

**Determination of the Landmarks Preservation Commission**  
**of**  
**The Village of Thomaston**

**December 5, 2024**

This document contains the determination (“Determination”) of the Landmarks Preservation Commission of the Village of Thomaston (“the Commission”), as to whether or not the existing church building (the “Church Building”) and/or parish hall (the “Parish Hall”) located at 715 Northern Boulevard, Great Neck, New York (the “Property”), in the Village of Thomaston (“Village”), New York, should be designated as a “landmark” pursuant to Chapter 120 of the Village of Thomaston Code (“the Code”).

For the reasons identified below, the Commission determines that neither the Church Building nor the Parish Hall should be so designated as a landmark, subject to any action taken by the Village Board of Trustees pursuant to Chapter 120-3(B)(1) of the Code.

A. Procedure followed by the Commission.

The Commission met in public session on October 28, 2024 and December 5, 2024 to consider a request received from a Village resident that the Commission designate each of the Church Building and the Parish Hall as a Landmark. Notice of such consideration was given in compliance with applicable requirements. Minutes of the October 28, 2024 meeting have been previously posted on the Village website. On December 3, 2024, a draft of this Determination was posted on the Village website. This Determination was unanimously approved at the December 5, 2024 Commission meeting (the minutes of which meeting will be posted to the Village website as required by the Open Meetings Law).

Prior to the October 28, 2024 meeting, the landmarking request was posted to the Village website (along with attachments submitted with the request, including copies of old photographs), and considered by the Commission. Also prior to the October 28, 2024 meeting, (i) one or more members of the Commission separately conducted a review of the Village building files concerning the Property, as well as an internet search and other research concerning the history of the Church Building and the Parish Hall, and (ii) two members of the Commission toured the Property accompanied by a representative of the property owner.

As summarized in the minutes of the October 28, 2024 public meeting, the Commission heard public comment at that meeting as to whether or not it should designate the Church Building

and/or the Parish Hall as Landmarks. (While the meeting was a public meeting, it was not a public hearing. Nevertheless, the Commission invited public comment, and the notice of such meeting had indicated that public comment would be welcome at the meeting. The meeting was also available to the public live, through an online Zoom link)

At its public meeting on December 5, 2024, the Commission completed its discussion of the landmarking request, and voted to approve and adopt this Determination and to submit this Determination to the Village Board of Trustees.

#### B. Legal Context of the Commission's Determination

Having consulted with legal counsel, the Commission understands its functions as twofold: (1) first, to determine whether or not the Church Building and/or the Parish Hall satisfy the definition of "landmark" in the Code, and (2) second, if the Commission finds that either the Church Building or the Parish Hall (or both) does satisfy that definition, then to determine whether or not the Commission should "designate" the Church Building and/or the Parish Hall as a landmark pursuant to the Code. The two questions are distinct: there is no requirement in the Code that a building satisfying the definition of "landmark" automatically be "designated" as such by the Commission. Instead, the Commission has discretion, and may or may not so "designate" as a landmark a building satisfying the definition, after taking into consideration such factors as the Commission reasonably deems appropriate.

The two functions are addressed separately below.

#### C. Does the Church Building or the Parish Hall Satisfy the Definition of "Landmark" in the Code?

In relevant part, the Village Code defines a "landmark" as "Any . . . building of particular historic or aesthetic significance to the Village, the Town of North Hempstead, the County of Nassau, the State of New York or the United States," including (i) any building "where the . . . spiritual history of the community, state or nation is reflected or exemplified," (ii) any building "which [is] identified with historic personages or with important events in local, state or national history," (iii) "any building or structure which embodies the distinguishing characteristics of an architectural specimen, inherently valuable for a representation of a period, style or method of construction," or (iv) "a notable work of construction of a master architect whose individual genius influenced an age."

As an initial matter, the Commission took note of the significant changes to the exterior of the two buildings since their construction 140 years ago. In particular, the Church Building was completely rebuilt around 1951 after a fire, and the new Church Building differs significantly from the original structure, including among other things, a new brick exterior replacing the original wood, and a changed steeple. The renovation of the Parish Hall in 2012 also resulted in

changes, although less consequential to the original structure. For example, based on photographs submitted to the Village and the comments of church members at the October 28, 2024 meeting, it is apparent that the shape of the large windows on the side of the Parish Hall were changed, the original slate roof was replaced with asphalt shingles, and a stucco-like coating was applied to the exterior. However, the 2012 renovation was undertaken with sensitivity to the Gothic Revival architecture of the original structure, and maintained principal elements of the original design.

