination.

It may, of course,
be the other way around:
Columbus was discovered
by what he found.

Assembly member Rosenthal and Senator Jackson's imagination are addressing the situation creatively, and once and for all from the State Multiple Dwelling Law. We are grateful for the sanity and rationale this bill will return to New York City planning and development.

LANDMARK WEST! supports A5026A/S3820A!