

# DISTRICT LINES

NEWS AND VIEWS OF THE HISTORIC DISTRICTS COUNCIL

AUTUMN 2004 VOLUME XVIII NUMBER 2

*p. 1* - Preservation Facade Easements—Tax Benefit or Headache? *p. 2* - President's Column  
*p. 3* - Libby Ryan Named LPC Commissioner *p. 4* - A Critical Look at New Construction in Historic Districts  
*p. 7* - Architecture Firm Beyer Blinder Belle Rings in as Landmarks Lion *p. 8* - District Profiles: MacDougal-Sullivan Gardens, Manhattan  
*p. 9* - John Street/Maiden Lane—A Brief History *p. 10* - Recent Gifts and Grants

## PRESERVATION FACADE EASEMENTS—TAX BENEFIT OR HEADACHE?

THE NATIONAL ARCHITECTURAL TRUST, a nonprofit 501(c)(3) organization, opened for business in 2001 in Washington, D.C., moved into New York City in 2002 and is now actively soliciting facade easements in urban areas in six states primarily in the Northeast. Its name lends itself readily to confusion with the long-established National Trust for Historic Preservation. Some people think that is deliberate.

Two factors have made NAT's efforts successful: a tax law that enables donors of easements to take a tax deduction and NAT's aggressive marketing campaign, which entices many homeowners with the prospect of a one-time tax bonanza. At the same time, the issues are complex, the explanations fuzzy and the promises possibly too good to be true.

In general, an easement is a release of a portion of one's property rights to make things easier. Commonly, an easement is granted over a strip of land on A's property that B can use to reach parts of B's property. The easement grantor, A, surrenders his rights to that portion of his property. Facade easements are more ethereal—the surrender of a property owner's rights to his facade. In practice, that means he can't change it without the easement holder's permission.



*What historic district is this in?  
(see page 4)*

The Federal Historic Preservation Tax Incentive Program, passed and signed into law in 1976, permits "the owner of qualified real property [to] receive income tax deductions equivalent to the value of the rights given away to a qualified charitable or governmental organization," as noted in a 2003 publication of the National Park Service, which oversees

---

*A regional director of the  
IRS once hired Jewish  
scholars because he thought if  
they could understand the  
Talmud, they could  
understand the Internal  
Revenue Code.*

---

the program. The law applies to commercial property, land trusts, open spaces and residential property. This article will deal only with houses in New York City.

As its name suggests, the Federal Historic Preservation Tax Incentive Program was intended to encourage preservation of historic properties, ones listed on the National Register of Historic Places. After that, according to the Internal Revenue Code Section 170, the main qualifications (there are pages of them in the IRS Code) are that the easement must be in perpetuity—that it attaches to the property even when it is bought by new owners—and that it must be donated to a qualified organization "exclusively for conservation purposes."

Any restriction on property is considered to devalue it, and the amount by

which it is devalued is the amount of the tax deduction. The deduction is applied to personal income and is limited to a percentage of adjusted gross income in any one year, but it can be carried forward for up to five years.

The Internal Revenue Service at one point stated that it expected the amount by which property is devalued to be between ten and 15 percent; and qualified appraisers, who must be called in on this, have often followed that lead. A source at the IRS said, however, that the agency has since removed that suggestion, uncovered abuses and cautioned that stiff penalties attach to overvaluing easements.

Here is how it is supposed to work: A property owner agrees to grant an easement to National Architectural Trust or another nonprofit easement-holding organization. He gets the property appraised, and let's say its value is \$1 million. The loss in market value of the house resulting from the easement is then determined by an appraiser and comes in at, say, ten percent, and that is the amount which is tax deductible because the donation of his easement has been to a charitable organization. That is a \$100,000 deduction against income for tax purposes.

Other expenses are connected with the easement grant as well. First, the owner makes a cash donation to the nonprofit to look after the property and make sure the terms of the easement are not being violated. Although the amount is negotiable, it is often set at five to ten percent of the amount of the easement, or up to \$10,000 in this case. That amount is said to be tax deductible

because it is made to a charitable organization, the easement-holding organization. Appraiser's and lawyer's fees may be taken as miscellaneous deductions.

Actually, the IRS source said that the \$10,000 might *not* be deductible. "If you have to pay to have your donation accepted, it would be an involuntary payment, and as such it would not be deductible."

Other charitable organizations also accept easements and have done so for many years: seven of them are nationwide and about 100, including the Preservation League of New York State, are statewide. To give an example of their scope and reach: nationally, the National Trust for Historic Preservation in Washington holds about 100 easements; in New York State, the Preservation League holds two upstate; and in New York City, the New York Landmarks Conservancy holds 24. These three are organizations with many preservation programs besides easements—the National Trust for Historic Preservation, for example, lobbies Congress, advises state and local partners such as HDC, gives grants to help preserve historic structures, sponsors conferences and publishes preservation literature, among other activities. In contrast, NAT does only easements, of which it holds

630. It holds 348 in New York City alone with another 205 pending, according to Steven McClain, co-founder of the organization at its base in Washington. Preservation Easement Trust is another organization working in New York City doing only easements. Based in Princeton, New Jersey, it started in March 2004, focuses on commercial properties and has only two projects under conveyance now, according to its president, Robert Plotka.

The watchdog function of easement-holding organizations is pivotal to their credibility. NAT and some others monitor their easement properties once a year. NAT does it primarily by taking photographs and comparing them with earlier ones. Historic Charleston [South Carolina] Foundation, a statewide organization, sends a questionnaire to the owner inquiring about repairs, problems, plans and changes in the neighborhood; and then someone from the foundation stops by, looks at the property and fills out a form. Then, if unauthorized changes have taken place, the easement holder gets in touch with the property owner to try to straighten things out.

