

**TESTIMONY BEFORE THE NEW YORK CITY COUNCIL  
COMMITTEE ON RULES, PRIVILEGES AND ELECTIONS  
REGARDING CHAIR NOMINEE SARAH CARROLL FOR THE LANDMARKS  
PRESERVATION COMMISSION  
SEPTEMBER 7, 2022**

Thank you, Speaker Adams, Chair Powers, and members of the Committee for this opportunity to testify before you. As a preservationist by training and profession and as a lifelong New Yorker, who has devoted my career to the mission of the Landmarks Preservation Commission, I cannot think of a greater honor than to be considered as Mayor Eric Adams' nominee to Chair the Landmarks Preservation Commission, the largest and most sophisticated preservation commission in the country. If confirmed, I look forward to partnering with this Council, preservationists, property owners, and all interested parties in recognizing, protecting, and celebrating the architecturally, culturally, and historically significant buildings and sites in our city.

I was appointed as Chair in 2018 and have had the privilege these last four years to lead an agency with such an important mission and work with an incredibly talented, dedicated staff. We also faced many unprecedented challenges during this time, including the COVID-19 pandemic, that changed the way we interact with our city. I am very proud of the agency's resiliency during this time and the staff's commitment to fulfilling the agency's mandate. While these events created challenges, we found opportunities to reinvent and reimagine our work in ways that will be long lasting. Throughout the pandemic, LPC staff pivoted to accommodate new ways of issuing permits quickly, transitioning from a paper-based permit process to a simplified e-filing application process, and we continued to designate sites that reflect the diversity of the city. Recognizing the importance of our businesses to the city's recovery, we launched the Business Recovery Initiative in the summer of 2020. We expanded the initiative last year to create the LPC Business Express Service and streamline the permit process for business owners. We have also increased our outreach methods and continued to make the work of the agency more transparent, creating digital tools and story maps to thematically connect the public with our landmarks and to make information on them more accessible to all.

As Chair, one of my primary goals is to incorporate equity and diversity in all aspects of the agency's work. In January 2021, LPC launched an Equity Framework to ensure diversity and inclusion in designation, with a particular focus on preserving historic places associated with underrepresented communities; robust outreach and public dialogue with the city's diverse communities; and fairness, transparency, and efficiency in regulation so that all property owners have equal access to resources, technical assistance, and expertise. This Framework has guided all the agency's work.

Using that framework, we have prioritized and designated sites that represent the diversity of the city. Among the designations are the East 25<sup>th</sup> Street Historic District, the first in East Flatbush; the Dorrance Brooks Square Historic District, which is New York City's first historic district named after an African-American and has strong associations with notable figures in the Harlem Renaissance; the Holyrood Episcopal Church – Iglesia Santa Cruz in Washington Heights, with important associations to the Latino community; the Educational Building at 70 Fifth Avenue, which was the first National Office of the NAACP; Kimlau War Memorial in Chinatown, the first landmark that specifically recognizes Chinese-American history and culture; and Aakawaxung Munahanung Archaeological Site, the first NYC landmark specifically recognizing the many generations of Indigenous peoples who lived here.

I believe I bring a unique blend of expertise and experience to the position of Chair. I have worked at the Commission for more than 25 years, including nine and a half years as Director of the Preservation Department, four years as Executive Director, and the last four years as Chair. I am intimately knowledgeable about the entire range of activities, from research, designation, enforcement, and preservation. I have engaged with property owners – large and small – and understand the challenges they all have in navigating the Commission's regulatory processes. I am very proud of all the efficiencies that have been implemented during my time in policy-making positions, including a more efficient, rigorous and transparent designation process; restructuring the process to ensure more research and outreach is done before properties are calendared and making organizational changes to the designation reports; reducing the timeline for designation; developing digital tools to connect all New Yorkers with our landmarks and processes; and

currently we are working hard to implement a permanent e-filing system with a robust public facing web portal.

