

October 16, 2018

STATEMENT OF THE NEW YORK LANDMARKS CONSERVANCY BEFORE THE NEW YORK CITY LANDMARKS PRESERVATION COMMISSION REGARDING OMNIBUS RULES AMENDMENTS, PROPOSED AMENDMENTS TO CHAPTERS 2, 3, 5, 7 AND 11 OF TITLE 63 OF THE RULES OF THE CITY OF NEW YORK

Good day, Chair Carroll and Commissioners. I am Blaire Walsh speaking on behalf of the New York Landmarks Conservancy in regards to the proposed amendments to the LPC Rules.

First, we would like to thank the Chair, the Commissioners, LPC staff, and especially Commissioner Bland for listening to the concerns that the Conservancy and others raised at the March 2018 hearing, for responding to those concerns with the most recent set of revisions, and for holding this hearing. The Rules are vastly improved.

As we said last spring, we support the goals of transparency and predictability that the Commission has laid out for these amendments. The changes to the amendments, along with new tools on the agency's website have gone a long way towards meeting those goals. We were pleased to see that the updated text is clearer, and that many of our recommendations have been incorporated.

We remain concerned that the implementation of the new Rules will be challenging for both applicants and LPC staff. The language and composition of the amendments is still complex and in some places confusing, even for our staff that used to work here at the Commission. We understand that the LPC is planning to update the illustrated Rowhouse Manual and Permit Application Guide. This cannot happen soon enough. Staff will need training on the amendments. There are instances, such as in the references to ADA standards and DOB regulations which require staff to make determinations that might be outside of their expertise.

Some sections, including those on use of substitute materials and rooftop and rear yard additions, have been scaled back. This should allow Community Boards and concerned neighbors opportunity to comment on the proposals that will have the most impact on their neighborhoods. However, we still don't know how many applications will no longer go to a public hearing. We urge that the agency commit to providing these statistics, and be willing to adjust the Rules if necessary to ensure continued public access.

Thank you for the opportunity to express the Conservancy's views.