Violations are uncommon—Paul Edmondson, vice president and legal counsel to the National Trust for Historic Preservation, said that only a few minor violations have been discovered on trust easements, and most are settled with a phone call. The Historic Landmarks Foundation of Indiana, however (which holds 50 to 60 easements), is in court now with two violations, both of them derelict and vacant properties of subsequent owners, not the ones who donated the easements.

If owning a property with an easement sounds a lot like owning a property in a designated historic district, it should. In both cases you need approval to change your property. In an historic district, you apply to the Landmarks Preservation Commission. If you are an easement donor, you apply to the easement holder. If you are an easement donor living in an historic district, you apply to both. Not to worry, local representatives of NAT assure homeowners: anything LPC approves, the trust will too.

Why, then, facade easements? What do they add? Are they a good thing for preservation? For owners?

The effect on preservation may well be neutral. Most houses eligible for ease-

ment donation are located in districts that are already regulated by the Landmarks Preservation Commission—many New York City historic districts are listed on the National Register—and if the argument is made that trusts' monitoring is more vigilant than LPC's, the reply would be that their job is also easier: violations on voluntarily donated property are bound to be minimal, while those on reluctant owners in historic districts are more problematic. Moreover, LPC cannot monitor the more than 20,000 build-

*continued on page 9*

## PRESIDENT'S COLUMN



photo: P. Decker

*State Senator Liz Krueger, HDC's 2004 Friend in High Places, at the Grassroots Preservation Awards ceremony in May with David Goldfarb, HDC's president.*

I AM JUST BEGINNING my second year as president of the Historic Districts Council and feel excited about all that we have accomplished and look forward to even more progress. We have dramatically increased the number of educational programs we present throughout the city; and we have increased our staff, which has enabled us to accomplish many of our goals, for example, the designation of St. Paul's Avenue-Stapleton Heights on Staten Island.

In May, HDC held its fifth annual Grassroots Preservation Awards party to honor local preservation advocates, who are the foundation of the movement. The award winners were:

**Brooklyn Heights Association** for its continuous work safeguarding its neigh-

# DISTRICT LINES

NEWS AND VIEWS OF THE  
HISTORIC DISTRICTS COUNCIL

---

EDITOR - PENELOPE BAREAU

LAYOUT AND PRODUCTION - ROSS HOROWITZ

EDITORIAL CONSULTANT - JACK TAYLOR

CONTRIBUTORS - SIMEON BANKOFF, PENELOPE BAREAU,  
EVE KAHN, ANNEMIEKE BEEMSTER LEVERENZ, ALICE  
RICH, CAROLYN SIEGEL

STAFF - SIMEON BANKOFF, EXECUTIVE DIRECTOR; JAY  
PLATT, DEPUTY DIRECTOR; ALICE RICH, PRESERVATION  
ASSOCIATE; ANNEMIEKE BEEMSTER LEVERENZ,  
CAROLYN SIEGEL, LUKE STETTNER, INTERNS

THE HISTORIC DISTRICTS COUNCIL IS THE  
CITYWIDE NONPROFIT ADVOCATE FOR NEW  
YORK'S DESIGNATED HISTORIC DISTRICTS,  
AND FOR NEIGHBORHOODS MERITING  
PRESERVATION. THE COUNCIL IS DEDICATED  
TO PRESERVING THE INTEGRITY OF NEW  
YORK CITY'S LANDMARKS LAW AND TO  
FURTHERING THE PRESERVATION ETHIC

borhood since 1910. Recently BHA has focused on gaining protection for historic resources on Fulton Street threatened by the rezoning of Downtown Brooklyn.

**Douglaston/Little Neck Historical Society**, which for more than 15 years has been collecting historic documents on this Queens area, researching it and bringing its findings to the community. In 1997 the Douglas Manor garden suburb was designated an historic district because of the society's efforts, and in August 2004 the neighboring community of Douglaston Hill was considered for designation by the LPC at a public hearing.

**Nicholas Evans-Cato, Susan Tunick and Andrew Dolkart** for their successful advocacy on behalf of the Thomson Meter Building on the Brooklyn waterfront. A rare example of early industrial concrete construction, the building is decorated with remarkable terra-cotta accents. Mr. Evans-Cato is a prominent cityscape painter living in Brooklyn. Ms. Tunick is the founder of Friends of Terra Cotta and a recognized expert on architectural terra-cotta. She is also on the HDC board of directors. Mr. Dolkart is a well known architectural historian and the James Marston Fitch Professor of Historic Preservation at Columbia University.

**Leo J. Blackman Architects** for the new Village Community School annex on West 10th Street in Manhattan. Engaging the community in the design process, the firm produced a result that is a fine example of low-rise urban architecture and, even though just outside the Greenwich Village Historic District, respectful of its historic context.

**Mud Lane Society for the Renaissance of Stapleton**, whose efforts on behalf of that Staten Island neighborhood resulted in the designation of St. Paul's Avenue-Stapleton Heights Historic District in March 2004. That district will increase the number of landmarked properties on Staten Island by 30 percent.

Special awards to public officials and to media were given to:

**Friend in High Places: State Senator Liz Krueger**, representing the East Side and Midtown Manhattan, was instrumental in extending the Murray Hill Historic District and is currently working to ensure that the Con Edison Waterside development is sensitive to its surroundings.

**Friend from the Media: The Staten Island Advance**, a leading daily newspa-

per, has given thorough and careful coverage to development and preservation issues in that borough.

The **Mickey Murphy Award** for lifetime achievement, which honors the memory of Mary Ellen (Mickey) Murphy, a passionate and dedicated preservationist who died in 2002, was given to:

**Stanley Cogan**, president of the Queens Historical Society and the Queens Borough Historian, whose work to survey, rescue and protect the forgotten historic cemeteries of Queens has been heroic.

Our proposed City Council legislation to delay demolition of any building older than 50 years until it can be considered by the Landmarks Preservation Commission, now has 26 sponsors—a majority of Councilmembers.

Thanks to our outreach, we have obtained funding this year from the City Council to help carry out our mission. Those funds combined with foundation and corporate support and the generous backing of our many individual Friends will help us to have another successful year.