I am mindful of the critical role that the LPC plays in maintaining the vibrancy of the city. We must identify and designate important places that reflect the city's history and preserve them. We also must allow appropriate change and development. We must ensure that designated buildings and districts accommodate the pressing social needs facing our great city, from renewing the economy, facilitating renewable energy, and adapting to climate change, and increasing housing. Buildings have never been frozen in time but always adapted to contemporary needs and challenges. The City's Landmarks Law recognizes this and empowers the Commission with the needed discretion to approve sensitive and appropriate change. And we must partner with a diverse range of stakeholders, from property owners to communities and elected officials as we move forward and consider how preservation intersects with these pressing issues that face our city and cities across the nation. I hope to work in collaboration with your offices on this exciting, interesting, and challenging work. I believe my unique blend of expertise, experience, and temperament will allow me to successfully lead the agency through these goals.

New York City's landmarks and historic neighborhoods help make the city a global destination — attracting residents, tourists, and businesses — and they play a vital role in the dynamism and economy of the city. If confirmed, I will work to continue to preserve and protect sites that reflect the diversity and history of our city, throughout the five boroughs, and ensure they remain relevant for generations to come. I ask for your support in this confirmation process and welcome any questions you may have.



THE COMMITTEE TO PRESERVE THE UPPER WEST SIDE

**Testimony of LANDMARK WEST!  
Certificate of Appropriateness Committee  
Before the Committee on Rules, Pssssssss and Elections  
RE: Reappointment of LPC Chair Sarah Carroll  
September 7, 2022**

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 reappointment of Sarah Carroll as Chair of the Landmarks Preservation Commission.

The LANDMARK WEST! Certificate of Appropriateness Committee writes in support of the reappointment of Landmarks Preservation Commission Chair Sarah Carroll.

As a neighborhood native, Chair Carroll grew up within our historic districts which helped train her keen eye for the nuances of our New York City streetscapes. She is adept at assessing the value of a mid-block row as well as discerning the idiosyncrasies of its individual component structures. We have seen this vision in action at countless hearings over the years as she discusses the architectural and technical merits of applications both with landmark stewards and her fellow commissioners.

Although these are landmarks, change is inevitable and Chair Carroll has helped ensure that change, when necessary, is as unobtrusive as possible, or, improves upon what it is replacing. And while our Committee does not always agree with all of the viewpoints and ultimate decisions, we can readily admit that we feel heard.

Even at seemingly endless hearings, Chair Carroll is patient and respectful to all members of the public and ensures they have an opportunity to participate. She encourages applicants to respond and this generates a dialog of understanding often lost when decisions are made top-down or through blanket proclamations. This standard operating procedure has garnered Chair Carroll the respect of both the preservation community as well as the real estate community. The built environment is an asset that must be collectively nurtured and Chair Carroll's empathy is refreshing among City agencies, and greatly appreciated.

There is always more work to be done, and the LANDMARK WEST! Certificate of Appropriateness Committee looks forward to continuing to work with Chair Carroll in her second term.



September 6, 2022

New York City Council Committee on Rules, Privileges and Elections

Regarding the Appointment of Sarah Carroll as Chair of the NYC Landmarks Preservation Commission

Testimony of Simeon Bankoff

Good afternoon Council members. I am Simeon Bankoff, a professional preservationist. Since 1993, I have worked in the historic preservation field, mostly as an advocate, educator and community organizer. I have been regularly monitoring the activities of the NYC Landmarks Preservation Commission for 25 years and have regularly worked both in collaboration and at cross-purposes with the agency, its staff and leadership.

As the Council is aware, the LPC's role is tri-fold, the agency is mandated to identify the City's historic resources, designate them as such and regulate them. As an expert agency created during a time of progressive civic action, there is a great deal of flexibility and discretion built into New York City's Landmarks Law, which allows the Landmarks Commission to adjust in response to changing civic priorities while keeping to its core principles.

Measuring the success and efficacy of such a responsive agency over time is complicated. Is it in buildings surveyed? Landmarks designated? Permits issued? These actions all can imply very different things over the lifespan of an agency. Let me pause here to praise the relative transparency of information the LPC and NYC government in general achieves. I have recently attempted a survey of other municipal preservation agencies throughout the country and the benchmarks are hidden if they are counted at all. Good job New York!

