

# Undermining Landmarks Law

New York—the city where it couldn't be done—has protected 160 notable buildings and four historic districts since the Landmarks Preservation Law went into effect in April 1965. Ten new designations have just been made. Some in the long list were routine designations. Others were contested originally and then accepted. Still others have provided effective demonstrations of how the landmarks law works.

The Astor Library, the Friends Meeting House on Gramercy Square and the Manhattan Club, for example, had been sold and were scheduled for demolition. The law provides a grace period which made it possible for the commission to find alternate purchasers who would preserve the structures. In each case, the machinery of the law was used to prevent hardship and to make fair and equitable adjustments. Patience and public spirit on the part of both owners and investors were as important as the legal procedures.

Although adjustments of all kinds, from tax reduction or rebates to eventual permission to demolish, are provided by the law, some of the city's most respected institutions have chosen to fight this statute rather than to reconcile their differences within its provisions.

The Lutheran Church, anxious to demolish the Morgan house for a profitable office building, "threw the book" at the Landmarks Commission, in the words of one of its members, asking the courts to declare the law unconstitutional. Sailors' Snug Harbor, the charitable institution that built and owns one of the finest Greek Revival groups in the country, on Staten Island, has brought suit to overturn the law.

Thus far, the city has won its cases and landmarks protection survives. But the threat continues. In every instance, the opponents have been out for the kill—specifically, to kill the landmarks law. The danger of more suits has crippled the commission's efforts to designate Greenwich Village an historic district.

The issue is obviously the divine right of maximum speculative value of property, rather than the "reasonable return" that the law guarantees. It is a curious time, indeed, when philanthropic and religious groups apparently evaluate the general civic good as subsidiary to optimum economic land use.