—David Goldfarb

## LIBBY RYAN NAMED LPC COMMISSIONER

LIBBY RYAN, an associate real estate broker at Brown Harris Stevens in Brooklyn, has been appointed to the Landmarks Preservation Commission, filling out the term of Commissioner Richard Olcott, which was due to expire in 2005. Mr. Olcott left to take the Rome Prize, which is sponsored by the American Academy in Rome.

As a resident of the Park Slope Historic District for the last 22 years and an owner, with her husband James, of a summer house in Bellport, New York, Commissioner Ryan says she is well aware of how much historic preservation contributes to neighborhoods. But her work as a real estate broker specializing in brownstones and town houses places her in an industry traditionally antipathetic to landmarking. "I'm a believer in preservation and also a free-market person, so sometimes it takes a little getting it together in my mind," she confesses. It is, however, a good position from which to

educate people about preservation—she says she often explains to clients how landmarking works and what its regulations entail.

Ms. Ryan brings a strong sense of community involvement to the position. In addition to her LPC work, she is treasurer of the board of directors of the Greenpoint Manufacturing and Design Center, a nonprofit organization that buys and renovates factory buildings in that part of Brooklyn for reuse by small manufacturers and artisans. It is a challenge at this point in time, she said, when so much pressure exists in that East River neighborhood for residential development. She has been involved with the organization for ten years and concentrates on funding for it. Before that, she was very active in the Junior League of Brooklyn, working especially on programs for youth.

A native of Binghamton, New York, she was graduated from Muhlenberg College in Pennsylvania and earned a Masters



*Libby Ryan, new LPC commissioner, represents the borough of Brooklyn.*

Degree in Business Administration from Cornell University, Ithaca, New York. Before her children were born she worked in finance and banking. She joined William B. May, a predecessor real-estate brokerage firm to Brown Harris Stevens, in 1994.



## A CRITICAL LOOK AT NEW CONSTRUCTION IN HISTORIC DISTRICTS

AS COMMUNITY ACTIVISTS WELL KNOW, preservation does not end with the designation of a historic district. More often than not, the first thing to consider is what should and will be allowed to be built. Even among preservationists, orthodox Modernists tend to encourage modern buildings, which speak the current architectural idiom, while traditionalists advocate for adherence to historical styles and materials. Since the 1965 adoption of the New York City Landmarks Law, scores of new buildings have been constructed with the oversight of the Landmarks Preservation Commission. Let's take a look at some.



*21 Grace Court Alley*

Built in 1994 by architect Joseph Stella, this ersatz carriage house at **21 Grace Court Alley** commands a view down the alley, a mews created to serve nearby Remsen and Joralemon Street mansions. Ten years later, the merits of its Post-Modern treatments are still debated: is it a crass bowdlerization of historic detailing or an inventive and wry take on historic architectural forms?



*119 Columbia Heights*

### BROOKLYN HEIGHTS

The Jehovah's Witnesses established their world headquarters in Brooklyn Heights in 1909 and over the years purchased a great deal of real estate there. In 1950 they erected **124 Columbia Heights** on the site of Henry Ward Beecher's townhouse. It was one reason neighbors sought protection for the area, granted in 1965 when Brooklyn Heights became New York City's first designated historic district.

Almost immediately the community and LPC began talks with the Witnesses over their plans for **119 Columbia Heights**. Former LPC Chair (1968-73) Harmon Goldstone detailed the negotiations in his 1974 book, "History Preserved," and concluded, "Finally...architect [Ulrich Franzen] designed a building totally contemporary with its period of 1969 but—and this is the crucial point—aesthetically compatible with its surroundings."



*124 Columbia Heights*



Continuing our tour of Brooklyn Heights, the block between Poplar, Henry and Hicks Streets and the Brooklyn-Queens Expressway contains a complex of new construction and renovated historic structures, all under one developer's sponsorship. **55 Poplar Street** (Wids de la Cour & David Hirsh, 1987) wraps around the former Brooklyn Children's Aid Society Orphanage at 57 Poplar Street (1883, renovated 1987 by Wids de la Cour & David Hirsch). The buildings at **65-75 Poplar Street** (Charles A. Platt Partners, 1987) continue the development.

At **99 Atlantic Avenue** is an example of unremarkable late 1990's infill, approved by LPC only a few years after it approved an unalloyed modern design practically next door at 105 Atlantic Avenue (not pictured).



*65-75 Poplar Street*

all photos this article by Carolyn Siegel unless otherwise noted



*55 Poplar Street*



*99 Atlantic Avenue*

At **60 State Street** (Herbert Warman, 2003) is another example of recent infill in the Brooklyn Heights Historic District. After the Historic Districts Council's Public Review Committee assessed the preliminary plans for this building in early 2002, it drafted testimony commenting that the design was well-intentioned but heavy-handed in execution, lacking a refinement and attention to detail that is characteristic of Brooklyn Heights. The building pictured is the approved design incorporating LPC's suggestions of appropriateness.



*60 State Street*



## TRIBECA WEST

333 Greenwich Street (John Petrarca, 2004) was built as a one- or two-family house, one of the first built in Manhattan's Tribeca West since the mid-19th century. The architect, a community activist and preservationist who died in 2003, also developed a nearby row of town houses on Reade Street. While the scale of this building is contextual, the fenestration is not.



333 Greenwich Street

## GREENWICH VILLAGE

This five-story-plus-penthouse building at 95 Charles Street (Hustvedt Cutler Architects, 2004) replaced a 1918 garage. The choice of one-over-one windows, although wood, is regrettable.



