



June 14, 2022

STATEMENT OF THE NEW YORK LANDMARKS CONSERVANCY BEFORE THE NEW YORK CITY LANDMARKS PRESERVATION COMMISSION REGARDING AN AMENDMENT TO DEMOLISH WEST PARK PRESBYTERIAN CHURCH (165 WEST 86TH STREET,) AN INDIVIDUAL LANDMARK, PURSUANT TO SECTION 25-309(B)(2), ON THE GROUNDS OF HARDSHIP

The Conservancy's Public Policy Committee has reviewed this application and opposes demolition of West Park Presbyterian Church. We heard the thorough presentation from the applicants. We listened to counter-arguments. We went back through the files of our long history with this building to understand better how it has gotten to this difficult juncture. We analyzed this application and its central assumption, that restoration will cost \$50 million, and found it to be unpersuasive.

The Landmarks Law sets several requirements for hardship. In this instance, a few are fairly straightforward. The property is tax-exempt. The owner has entered into an agreement to sell. The prospective purchaser intends to demolish the building.

Next is the question of whether the Church 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."

West Park once had a vibrant congregation that worshipped in this building and provided an array of services to the community. By its own admission, the congregation has dwindled to a handful and has been meeting to worship via Zoom. However, the current tenant is an arts center which has welcomed audiences for several years, and another congregation has worshipped here, so clearly the building can still be utilized.

The central part of the application is whether the building would be capable of earning a reasonable return if it were not tax-exempt. The applicant has laid out several scenarios where the answer is no. A \$50 million restoration is the starting point of each scenario. Our own experience with restoration projects and with this building in particular, tells us that there are other options.

Conservancy staff, at various times over the last 20 years, has physically inspected every part of West Park, including exterior elevations, masonry, roof, tower, roof drainage system, and attic roof truss structure, with multiple site visits and in conjunction with many architects, engineers, general contractors and construction managers. The application presents the building's conditions as intractable. Yes, there are significant challenges, but we have worked with many congregations to reach successful outcomes, taking a phased approach, with the completion of each phase as a springboard to the next.

The attached letters of support from Congregation Tifereth Israel, the Fourth Universalist Society, Old Broadway Synagogue, St. Ann and the Holy Trinity, and St. Jean Baptiste recount how these congregations embraced their landmark buildings, and how this approach worked for them.

For façade restoration, we have seen an array of estimates, some much lower for a more limited scope of work, and suggest the LPC retain an independent consultant to review the scope and the budget.

The main issue is that all of this work does not need to be performed all at once. The \$18M figure in the application does have some relationship to a 2011 report with a budget from Sciamé, which the applicants reference. The Conservancy commissioned Sciamé and a group of experts to generate the 2011 report. However, the Sciamé budget shows a plan to perform the work in six phases of comprehensive restoration, with duplication of scaffolding and general conditions for each phase, under prevailing wages. The Sciamé figure includes soft costs, which the application cost does not. We helped create the report to serve as the basis of a long-term fundraising campaign, not to cost out a scope to be completed in one season.

Our staff has overseen hundreds of construction projects, working with the owners of brownstones, small co-ops, and grand historic religious properties. In every instance, when we get bids, they are the beginning of the process, not the conclusion. Along the way, we compare numbers from different contractors, modify work items, consider replacement materials, and prioritize phases. We maintain that the exterior restoration of West Park can be phased in a way that does not require \$18M plus all at once.

Regarding the structural repairs, our staff observed some conditions similar to those shown in the application in 2011. They do not appear to have accelerated dramatically, and did not appear to need the level of intervention outlined in the application.

For example, the Severud report, and related estimates, recommend major interventions to address structural issues at the rear elevations and at the sanctuary ceiling/underside of roof truss. The brick masonry cracking and open

joints at the rear elevations referenced by Severud (p. 2, item 3) were documented and included in the 2011 report. These are not new conditions and do not appear to have markedly progressed.

The plaster cracking in the sanctuary, particularly at ceiling beams at underside of roof truss, (p. 3, item 4) was specifically studied and reported on by Old Structures in 2011. The conclusion was that there was no evidence of structural deflection of the trusses, and that truss movement was not the cause of the plaster cracking. Instead, the three years of unheated vacancy (2007-2010) along with various roof leaks, was the likely cause. The recommendation was to secure the plaster. These two “structural deficiencies” identified in the Severud report are included in application budget at over \$1 million plus soft costs, contingency allowance, etc.

These are just two items, but they demonstrate why LPC should retain an independent engineer to vet the report and verify the conditions.

A major component of the budget is the cost of bringing the interior up to 2014 code. For this 19<sup>th</sup> century structure, the use of the 1968 Code as it might be applicable for some components is something to be seriously explored as it could benefit the landmark.

Throughout our years of involvement with West Park, we have been open to redevelopment plans, air rights sales, or the sale of the building to a new congregation. In working with hundreds of landmarked religious properties across the City, we have seen these approaches work.

When the LPC designated West Park, you recognized that West Park is more than just a prime address. You saw its architectural majesty, rich cultural history, and essential place in this community. Now is the time to consider how it can be a part of the City’s recovery. Shrouded in sidewalk bridges for many years, some might have seen this landmark as a liability. It is an asset. With an owner committed to a long term plan and a new vision, it can be a success.

We would be happy to be part of the effort to find a new owner, to consider development options, to explore new ways of monetizing assets such as air rights. But first you must deny this application. This landmark is too important to the community and the City for it to be lost.