For the reasons indicated below, (i) all of the Commission members determine that the Church Building does not fit within the definition of “landmark” in the Code, and (ii) a majority of the Commission members (Messrs. Stern, Noren and Marzouk) determine that the Parish Hall does not fit within that definition. The remaining Commission members (Ms. Georgopoulos and Ms. Adams) conclude that the Parish Hall (but not the Church Building) fits within the definition of landmark.

However, even if the Commission had concluded that the Church Building and the Parish Hall each satisfied the definition of “landmark” in the Village Code, the Commissioners are unanimous in their determination that, for the reasons given in Part D below, neither the Church Building nor the Parish Hall should be designated as a landmark for purposes of the Village Code.

We also note that, in 2009 (before the 2012 renovation of the Parish House), the Village Landmarks Commission as then constituted recommended to designate the Parish Hall (but not the Church Building) as a landmark. However, this recommendation was rejected by the Village Board of Trustees at that time.

Assessing each structure under the specific clauses of the definition of “landmark” in the Village Code, a majority of the Commissioners determined that:

- ***Particular Historic Significance?*** The Church Building and Parish Hall are certainly very old, and the Methodist Church is mentioned in a few historical materials. However, very little historical information was presented to the Commission (or was uncovered by the Commission in the course of the research by members of the Commission), other than mention in the Village walking tour and history pamphlet and on the Village website (and recognition by the Great Neck Historical Society, as indicated below), that would lead the Commission to conclude that either the Church Building or Parish Hall was of “particular historic significance” to “the spiritual history of the community, state or nation.” The 1870s and 1880s, long before the Village of Thomaston was incorporated, was an era of large estates in Great Neck, and numerous wealthy residents. The Church Building and Parish Hall are not unique, in that other important churches were built during the same time period. For example, All Saints Episcopal Church (a more prominent church building which has been determined by New York State to be “eligible” for national register status) was built in 1886, on land donated by two then-

noteworthy Great Neck families (the Messenger and Cignoux families). St. Aloysius Roman Catholic Church was built in 1876 (relocated and rebuilt in 1913). Other churches and synagogues have been built since then, and a majority of the Commissioners did not find material information suggesting that the congregation of the Church Building and Parish Hall, or the buildings themselves, were particularly impactful to the community in relation to the impact of other religious institutions. Accordingly, and while the Church Building and the Parish Hall are certainly attractive and of historical interest, a majority of the Commissioners determine that the Church Building and Parish Hall are not of “particular historic significance” [emphasis added] either to the spiritual history of the community or to the community more generally.

- **Historic Personages?** Similarly, while Joseph Spinney was a prominent merchant in Great Neck in the late 1800s, and while Spinney was certainly a noteworthy member of the Great Neck community, a majority of the Commissioners determine that, in relation to other prominent Great Neck residents at the time or since then (such as F. Scott Fitzgerald, Madeline Albright, David Baltimore (Nobel Prize), Walter Chrysler, Mary Cleave, George Cohan and Paul Newman), Joseph Spinney was not of “particular historic significance” [emphasis added] to Great Neck. Beyond Great Neck, no information came to the Commission’s attention indicating that Spinney has been associated with important historical occurrences on a state or national level.
- **Architectural Specimen?** Particularly in light of the modifications to the Church Building since its original construction, a majority of the Commissioners determine that the Church Building as it currently exists does not “embod[y] the distinguishing characteristics of an architectural specimen, inherently valuable for a representation of a period, style or method of construction.”

The Parish Hall presents a closer case. The 2012 renovation made significant changes to the shape of the glass side windows of the Parish Hall, slate on the roof was replaced with asphalt shingles, and a stucco-like coating was applied to the exterior, among other changes. However, the original character of this building was not changed to such a significant extent as was the Church Building, and Gothic elements remain, if somewhat modified. While reasonable people may certainly disagree on this point, a majority of the Commissioners determine that the Parish Hall does not fit within the requirement that it be “inherently valuable for a representation of a period, style or method of construction.”