95 Charles Street (right)



photo: Julia Schoeck

9 Westmoreland Place

## DOUGLSTON

This mansion at 9 Westmoreland Place (2000) was the first entirely new building built in the Douglaston Historic District in Queens, designated in 1997. When looking at the proposal, HDC's Public Review Committee had great concerns about the design, stating that "in general, any new building in an historic district with the strong sense of land-

scape and place found in Douglaston should be designed as a background building, and should not attempt to attract undue attention, as this proposal seems to. Also uncharacteristic for Douglaston is the elaborate detailing. In the district's best houses, the strength of design comes from the texture and quality of the materials."

## CARNEGIE HILL

The preservation battle over the building at 47 East 91st Street (Platt Byard Dovell White, 2004), complete with its law suits, was epic, and space considerations do not allow a proper discussion of it. Suffice it to say that although no one specifically bemoaned the loss of the one-story 1951 bank building on this corner, community groups fought valiantly to reduce the height of the originally proposed 17-story building, basing their concern on the low-rise nature of the existing town houses on both East 91st Street and Madison Avenue.

After several public hearings, including one that featured a short film by Woody Allen celebrating the Carnegie Hill neighborhood (he lived around the corner from the site), the project was lowered to ten stories plus mechanicals and redesigned to look more like a tall town house than a short apartment building. Lauded as an inventive interpretation of the architectural palette of Carnegie Hill and loathed as a blockbuster, the contro-



47 East 91st Street (left)

versy has not died despite the developer's stated intention "not to make a screamer of a building...[but] to make a calm, simple, elegant building that will last through the next several hundred years."

## ARCHITECTURE FIRM BEYER BLINDER BELLE RINGS IN AS LANDMARKS LION

THEY'VE BEEN CALLED "the preservation band that sets the tone." For 36 years they've been restoring New York icons—Ellis Island, Grand Central Terminal, South Street Seaport—while darning other cities' frayed urban fabric from Chicago to Beijing. And this November, Beyer Blinder Belle Architects & Planners will be named a Landmarks Lion, the first architecture firm to receive the Historic Districts Council annual award.

"This is something of a departure for us—in the past we've usually honored activists," says HDC's Franny Eberhart. "But there's no firm that deserves this more. When they started setting the standard, people had barely heard the word 'preservation.'"

Beyer Blinder Belle is not only the oldest and most respected restoration-friendly practice in town, but also the most prolific and diversified. Its 140 staffers have handled projects with budgets from hundreds of thousands to hundreds of millions of dollars, at scales ranging from Central Park's Swedish Cottage to Indiana University's eight campuses. Furthermore, with the breakup this summer of Hardy Holzman Pfeiffer Associates, there may be no other three-name architecture firms left in town that are still staffed by the founding partners.

They met somewhat inauspiciously in the mid-1960's; Jack Beyer, Dick Blinder and John Belle were all employees at the New York office of shopping-mall archi-

tect Victor Gruen. Blinder, who is a native New Yorker, and Beyer, who is from Teaneck, New Jersey, had just graduated from Harvard's Graduate School of Design, and Belle was a recent émigré from Cardiff, Wales. All three felt uncomfortable with Gruen's clear-cutting approaches to downtown redevelopment.

"It was as if people were universally ashamed, back then, of every aspect of the past, with no pride whatsoever in ethnicity, immigration, or traditions," Belle

poured in, the trio took on new partners and—in a highly unusual move for architects—granted them part-ownership. Beyer Blinder Belle now has 19 partners, nine of them at associate level, as well as branch offices in Washington, D.C., and, as of summer 2004, in Beijing. The firm also became the first in the country to establish an historic-preservation division, headed by pioneering scholar James Marston Fitch, who'd just retired from Columbia University. (The late Dr. Fitch was HDC's Landmarks Lion in 1998.)

"That was a huge coup for us, and a big step forward for the practice of architecture," says Fred Bland, a partner since 1978 and now serving as managing partner. (Fitch



*John H. Beyer*



*Richard Blinder*



*John Belle*

recalls. "The future was all that seemed to matter. Even the three of us thought that Mies and Corbu were the greatest architects of all time." After setting up shop near Union Square in 1968, Beyer Blinder Belle at first concentrated on public and low-income housing. "There were only the inklings then of concepts like adaptive reuse and rehabbing," says Belle. "Our eyes were gradually opened by our clients, and by activists like Jane Jacobs and the preservationists in Greenwich Village and Park Slope. If we're to be credited with anything, it's for knowing how to listen."

One of their early developer-clients, Robert Bonham, became president of the South Street Seaport Museum, which led to the firm's first major institutional commission. The team was widely acclaimed for restoring the seaport's existing landmarks while enlivening them, carving out airy galleries and building new colonnaded wings. As ever larger commissions

was succeeded by eminent architects such as John Stubbs and Page Ayres Cowley, and the division is currently headed by Richard Southwick, a 20-year veteran of the office.) The city's historic streetscapes have benefited from the division's informed and deft approach—from the Guastavino tiled ceilings at Ellis Island and the starry one at Grand Central, to the terra-cotta fauna of the Ford Center, to the 17,000 glass panes at the Enid Haupt Conservatory in the New York Botanical Garden.

The office fills two stories of a circa-1900 former leather-goods factory near Union Square. Desks are presently piled with colonnaded models for proposed Washington, D.C., guardhouses and neon-colored sketches for street layouts in brownfield blocks of Kansas City, Missouri. The smells of popcorn and fresh coffee usually waft through the wooden cubicles, which are topped in ogee crown moldings. Olivia, John Belle's golden

### SAVE THE DATE

16th Annual Landmarks Lion  
Award Ceremony & Dinner

Celebrating the architectural and  
planning firm  
Beyer Blinder Belle

Monday, November 8, 2004,  
at New York City's newest museum,  
the Rubin Museum of Art

150 West 17th Street  
Manhattan

Visit our Web site for details

[www.hdc.org](http://www.hdc.org)



retriever, wanders around seeking affirmation. Each Tuesday the staff gathers to debrief in a central “crit pit,” its walls pitted by thumbtacks from generations of drawings posted.