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

## Clarifications:

The **application narrative, p. 5** states that “*With the help of the Landmarks Conservancy, West Park applied in 2001 for listing on the State and National Register of Historic Places, in the hope of qualifying for grants to help maintain the Building, and the Building was determined to be eligible for listing.*” WPPC did not consent to the building being listed on the National Register, a requirement for state grant funding. The NYLC continues to offer to help obtain the listing.

**Appendix B, Post-Designation (2011 to present)** 2011 activity should state that Gale Brewer, the Upper West Side community, and the Landmarks Conservancy raised \$61,000. The majority went towards boiler repairs. \$10,000 went towards architect Matthew Gottsegen's phased master plan for exterior restoration. It incorporated the earlier Richman Group/CRG facade study, reports from Old Structures Engineering and Femenella Stained Glass, and *pro bono* estimates from Sciame Construction (\$11.5 million; or \$14.5 million if broken into 6 phases, with prevailing wages).

## Summary of New York Landmarks Conservancy activities with West Park Presbyterian Church

Since 2001, the New York Landmarks Conservancy has provided technical assistance, grant funding (following the 2010 landmark designation) and worked with numerous entities to ensure a secure future for the West Park Presbyterian Church. This has included many hours of *pro bono* work.

Staff of the Conservancy's Sacred Sites Program (SSP) have advised multiple entities overseeing the Church, including the WPPC pastor and board (session); a part-time administrator working for WPPC; Friends of West Park; and the Center at West Park. The NYLC has met and advised WPPC's broker and potential tenants; and worked with CM Brewer and community leadership as Center was being organized. In addition to providing direct grant funding, NYLC staff have secured architect and contractor proposals for specific projects, and attended site visits at the Church during all phases of work.

Highlights of this 22-year history are below:

### 2001

- WPPC applied for an SSP grant for a façade make-safe project, but it is not eligible for SSP grants as the Church is not NR-listed. (It is NR-eligible, and NYLC has offered to help with the nomination, but WPPC will not give required owner consent for listing. NR listing would also enable option to apply for NYS grant funding.)

- WPPC first contemplated redevelopment; initial offer from Related included church space in basement.
- In reviewing Related proposal, NYLC noted that WPPC should have their own architect/owner's rep and not just take space offered in basement, which was not a formula for renewal.
- Church retained architect Matthew Gottsegen to generate massing plan and schematic design for a new combination church and residential tower development. He designed a modern, prow-shaped glass-clad corner sanctuary building with an adjacent, 21-story residential tower. However, the church did not identify a developer to execute this design.

## 2002

- NYLC and CM Brewer convened a community meeting at WPPC, to outline range of restoration and redevelopment options. Gottsegen and trustees presented the glass church on corner/tower design.
- Participants discussed options to redevelop and to work with nonprofit institutional partner. This meeting resulted in formation of "Friends of West Park" comprised mostly of neighbors, including the Belnord and building immediately east on 86<sup>th</sup> St.
- Friends worked closely with architects Peter Sampton and Page Cowley to develop scenarios such as adding onto community building with sliver tower, or adding tennis bubble to roof of church for enhanced community partnerships/income.
- Conservancy was not a member of Friends, but was in frequent contact throughout mid-2000's.

## 2007

- WPPC had agreement with Richman Properties to redevelop the community house site as a 21-story cantilevered tower. The project would have restored the sanctuary building, roofs, and towers. NYLC privately weighed in on design.
- In advance of this project, the congregation and their tenants, including popular gymnastics and Gymboree programs, moved out of building, which was vacant until 2010 designation.
- The developers were not able to secure financing – unclear if this was project-specific or due to the recession.

## 2010

- WPPC is designated as an individual landmark.
- NYLC supported designation. Testimony noted that advocates and neighbors needed to support efforts to address substantial deferred maintenance.
- NYLC reviewed and facilitated meetings (just prior to designation) regarding a sale and reuse of church as private school gym, which did not happen.
- NYLC participated in CM Brewer's fundraising efforts, acting as fiscal partner for community fundraising for donors who wanted to be sure that funds would go

towards restoration efforts. NYLC provided gift acknowledgement for tax purposes and managed expenditure of funds, via agreement with WPPC.

### **2010-11**

- Initial donations totaled \$61,000 from about 100 individuals including \$25,000 Rudin Foundation grant which NYLC solicited.
- This funded boiler replacement work, and several projects Conservancy managed:
  - emergency gutter and roof work,
  - phased exterior restoration plan by Matthew Gottsegen, in conjunction with BCA, and other subconsultants; prevailing wage estimates by Sciamé.

### **2011-2018**

- NYLC provided four grants totaling \$20,000. Funds were used toward approx. \$175,000 of consulting services and repairs:
  - Structural report on roof truss condition & cracked plaster sanctuary beams (Don Friedman, 2011);
  - Drainage and (rear façade) masonry repairs (2014);
  - Roofing consulting (Russ Watsky, 2017)
  - Roof repairs at community building (2018)
- NYLC attended multiple site visits with church's commercial broker and potential tenants, 2012-2015, to advise on exterior repairs and LPC review.
- NYLC referred and coordinated a Walter B Melvin Architects tower inspection (2014), and CTA Architect consulting services to help resolve code compliance issues (2015)
- NYLC made multiple site visits with board and staff of Center at West Park, providing referrals and advice to address localized tenants' issues: windows, window a/c units, roof leaks, etc. (2015-2018)