- **Master Architect?** While the Commission reviewed the materials submitted in support of landmarking which described the architects of the Church Building and the Parish Hall and their other works, the Commissioners do not find sufficient information to establish to their satisfaction that any of those architects was “a master architect whose

individual genius influenced an age,” as described in the definition of landmark in the Code.

- ***Particular Aesthetic Significance?*** The question remains whether the Church Building and/or the Parish Hall would separately satisfy the general “aesthetic” leg of the definition of landmark in the Code, i.e. whether either structure is of “particular aesthetic significance to the Village, the Town of North Hempstead, the County of Nassau, the State of New York or the United States.” As for the Church Building, all Commission members determine that the integrity of the original church building was sufficiently changed by the 1951 renovation so as no longer to be historic. While the church is certainly attractive, the Commissioners do not find it to be of particular historic or aesthetic significance. As for the Parish Hall, a majority of the Commissioners conclude that, to some degree, the 2012 renovation modified the architectural integrity and thereby diminished the aesthetic elements of the original structure, by changing the shape of side glass windows, changing the roof material from slate to asphalt shingles, and applying a stucco-like coating to the exterior. Again, while both the Church Building and the Parish Hall are distinctive, and while reasonable people can certainly differ as to whether any structure is of “particular aesthetic significance,” a majority of the Commissioners determine that neither the Church Building nor the Parish Hall passed this test. (The Commission noted the fact that the Great Neck Historical Society awarded a plaque commending the 2012 Parish Hall renovation, but a majority do not find this persuasive and noted that the Society, when asked by a member of the Commission, could not locate any records or reports indicating the basis for awarding the plaque).

**Other Viewpoints.** As noted above, two of the Commissioners conclude that the Parish House (but not the Church Building) fits within the definition of landmark in the Code. This is primarily a result of their view that (i) the development was donated by and funded by a then prominent member of the community, Joseph Spinney, and was a development dedicated to the spiritual growth within the community (ii) the parish house is the only remaining building from the original Spinney development which retains the original Gothic elements of the structure, (iii) this type of wood framed/clad gothic structure is a unique specimen of its type, (iv) the building is listed on the Village walking tour, mentioned in the Village history pamphlet and noted on the Village website, and (v) the sympathetic 2012 renovation/restoration to the Parish House was commended by the awarding of a plaque by the Great Neck Historical Society.

D. Should the Commission “Designate” the Church Building and/or the Parish House as a Landmark?

As noted above, even if the Commissioners had found that the Church Building and/or the Parish Hall fit within the definition of “landmark” in the Code, the Commissioners unanimously

determine that neither the Church Building nor the Parish House should be designated as a landmark. The Commission considered the following additional factors in reaching this conclusion:

- (1) ***Hardship of Landmarking to Owner.*** At the October 28, 2024 meeting of the Commission, members of the Korean Methodist Church, the owner of the Property, reported that (i) COVID resulted in a significant decline in membership for the Korean Methodist Church (as has been true generally for other denominations in our area), and the Korean Methodist Church, which is struggling to rebuild membership, is in a financially difficult position, (ii) church members, many of which travel from Queens for services, are of limited means, and had great difficulty in funding the 2012 renovation of the Parish House (as a result, the church took measures to change the structure in order to economize on renovation cost), (iii) based on the church's experience with the 2012 renovation (for example, pricing windows that would have been closer in appearance to the original windows), church members reported that the cost of repairs and renovations is significantly increased if historical accuracy is to be maintained (for example, the cost could be prohibitive if the church desires to expand its youth ministry in the future - - yet such expansion could be important to the continued viability of the church), and (iv) the congregation intends to continue, on a voluntary basis subject to its means, to maintain the general historical appearance of its buildings, as it did in connection with the 2012 renovation of the Parish House. In contrast, the Commission notes that, during its prior consideration of a church building for landmarking (Harmony House on Middle Neck Road in 2023), that property owner raised no objection based on hardship.

Also at the October 28, 2024 meeting, a resident suggested that the Commission could approve landmarking now without imposing hardship to the owner, because, as provided in Section 120-8(C) of the Village Code, the Commission could landmark a building now, and take into account "unnecessary financial hardship" if, and when, the property owner proposed a particular renovation in the future. However, the Commission is of the view that, despite that Code provision, hardship could arise in this case from designating a building as a landmark, such as the increased cost and administrative burden required if the owner is required in the future to present plans to the Commission to seek an exemption based on hardship, even if at the time the contemplated change to the building satisfies all the requirements of the Village's building code applicable to non-landmarked buildings.