Once in a while the staff gets to update one of its own past renovations. Southwick’s first major project, in the mid-1980’s, was the transformation of Sherry’s restaurant, a frothy 1928 design by McKim, Mead & White on Madison Avenue at 62nd Street, into a Limited flagship—which Beyer Blinder Belle later turned into an Hermès store, adding an equestrian Frenchman statue on the roof. In Manhattan’s Chelsea area, the 1890’s tenements that the firm combined into a Barneys in 1986 are now becoming the Rubin Museum of Art, the venue for HDC’s Landmarks Lion party on Monday, November 8. Its central spiral stair will be preserved, but the interior’s cool retail feel will be warmed by new mahogany and cherry trim.

If not for these redos of redos, Belle says, the partners wouldn’t have much time to admire their own completed handiwork. “Though I have been teased for being late for a meeting because I’d stopped to polish a bit of marble floor at Grand Central,” he says, laughing.

## DISTRICT PROFILES

### MACDOUGAL-SULLIVAN GARDENS, MANHATTAN

IN THE HEART of touristy Greenwich Village, around the corner from the venerable Figaro Cafe and the frenzy of Bleeker Street, stands an oasis of civility, the well-groomed mid-19th century town houses of the MacDougal-Sullivan Gardens Historic District. Joining the two streets but invisible from outside is the communal garden that gives the district its name.

Nicholas Low bought the land in 1796, but it wasn’t developed until after his death. Low (1739-1826) was a leading merchant and banker in New York following the Revolutionary War and was a member of the New York State Convention that ratified the United States Con-



photo: Penelope Bateau

*Fan pediment tops paired windows that were once doorways on MacDougal Street. The property was remodeled in the 1920’s and its stoops were removed.*

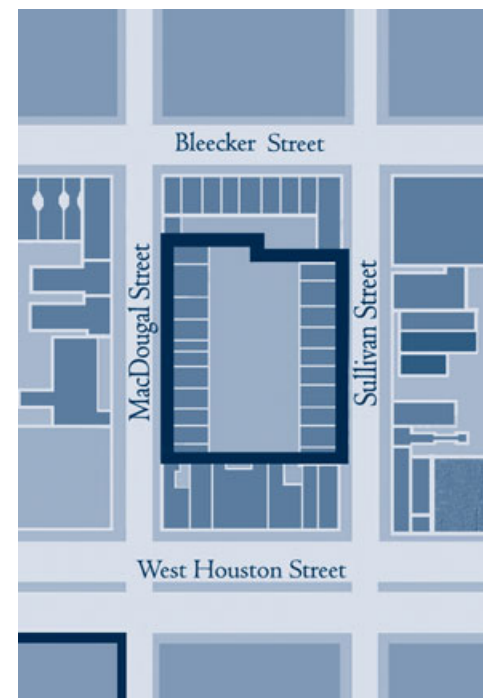
stitution. When he died he left his property to his sons, and in 1844 the estate built the three-story-and-basement Greek Revival houses on MacDougal Street and in 1850 similar ones on Sullivan Street. They kept them as income property; and when the last of Low’s heirs died in 1896, the estate did not demolish the houses to build tenements, as many in the neighboring blocks were doing, but allowed them to stand and deteriorate because even in that condition they provided income—it was a time of mass immigration to New York and massive need for housing. Because of that decision, the Landmarks Preservation Commission hypothesized when it designated the district in 1967, the buildings still exist.

In 1920 Nicholas Low’s estate sold these properties to a corporation called Hearth and Home, headed by William Sloane Coffin. Coffin was a grandson of William Sloane, the founder of W. & J. Sloane, the prominent home-furnishings retailers in New York for more than 130 years (1853-1985). He was a director and vice president of the firm and in 1924 was

elected a trustee of the Metropolitan Museum of Art, of which he became president in 1931.

In addition, Coffin was a man of social conscience who was concerned about middle-class housing; when he came into ownership of the MacDougal and Sullivan Street houses, he had already had experience developing property in what became in 1966 the Charlton-King-Vandam Historic District (District Lines, Autumn 2003). His philosophy was to renovate sound buildings, updating plumbing, electrical and kitchen facilities but otherwise changing them as little as possible.

Coffin’s architects, Francis Y. Joannes and Maxwell Hyde, removed the stoops



Incentra map adapted by Carolyn Siegel

*Communal garden joins properties on MacDougal and Sullivan Streets, created by combining the rear yards. It is an important part of the landmark designation.*

and remodeled basement entrances and former dorways in the neo-Federal style. On MacDougal Street, you can still see where the original paired doorways were converted to windows, two of which are topped by a large fan-shaped wooden panel framed by a brick arch with a key-stone block. On the inside, the houses were altered to consist of a five-room



lower duplex, a four-room apartment on the second floor and two non-housekeeping apartments on the third floor. They are now mostly one-family houses, according to the owner of one of them.

Behind each house is a small private garden; but it was the communal garden, created by combining the rear yards of all the houses, that set this development apart. The common garden is available to residents but not outsiders, and it is so jealously guarded that not even photographs of it are permitted. It was a prototype for many other developments in the city—among them Turtle Bay Gardens, Manhattan, and Jackson Heights, Queens—and in other cities as well.

## PRESERVATION FACADE EASEMENTS

*continued from page 2*

ings under its supervision with a budget of \$3.16 million, only perhaps ten percent of which is allocated to enforcement.

Mr. McClain of NAT said that most people plow their tax deduction back into their property, and if so, the program does have a preservation result. Mainly, however, preservation is not really the issue. Easements are attractive because of the tax benefit. Owners in historic districts give up the same rights as easement grantors give up, but they get no tax deduction for it. Ever the salesman, Mr. McClain said that in historic districts “you’ve already given up most of the rights. You might as well get a benefit.”

Considering that tax deductions are allowed for easements because the restrictions decrease the value of a property, we should expect lower property values within historic districts, where restrictions apply, than outside them. But we don’t. Just the opposite. Studies all over the country, including one published in 2003 by the New York City Independent Budget Office, have shown that property values in historic districts increase at a higher rate than similar properties outside them.