Regarding the reappointment of Ms. Sarah Carroll as the Chair of the NYC Landmarks Commission, I wish to frame my comments as observations about the work of the agency in general. However, let me state that I have professionally known Sarah Carroll since 1994 and regularly have had contact with her in her many roles in the agency. When she was first nominated during the de Blasio administration as Chair, the professional preservation civic community jointly endorsed the nomination, based on mutual experience working with Ms. Carroll and the sure knowledge of her deep devotion to the agency. After several chairs who started as strangers to the agency, a familiar face was welcome. As Council members are aware, the renomination of a sitting agency head from one administration to the next is unprecedented in the history of the landmarks commission, and rare in NYC history. There is no reason to believe this remarkable nomination will not pass muster with this committee, as Ms. Carroll certainly possesses the requisite expertise for the position.

The preservation goals of the previous administration seemed to be to streamline the agency's processes and finish up some unfinished projects. During the de Blasio Administration, the agency revised its regulatory guidelines to better facilitate permitting activities and acted on all of the individual properties under consideration for landmark designation, some of which had been lingering on lists for decades. Both these initiatives, neither of which were begun under her tenure, were initially proposed

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Simeon Bankoff

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September 7, 2022

with minimal public participation. After strenuous advocacy, both proposals were opened up to allow more public comment and I believe we can all agree that participation improved the end results. Still, the reticence to engage with the public was troubling.

Another troubling aspect of the Landmarks Commission's recent record has been the remarkable number of legal actions taken against the agency. By my count, at least one lawsuit has been initiated annually against the Landmarks Commission every year since 2017. Litigation is an unfortunate by-product of the American system of government and, given its police power over private property, the LPC is a natural target for irate owners. However, the legal actions I refer to have all been initiated by community groups and concerned citizens, worried that the LPC has bent too far in accommodating the desires of real estate interests. Each case has its own shape but added together, they create a fact pattern which warrants examination. Who is the primary constituency of the LPC - the public or the property owners?

Like all of us, the Landmarks Commission has not had an easy time the last few years. COVID shuttered the city and radically changed our daily way of life. The LPC pivoted admirably and even designated a few buildings and small historic districts. However, we get to the problem of benchmarks again. How does one measure the success of the agency? Is it in designations – which have slowed to a crawl. Is it in permits issued – which are being disputed by community groups in the streets and in the courts.

As an expert agency regulating permanent changes to private property, the Landmarks Commission does not have an easy remit. Rarely is the agency going to make everyone happy. It plays a crucial role in the sustenance of our city, stewarding our shared past to build a better future. My wish for Ms. Carroll as she embarks on her renewed term of agency leadership is to work to ensure the Landmarks Commission serves all New Yorkers fairly and with equal weight. New York City would be better for it.

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Simeon Bankoff

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September 7, 2022

**TESTIMONY REGARDING LANDMARKS LAW  
AND CHAIR OF THE LANDMARKS PRESERVATION COMMISSION**

My name is Michael Hiller. I am the Managing Principal of Hiller, PC, which has a substantial concentration in preservation law, at times devoting upwards of 70% of our work to these and related issues. Unlike most law firms that practice in this area, we do not represent developers; we only represent preservationists and communities which seek to preserve the City's most precious public assets under the Landmarks Law. So, I am hopeful that you will consider our perspectives on the issue I am about to discuss with you, as it is certainly an informed perspective, and it likely will differ from any others you will hear today.

With regard to Chair Carroll's nomination to continue at the Commission, I testify simply that it has always been our firm's policy not to take a position on the selection of personnel with respect to land-use and zoning committees, commissions and agencies. And I don't expect to deviate from that policy today, other than to say that Chair Carroll is certainly knowledgeable in the Landmarks Law. And I have no doubt that she will be confirmed by the Council.

I am here today to discuss the procedures deployed at the Commission – procedures which Chair Carroll inherited; so I don't blame her for them. But they are procedures that must be changed if the Landmarks Law is ever to, once again, provide the protective apparatus necessary to preserve our City's landmarks. Right now, the Landmarks Law is merely a speed-bump on a developer's highway that leads to mass development at the expense of landmarks, while preservationists are resigned to the shoulder of that highway, only rarely having the opportunity to have an impact on decision-making.

The procedures of the Commission are the root cause of this problem. At the Commission, developers create proposals for landmark assets and are afforded unlimited opportunities -- often up to a year -- to meet with Commission staff to fine tune those proposals, before they are

considered by the Commission. Once the proposals are finalized, Commission staff delivers a report to the Commissioners, who receive a full presentation by developers and their experts, often for up to hour or longer on more heavily contested applications. Once the developers and their experts are through, the Commissioners engage in a Q&A with them which often lasts anywhere from five minutes to another hour. Thereafter, whenever the Commission meets to discuss a developer's proposal, the developer and its experts are again afforded unlimited time to address the Commission and provide testimony, none of which is sworn.

