

Foes organize to overturn Fieldston landmarking

By Joshua Payne

Opponents of the Fieldston Historic District are hoping to write the next chapter in the neighborhood's history by overturning the designation, enacted by a unanimous vote of the city Landmarks Preservation Commission on Jan. 10.

Leading the charge is the Fieldston Homeowners Association, or FHOA, which was formed by Fieldston residents the day after the LPC vote with the aim of persuading the City Council to nullify the commission's decision.

And they're not relying solely on a good, old-fashioned letter-writing campaign.

So far, the FHOA has hired the law firm of Davidoff, Malito and Hutcher LLP, which specializes in lobbying city and state agencies, and they are close to selecting a public relations firm and an architectural preservation expert to serve as consultants.

Gary Miller, FHOA's secretary, argues the case on three fronts: that Fieldston, by dint of its myriad architectural styles and relative youth, does not qualify as a historic district; that the proposal does not enjoy widespread support from residents; and that the LPC sought to exclude home owners from the process.

"With 276 homes, designed by 76 different architects, the area is not homogeneous," Mr. Miller said. "The LPC has listed 23 styles of houses in Fieldston and another 31 are listed with no style. I'm a lawyer and I don't even know what that means."

This point is also argued by FHOA president Dr. Alan Rosenthal who, in a letter to the editor in this week's *Press*, wrote, "In sum, there is no intrinsic architectural or historic reason for landmarking."

Beyond Fieldston's hodgepodge appearance, Mr. Miller pointed to an underwhelming local mandate for the proposal.

"At least 50 percent of homeowners in Fieldston have stated their opposition in writing," Mr. Miller said, referring to petitions that Dr. Rosenthal sent out in mid-December.

The petitions were mailed two weeks after the LPC sent each homeowner a description of their house, to be included later in the commission's official designation report, and a statement explaining that the Fieldston Historic District would be voted on Jan. 10.

Mr. Miller contends that most Fieldston residents were caught unaware of the impending vote because "it was the middle of the holiday season" and the last time there was a public hearing on the matter was December 2003.

Many residents didn't understand the many facets of living in a historic district or the need to verify their home's description on the forms sent by the LPC.

The commission had initially scheduled the vote for December but moved it to January as a courtesy to Community Board 8, which wanted to pass a resolution on the matter first.

Dr. Rosenthal's petitions stressed "permanent ramifications" and "severe economic consequences" the historic district would impose on residents, and asked the LPC to postpone their vote.

Less than a week before the vote, opponents of the district, including Mr. Miller, met with LPC Commissioner Robert Tierney to tell him of the petitions and ask for the

postponement.

The appeal was not successful.

Mr. Miller understands that the idea of living in a historic district "sounds great in theory," but he also has grave concerns about its ramifications for homeowners.

"Most of us moved here because we wanted serenity," but he's worried that the added attention that comes from being a historic district could result in tourism.

"I'm not saying it's the equivalent of Colonial Williamsburg, but what's to prevent tour buses from going through here on their way to Wave Hill?"

Mr. Miller understands that Fieldston's streets are still private and under the control of the Fieldston Property Owners Association — which maintained a neutral stance on the historic district — but, he said, "There's no way to know what a judge will do with a challenge to that now that it's a historic district open to the public."

Fieldston residents William and Ellen Rodman, who attended the LPC's vote and were incensed that the commission did not acknowledge the strong opposition, maintain that there are already enough zoning and natural area district regulations in place to protect Fieldston.

"Some people who've lived in Fieldston for 40 years, they want to see it like the Petrified Forest," Mr. Miller said. "They have their own parochial interests. They don't want it to change."

Those interests, opponents argue, will visit financial hardships on residents in the form of fees for the lawyers and architects homeowners will have to hire for even minor home improvements.

Mr. Miller, for instance, put an addition over the garage of his Goodridge Avenue house, one that was used in the *Press'* editorial last week as an example of an appropriate renovation.

But Mr. Miller's not sure the addition would have been approved by the LPC and he worries about giving the government a say in a private decision.

"It's been a private community for over 70 years. We should be able to police ourselves," Mr. Miller said. "People pay millions of dollars for these homes, usually their single biggest asset. They should be able to decide what to do. We didn't buy into a co-op, where you know when you get in that there's a board you have to work with."

Community Board 8 Chairman Tony Cassino said the opposition is fueled by a campaign of misinformation.

He has received calls from residents worried about rumors they will not be allowed to have a swing set or a sukkah (a temporary, tent-like structure erected during a Jewish holiday) in their backyards.

Mr. Cassino called the Landmarks chairman directly and was told by Mr. Tierney that swing sets and sukkahs are permitted.

"There's a lot of incorrect information circulating," Mr. Cassino said. "At best it's that the opposition's uninformed. At worst, they're intentionally playing on people's fear."

The historic district proposal heads next to the City Planning Commission before going to the City Council.

In the next few weeks the FHOA will concentrate on getting their message to City Hall, but they'll get no help from Councilman Oliver Koppell. He lives in Fieldston, and was an early and outspoken advocate of the historic district and described the challenge as a futile effort.