That would seem to throw into question the premise of the tax law as applied to properties within historic districts. Indeed, a notice recently went out in the Internal Revenue Bulletin saying, “If the donation of a conservation easement has

no material effect on the value of real property, or enhances rather than reduces the value of real property, no deduction is allowable;” and a source backed that up in an interview by saying the IRS “would have a problem” with deductions taken for easements on properties within historic districts. It is a caveat that could undercut many of NAT’s prospects.

Undaunted, Mr. McClain feels that “Now is the ideal time to do easements, because the style of thinking is pro-preservation.” It is, however, also a time when the tax law supporting deductions for easements is in flux. The rules and regulations governing conservation easements are “voluminous,” the IRS source stated, “very complex,” and the regulations themselves have “many subjective factors.” In a published notice, IRS Commissioner Mark W. Everson warned, “We’ve uncovered numerous instances where the tax benefits of preserving open spaces and historic buildings have been twisted for inappropriate individual benefit. Taxpayers who want to game the system and the charities that assist them will be called to account.”

NAT and other easement-holding organizations argue that easements are a more powerful tool for preservation than is designation by government agency because easements cannot be overturned by political will. Preservation laws have been rolled back, they argue, and Mr. Edmondson of the National Trust for Historic Preservation confirms that they have been—not often, perhaps, but it has happened and was recently threatened in Philadelphia. Easements, however, last forever. Mr. Edmondson mentioned only two ways they can fail, or “be extinguished”—by total destruction of the property (fire, earthquake, bombing) or by a governmental “taking” through the right of eminent domain, to build a dam, for instance. The source at IRS said they can also be amended by mutual consent of grantor and grantee, in which case conceivably the factors that qualified the easement for tax deduction in the first place could be nullified.

Some may say the IRS is only saber-rattling. Steven McClain, for instance, says, “There have been five court cases and the IRS lost every one.”

Times may be changing.

## JOHN STREET/ MAIDEN LANE — A BRIEF HISTORY

*TO PURSUE LISTING of the John Street/Maiden Lane district of Downtown Manhattan on the State and National Registers of Historic Places, the Historic Districts Council held a fund-raiser in June to hire an architectural historian to complete an application to the State Historic Preservation Office. The district is on the 2004 list of the Preservation League of New York State’s “Seven to Save.” For those who attended the fund-raising party at architect Joseph Pell Lombardi’s remarkable penthouse on Liberty Street, a brief history and walking tour of the area were prepared, and they were interesting enough to warrant reprinting in these pages for a wider audience.*



*Area of proposed John Street/Maiden Lane Historic District in Manhattan extends from Fulton Street on the north to Liberty Street on the south. Numbers are keyed to photos on page 10.*

The John Street/Maiden Lane district is an area of early skyscraper and office-building development constructed during the late 19th and early 20th centuries. These buildings were built on speculation to house the many collateral enterprises attracted by the concentration of wealth and business in the nearby financial district.



all art this article: Annemieke Beemster Leverenz

**1. Armenia Building** at 124 Fulton Street is a yellow-brick structure at the corner of Nassau Street. Metal window framing and ornamentation are noteworthy features.

The area is of particular interest architecturally, as the buildings show the early evolution of the office skyscraper in what might be termed its ancestral home of Lower Manhattan. As evidenced by the wealth of building decoration, the architects were experimenting with materials and motifs in the new skyscraper form.

Although all of the buildings have elevators, several have traditional masonry load-bearing walls and possess facade treatments that are not typical of later steel-frame construction. Many of these buildings rise dramatically from the ground with the sheer vertical walls allowed before setbacks were imposed by the Zoning Resolution of 1916.

Originally, Maiden Lane from the East River to approximately Nassau Street was a pebbly brook where early residents would wash their clothing and household linens. During the city's tenure as the nation's capital, the brook was filled in and the area became an elite residential neighborhood, housing residents such as Thomas Jefferson.

The neighborhood was home to many fine specialty stores because of its proximity to the docks on the East River. For example, the New York Arcade was built in 1827, stretching between John Street and Maiden Lane along Broadway and contain-

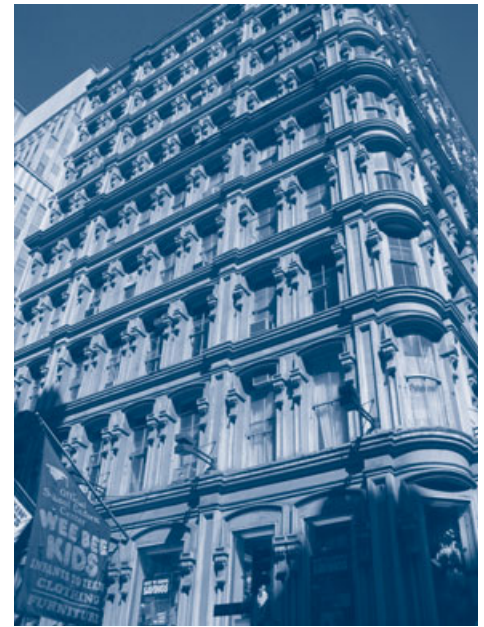
ing more than 40 stores under a skylight-covered corridor. This profitable commercial area was one of the first to be gas-lit by the New York Gas-Light Company in the late 1820's. As the separation between work and home grew more distinct in New York, the area became solely commercial, serving the needs of businessmen who spent the workweek downtown. By the late 19th century, many office buildings began to replace the smaller commercial properties that had existed in the area, and that pattern of development continued into the 1920's.

The character of the district is a product of its central location during years of continuous innovation, and the combination of a winding street grid, itself a remnant of colonial New York, with the towering building masses lends the area a unique and distinctive turn-of-the-20th-century sense of place.