By contrast, members of the public, including preservationists, are not permitted to meet with staff while proposals are being prepared, or at any other time. That right belongs exclusively to developers. Worse, while developers are afforded unlimited time to develop their presentations to the Commission, opposition receives just 3 to 5 days before the first and only public hearing to prepare its response. Thus, while developers are given unlimited time to develop their proposals and fine-tune them with staff, members of the public are given just 3-5 days to hire counsel, engage experts, galvanize community support, and prepare for testimony. And, unlike the developers, members of the public receive just one opportunity to speak for a total of just three minutes. After that, the public is resigned to sitting and listening, as developers and their experts are afforded again unlimited opportunities to work the Commissioners without being sworn in.

This process is obviously heavily skewed toward development. And the results speak for themselves. I am aware of only one publicly-contested application that the Commission has denied in the last 12 years. As a consequence, the Commission has approved substantial, disfiguring changes to such iconic landmarks as the New York Public Library, the Clocktower at 346 Broadway (which was the last of its kind in the world before the Commission approved its dismantlement), and

the McGraw-Hill Lobby. I don't blame the Commissioners for these outcomes. Generally, they only hear from developers, and, except for one set of 3-minute sound bites, Commissioners don't hear from communities and preservationists at all. I would analogize what happens at the Commission to a boxing match, in which one boxer gets to meet with the referee beforehand, train for a year, and then throw punches for 15 rounds, while the opposing boxer doesn't get to meet with anyone beforehand, gets only 3-5 days to prepare for the fight, and then can't throw a punch after the first round. Under those circumstances, it's no wonder that one boxer would win every time.

It doesn't have to be that way. For example, the BSA allows members of communities to speak at every meeting, and organized opposition is afforded the same opportunities to address the BSA as developers are. Equally as important, developers are sworn in beforehand.

I urge the Council to suggest that Chair Carroll consider adopting procedures similar to those which exist at the BSA, and to reconsider the Commission's policies as a whole, which, in the last 12 years, are responsible for some of the most egregious losses in public assets in the history of the Landmarks Law. Take it from me – I've had a front row seat to what's happened. And it hasn't been pretty.

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THE NEW YORK  
LANDMARKS  
CONSERVANCY

September 7, 2022

STATEMENT OF THE NEW YORK LANDMARKS CONSERVANCY BEFORE THE  
NEW YORK CITY COUNCIL COMMITTEE ON RULES, PRIVILEGES AND ELECTIONS  
REGARDING RE-APPOINTMENT OF SARAH CARROLL AS CHAIR OF THE NEW  
YORK CITY LANDMARKS PRESERVATION COMMISSION

Good afternoon Chair Powers and Councilmembers. I am Andrea Goldwyn, speaking on behalf of The New York Landmarks Conservancy. The Conservancy is a private, not-for-profit organization, founded in 1973. Our mission is to preserve and protect historic resources throughout New York via advocacy, and technical and financial support.

The Conservancy is pleased to support the re-appointment of Sarah Carroll as Chair of the Landmarks Preservation Commission. We have always had a strong relationship with the Commission and have worked with Ms. Carroll for decades. She is a dedicated preservationist who rose through the ranks from Preservation Department staff person to lead the agency. Her first term as Chair has been marked by notable successes.

Ms. Carroll has continued the practice of her recent predecessors, focusing designations on underrepresented neighborhoods and communities. Designation of historic districts such as Manida Street in the Bronx and Cambria Heights in eastern Queens and individual landmarks such as the Kimlau Arch and the Aakawaxung Munahanung (Island Protected from the Wind) Archaeological Site recognize New York's diverse history. While the number of designations has declined recently, perhaps due to the period of political transition, we hope that it will increase going forward.

Ten years ago, when Ms. Carroll was Director of Preservation, she received a Sloan Public Service Award, which recognizes outstanding civil servants. At the time, she was lauded for her "unusual and admirable calm, sensitivity and impartiality (that) have made her a singularly effective negotiator, helping broker compromises to which all sides can agree." These attributes were all evident as Ms. Carroll navigated a series of changes to the agency's Rules to a successful vote.