While the Commission is aware that, in certain instances, grant money may be available for the renovation of historic structures, it cannot be known at this time whether grants will be available and funded for any specific renovation sought by the property owner in

the future. Accordingly, the possibility of future grants is speculative, and does not, in the Commission's view, change the hardship analysis in this case.

The issue of hardship takes on a particularly important role in this case because of Constitutional and statutory protections designed to avoid restrictions that pose an undue burden on the practice of religion. For example, based on the advice of legal counsel, the Commission understands that properties used for religious purposes enjoy special rights under the Religious Land Use and Institutionalized Persons Act (RLUIPA) which must be recognized and protected. Based on such legal advice, the Commission further understands that (a) religious properties may be landmarked by the Commission, but that (b) in considering landmarking of a religious property, or whether to permit alterations or improvements in the future after a religious property has been landmarked, consideration must be given to several factors, including whether the proposed regulation (landmarking, in this case) constitutes an "undue burden" on the exercise of religion, and whether the religious property is subject to burdens not imposed on other, similarly situated properties. In light of the financial challenges facing the property owner, the Commission is concerned that increased administrative and financial requirements potentially associated with a landmarked structure could result in an undue burden on the congregation and this property owner.

On the basis of hardship alone, all the Commissioners conclude that neither the Church Building nor the Parish Hall should be designated as a landmark. However, other factors (described below) independently lead to the same determination.

- (2) ***Architectural and Aesthetic Significance***. The Commissioners note that the aesthetic appearance of the site has been diminished by the presence of a trailer in close proximity to the Parish Hall, and the unremarkable parsonage building. In addition, the Commissioners find relevant that the Parish Hall is set back from Northern Boulevard so that it is not prominent when viewed from the public street, and that the Property is located in the middle of a block and is often overlooked by those driving by on busy Northern Boulevard (where there is only modest pedestrian traffic). This differs from both the Belgrave Motors and Harmony House sites previously designated as landmarks by the Commissions - - those structures were in prominent locations in the center of the Village, which added to their aesthetic importance to the community.
- (3) ***Impact of Landmarking on the Community***. The Commission considered the impact that landmarking could have on the future of the community. The Commission notes that landmarking could raise the cost to the property owner of maintaining, renovating and/or altering the building, and that an owner could potentially be compelled to allow a landmarked structure to fall into neglect rather than incur the expense of complying with landmark regulations. In this connection, the Commission is aware that the Church

Building and Parish House were, in fact, both abandoned and boarded up for a period of years after the Great Neck congregation of the Methodist Church ceased to exist. The buildings were re-opened and reoccupied only after the Property was transferred to the Korean Methodist Church in 1982.

- (4) ***Repurposing of Buildings.*** The Commission considered whether any negative financial impact of landmarking to the owner could be minimized by altering the structures for another use, while maintaining their architectural integrity. During the October 28, 2024 public meeting of the Commission, a member of the public provided numerous examples of landmarked structures in other locations being converted into buildings housing hotels, restaurants and other uses, while maintaining landmarked features. However, as mentioned at the October 28, 2024 meeting, the Property in this case is subject to a deed restriction (a copy of which appears in the building files for the Property in the Village Hall) that prohibits all uses other than religious worship of the United Methodist ministry. While in theory it may be possible in the future to obtain a waiver of this restriction from the New York Annual Conference of the United Methodist Church, or to challenge the restriction through legal proceedings, the covenant would impose a serious impediment to repurposing as a practical matter. Such impediments to repurposing were not present in the case of Belgrave Motors or Harmony House, two sites previously designated as landmarks by the Commission.

E. Conclusion.

Having considered public comment, and the factors described above, the Commission hereby unanimously determines that neither the Church Building nor the Parish Hall should be, and neither hereby is, designated a landmark pursuant to the Code (subject to any action taken by the Village Board of Trustees, as provided in the Code).

ADOPTED BY THE LANDMARKS PRESERVATION COMMISSION OF THE VILLAGE OF THOMASTON  
ON DECEMBER 5, 2024.

Members of the Commission:

Mr. Donald Stern, Chair

Ms. Julie Georgopoulos, Vice Chair

Mr. Gary Noren

Ms. Carol Adams

Mr. Ben Marzouk