As plans for the revitalization of Downtown Manhattan evolve and new places and neighborhoods are created to meet the needs of New York City, we have an opportunity to breathe life into this fascinating commercial district. This collection of century-old buildings could become a destination neighborhood for the 21st century.



**2. The Diamond Exchange** at 14 Maiden Lane, by G.A. Schellenger, is now a residential building. Constructed in 1894, it features three slender brick colonettes flanking angular bay windows of metal enframement.



**3. Bennett Building** at 139 Fulton Street, an individual landmark, is an icon of cast-iron architecture and probably the tallest such anywhere. Built in 1872-3 by publisher James Gordon Bennett Jr., it was designed by Arthur D. Gilman and is the only extant example of his work in the city.

## RECENT GIFTS AND GRANTS

ALL THE CONTRIBUTIONS of people who give to the Historic Districts Council, either individually or as part of an organization, are deeply appreciated. Many thanks to the following:

**Foundations:** Acorn Foundation, Ford Foundation, J.M. Kaplan Fund, Mertz Gilmore Foundation, National Philanthropic Trust, New York Community Trust/Windie Knowe Fund, Richmond County Savings Foundation, Summer Fund, Robert W. Wilson Fund.

**Local groups:** Bay Ridge Conservancy, Bicycle Transportation Action, Briarcliff Manor/Scarborough Historical Society, Broadway-Flushing Homeowners' Association, Bronx Landmarks Taskforce, Bronx Museum of the Arts, Brooklyn Heights Association, Brooklyn Heritage, Brooklyn Historical Society, Brooklyn Theatres, Carnegie Hill Neighbors, Clinton Hill Society, Colonial Williamsburg Foundation, Dancing in the Streets, Doo



Wop Preservation League, Douglaston/Little Neck Historical Society, The Drive to Protect the Ladies' Mile District, East Harlem Historical Organization, Friends of Alice Austen House, Friends of Terra Cotta, Friends of the Upper East Side Historic Districts, Gracie Mansion Conservancy, The Green-Wood Cemetery, Greenwich Village Society for Historic Preservation, Hamilton Heights-West Harlem Community Preservation Organization, Harlem Community Development Corporation, Historic House Trust of New York City, Historic Landmarks Preservation Center, Landmark West!, Manhattan Walks, Metropolitan Chapter of the Victorian Society in America, Midwood Park Homeowners' Association, Morningside Heights Historic District Committee, Mount Morris Park Community Improvement Association, Mud Lane Society for the Renaissance of Stapleton, Neighborhood Preservation Center, New York Landmarks Conservancy, Parkway Village Committee on Landmarking, Parkway Village Historical Society, Pratt Institute, Preservation League of Staten Island, Preserve & Protect, Queens County Farm Museum, Queens Historical Society, Queensborough Preservation League, Riverdale Historic District, Save Gansevoort Market, Save! Sunnyside Gardens Preservation Alliance, South Village Landmarking Association, 10th & Stuyvesant Streets Block Association, Tribeca Com-

munity Association, Tribeca South Extension Committee, Union Square Community Coalition.

**Corporations:** A. Ottavino Corporation, Beyer Blinder Belle, Building Conservation Associates, Cutlass, Inc., di Domenico & Partners, Doherty & Doherty Creative Services, Inc., Ed Tristram Associates, Inc., Françoise Bollack Architects, Historic Site Productions, The Kitchen Club, Landair Project Resources, Inc., Leo J. Blackman Architects, Li/Saltzman Architects, Mary B. Dierickx Architectural Preservation Consultants, Miriam Berman Graphic Design, Richmond County Savings Bank, RKT&B, Stage of the Arts, Tom Fenniman Architects, Two Twelve Associates, Union Square Hospitality Group, Vargastudio, William B. May Company, Winter Hill Associates.

**Friends:** Selim & Margarita Torres Alphandery, Karen Ansis, Marilyn Appleberg, Thomas Arcidiacono, Charlotte P. Armstrong, Norma J. Arnold, Bernadette Artus, Nancy Banks, Penelope Bareau, Eric J. Barkley, Sharon Barnes, George Beane & Patricia Begley, Laurie Beckelman, Dolores Bennett, Andrew Berman, Dennis Bertland, Sergio Bessa, Bronson Binger, Leo J. Blackman & Kenneth T. Monteiro, Dorothy Blumner, Françoise Bollack & Tom Killian, Ed Botwin, Nancy B. Bowe, Margaret Bracken, Brian Breyer, Peter Basta Brightbill, Hal Bromm &

Doneley Meris, Catherine L. Bruckner, Antonia Levine Bryson, Judith Burgess, Roger Byrom & Debra Miller, George Calderaro, Diana M. Carroll, Bryan & Diana Carulli-Dunlap, Merry L. Chang, Wanda Chin, Carol Clark & Kyle Johnson, Stanley Cogan, Vincent Colangelo, Robert Condon, Brigitte Cook, Elizabeth Rose Daly, Joan K. Davidson, Carole De Saram & Ray Erickson, Georgia Delano, Robert M. Delgatto, Barbaralee Diamonstein-Spielvogel, Gregory Dietrich, Michael F. Diniscia, Andrew Scott Dolkart, Daniel J. Donovan, Lisa & Peter Easton, Frances A. Eberhart, Joy Echer, Rebecca & Yehuda Even-Zohar, Nicholas Falco, Horace Felix, Michael Felson Felix, Tom Fenniman, Jim Ferreri, Wendy Feuer, Mimi Findlay, Henry Flax, David Freudenthal, Barbara Fuchs, Julia Fuchs, Alice & Thomas Fucigna, Robert Furman, H. Paul Gabriel, Ann Walker Gaffney, William Gambert, Joan H. Geismar, Jonathan Gellman, David Gibson, Jill Gill, David Goldfarb, Christabel Gough, Channell Graham & Tamara Coombs, Greta Greathouse, Gail Gremse, Mitchell Grubler, Eva Grunspan, Polly Guerin, Judith Guttman, Estelle Haferling, Dalila & Barry Hall, Caroline Harris, Lucile & Bernard Helfat, Alvin Ho, Jacqui Hogans, Susan S. Hopper, Josephine E. Jones, Linda Jones, Susan Kalin, Ned Kaufman, Claudia Kavenagh, Robert Keller, Karen Kennedy, Carolyn Kent, June P. Kil-

## BECOME A FRIEND OF THE HISTORIC DISTRICTS COUNCIL TODAY!

Douglaston, Queens; Charlton-King-Vandam, Manhattan; Fort Greene, Brooklyn; Longwood, The Bronx are all designated historic districts, protected from inappropriate alterations and development. Unfortunately, many more neighborhoods throughout the city are not, though they are seeking designation. That's where the Historic Districts Council can help.