Under Ms. Carroll's leadership, the LPC made necessary adjustments in response to pandemic. Early on, the agency pivoted quickly, with a smooth transition to virtual hearings that expanded public participation. As part of New York's recovery, LPC has created a service for businesses to expedite the permit process. We have heard few, if any, complaints about access to LPC during this difficult time.

We urge you to confirm this re-appointment, and we look forward to Chair Carroll's new term. Thank you for the opportunity to present the Conservancy's views.



## THE SOCIETY FOR THE ARCHITECTURE OF THE CITY

### **Appointment of Sarah Carroll as Landmarks Preservation Commission Chair City Council Committee on Rules, September 7, 2022, Item #T2022-1882**

I am Christabel Gough, from the Society for the Architecture of the City, which is a small, all volunteer historic preservation advocacy group, and we have been monitoring the Landmarks Preservation Commission since 1984, closely following their actions and policies.

I am commenting on the reappointment of Sarah Carroll as Chair of the Commission.

Clearly this hearing is not a moment when agency policies will be reversed or even much affected. However we would like to make a brief statement for the record.

Under former Mayor de Blasio, the citywide assault on historic preservation was unremitting. It has included attempts to subvert the landmarks law by amendment, by revising and weakening administrative rules, by manipulating the statutory appointments process to leave all commissioners serving without tenure at the pleasure of the mayor, and by overseeing a regrettable turnover of experienced and dedicated civil service staff, all the while issuing public relations initiatives, such as so-called "Interactive Story Map" online, and not least by celebrating an appearance of inclusivity by championing the designation of sites of no possible interest to the real estate industry, like the Kimlau memorial arch, located on a traffic island.

After his first Chair, Meenakshi Srinivasan resigned, Sarah Carroll was Mayor de Blasio's choice to continue to implement his administration's policies, and she has done so faithfully. Now, under the new administration, she has astonished the community by presiding over the widely-reported demolition of the Dangler Mansion in Bedford Stuyvesant, and she has initiated the new so-called "Business Express" "One Stop Shopping" process to expedite commercial alterations to landmark buildings without public review. Following these actions, Mayor Adams has announced her reappointment. This is not a proud moment for the City of New York, which was once a leader of the historic preservation movement in the United States.



**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

☐ in favor ☒ in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: Michael Harris Adams

Address: 41 Convent Avenue

I represent: Self

Address: \_\_\_\_\_

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

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☐ in favor ☐ in opposition

Date: 9/7/2022

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Name: Sarah Carroll

Address: LPC, 1 Centre St, 9th floor

I represent: \_\_\_\_\_

Address: \_\_\_\_\_

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

City Planning Comm. ☐ in favor ☐ in opposition

Date: 9/7/22

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Name: Anthony Crowell

Address: Adams St. Bklyn. NY

I represent: \_\_\_\_\_

Address: \_\_\_\_\_

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**THE COUNCIL  
THE CITY OF NEW YORK**

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**THE COUNCIL  
THE CITY OF NEW YORK**

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**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

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☐ in favor ☐ in opposition

Date: \_\_\_\_\_

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I represent:

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**THE COUNCIL  
THE CITY OF NEW YORK**

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☐ in favor ☐ in opposition

Date: \_\_\_\_\_

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Name: CHRISTABEL GUDON

Address: 115 TUDOR CITY PLACE NYC

I represent: SOCIETY FOR THE ARCHITECTURE

Address: OF THE CITY "

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

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☐ in favor ☐ in opposition

Date: 9/7/22

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Name: Clara Velezquez

Address: 241st Street, Bellerose, 11426

I represent: myself

Address: same as above

**THE COUNCIL  
THE CITY OF NEW YORK**

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☐ in favor ☐ in opposition

Date: 9/7/22

(PLEASE PRINT)

Name: Anthony Crowell

Address: Plains NY

I represent: Center for Judicial

Address: Accountability, Inc

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**THE COUNCIL  
THE CITY OF NEW YORK**

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Date: 9/7/22

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I represent: \_\_\_\_\_

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**THE COUNCIL  
THE CITY OF NEW YORK**

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Date: 9/7/22

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