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Village Preservation Testimony

165-167 West 86th Street, aka 541 Amsterdam Avenue

West Park Presbyterian Church

November 13, 2023

Village Preservation remains opposed to this hardship application, as stated in our previous testimonies of June 14, 2022, and June 13, 2023.

Based on the additional information made available at this time, the application continues to fall short of proving the case that: 1) there is no viable alternative to demolition, and 2) the building cannot serve its intended charitable purpose.

We previously contended that even if complete restoration is found to be financially infeasible here, options involving preservation of the most significant parts of the building with the minimum amount of new construction necessary to fund it can, and should, be thoroughly explored. The updated materials provided by the applicant have not served to convince us otherwise. In fact, during the Landmarks Preservation Commission (LPC) Public Meeting of October 31, 2023, Donald Friedman of Old Structures presented his findings, which showed that the cost estimates previously provided by Kramer Levin were significantly inflated, and that the true cost to bring the building to immediate structurally sound and safe condition is closer to \$1.9 million, with an estimated \$9 million required in total over time to also conduct the superficial restoration work.

Mr. Friedman's assertion that the total cost of necessary repairs would be less than a third of what has been previously presented underlines the dubious nature of the applicant's claim of financial hardship, and clarifies that a full restoration is not warranted or necessary at this time in order to save and continue to use the building. We are glad that LPC brought in an outside opinion to do this analysis. Village Preservation agrees with many of our preservation colleagues that an incremental approach to preservation and restoration is often the best course of action, as it is here. We do not believe that this application meets the required findings for a hardship that would warrant complete demolition.

Further, we remain unconvinced that the applicant should even be allowed to claim hardship based on its stated inability to make a “reasonable return.” Even if the church could theoretically claim that they have reached the threshold of hardship on those grounds (which is itself an unsubstantiated assertion, as the applicants have not yet adequately explored viable alternative income streams for the building), the church plainly does not meet all four subcriteria for charitable entities seeking hardship as laid out in Section 25-309 of the administrative code. Subcriteria C states that the applicant must show that “Such improvement has ceased to be adequate, suitable or appropriate for use for carrying out both (1) the purposes of such owner to which it is devoted and (2) those purposes to which it had been devoted when acquired unless such owner is no longer engaged in pursuing such purposes.” Given that the congregation clearly still exists here and is engaged in their intended purposes, and that the limited necessary structural repairs as described above would enable them to continue to do so in the existing building, the church fails to meet Subcriteria C.

For all these reasons, we urge LPC to reject the hardship application. Village Preservation remains gravely concerned about what the precedent-setting decision to grant hardship at this building would mean for other individual landmarks, and especially religious institutions, throughout our city. We ask that the hardship application be denied while alternatives continue to be explored.