As the citywide advocate for New York's historic neighborhoods, HDC works to preserve and protect the city's architectural and cultural heritage.

It's a big city, and our advocacy is never finished. Our agenda would not be possible without you and preservation partners like you. You are the backbone of HDC.

Yes, consider me a Friend of HDC!

Enclosed is my gift of

\$50 \_\_\_ \$100 \_\_\_ \$250 \_\_\_ \$500 \_\_\_ Other \$ \_\_\_\_\_

Please make check payable to Historic Districts Council and mail to: 232 East 11th Street, New York, NY 10003. For information, call 212-614-9107.

name \_\_\_\_\_

address \_\_\_\_\_

city/state \_\_\_\_\_ zip \_\_\_\_\_

telephone \_\_\_\_\_

fax \_\_\_\_\_

e-mail \_\_\_\_\_  
(for news and electronic alerts)

Credit card payments:

If your billing address does not correspond with your address above, please provide it below your signature.

\_\_\_\_ American Express \_\_\_\_ MasterCard \_\_\_\_ Visa

card number \_\_\_\_\_

expiration date \_\_\_\_\_

signature \_\_\_\_\_

patrick, Antoinette King, Edward S. Kirkland, Myron Koltuv, Celia & Robert Kornfeld Sr., Susan Kramer, John Krawchuk, Jeffrey A. Kroessler & Laura Heim, Sarah Bradford Landau, Brent Lazar, Antoinette J. Lee, Aubrey Lees, Sheila Lehman, Sheila Berkley Lehr, Joseph Le Pique, Kristina Lesem, Sandra Levine, Judith Lief, Daniel Light, Fran Litvack, Christopher W. London, Laura Ludwig, Eleanor Lupino, Ken Lustbader, Kay & Malcolm MacDermott, Cynthia Mailman & Silver Sullivan, Anthony A. Manheim, Stephanie Marudas, Laura Mass, Shirley Matyscak, Katrina Maxtone-Graham, Joan B. Maynard, Elizabeth E. McCabe, Erin McCluskey, Molly McDonald, Alice L. McGown, Heather McGrath, Nancy McKay, Steven McQuillin, Marjorie McShane, Kathryn D. Meister, Ronald L. Melichar, Abigail Mellen, Joyce A. Mendelsohn, Madelyn

Miller, Mike Miscione, George Mitchell, Ann Thomas Moore, Kristine & Ivan Morales, Florent Morellet, Sharon Murphy, Drew Napolitano, Natalie Naylor, Chris Neville & Sarah Gamble, Shannon Orrock, Kate Burns Ottavino & Neill Parker, Alan Oxman, Charles E. Pannaci, Virginia L. Parkhouse, Peg Pashkow, Marlene & Robert Payton, Emily Penn, Marianne & Brian Percival, Avra Petrides, John J. Phillips, Ken Poray & Amy Harrison, Brent & Mary Salstrom Porter, Frank Prial Jr., Barbara Pryor, Harold Reed, Thomas Reynolds, James W. Rhodes, Annette Rosen, Bruce Rosen, Joseph S. Rosenberg, Bill Rossi, Bethany & Michael Russo, Annmarie Schnakenberg, Martin Schneit, Julia Schoeck, Eric Schumann & Brian Vander Meyden, Thomas F. Schutte, Jori E. Schwartzman, Kevin Scully, Rhoda Sears, I. Barnett Shepherd, Deborah F. Shep-

herd, Martin E. Shore, Lawrence Sicular, Bill Sievers, Rachel Silverman, Teri Slater, Mark & Joan Soeth, Susie C. Sohn, Beverly Moss Spatt, Martha S. Sproule, Monica Stabin, Susan W. Stachelberg, Jeanne Legier Stahl, Melanie H. Stein, Ethel A. Sussman, Joseph V. Svehlak, Pam Tate, Jack Taylor, Patricia Taylor, Carl Teitelbaum, Leith ter Meulen, Bess Terry, Mary Ellen Thomas, Mark Thompson, Stephen Tilly & Elizabeth Martin, Kathy Titakis, Mikel Travisano, Jim Trent, Susan Tunick, Philip Tusa, Merin Elizabeth Urban & Peter Storey, Joan van Valkenburgh, James Van Westering, Fernando Villa, Elise Ward, Sheila Washington, Steven Weinstein, Dr. Eugene E. Weise, Nada Westerman, Ross Wheeler, Robert W. Wilson, Marillyn B. Wilson, Kevin & Alexandra Wolfe, Kate Wood & David Sprouls, Brigitte Zapata, Howard A. Zar.

# DISTRICT LINES

NEWS AND VIEWS OF THE



HISTORIC DISTRICTS COUNCIL

THE ADVOCATE FOR NEW YORK CITY'S  
HISTORIC NEIGHBORHOODS

232 East 11th Street

New York NY 10003

tel 212-614-9107 fax 212-614-9127

e-mail [hdc@hdc.org](mailto:hdc@hdc.org)

[www.hdc.org](http://www.hdc.org)

NONPROFIT ORG.  
U.S. POSTAGE  
PAID  
NEW YORK, NY  
Permit No. 3732