As The New York Times is reporting, two Roosevelt Island residents representing themselves took legal action in New York State Supreme Court challenging the City's decision to demolish the iconic 1939 Roosevelt Island Steam Plant located at 5 East Main Street.

The Article 78 petition, Dowling & Krisko v. New York City Department of Buildings, et al., Index No. 158628/2026 (Sup. Ct., N.Y. County), was filed and served in July against six respondents, including city agencies and a contractor.. The City's response is due before a court date scheduled for September 23.

The petition follows months of community efforts to bring transparency to the demolition project and resolve a seemingly simple question: **Why destroy the building in a manner that puts the community at risk when it could be repurposed to serve the community?**

The demolition order was issued in July 2024 and referenced a roughly five-month schedule. Two years later, the City says demolition has not officially begun, and the asbestos abatement permit runs into 2027. In the last five months, the project has drawn three stop-work orders from three agencies: the State Department of Environmental Conservation, the City Department of Environmental Protection and the Department of Buildings.

"We never wanted it to get to this point, but the inaction of City agencies brought us here," says one of the petitioners, physician Tibor Krisko.

"We invited HPD and DOB to fulfill their pledges of transparency and community engagement and reassure us that everything was being done the right way. Unfortunately, it has been too little too late -- my family and neighbors remain concerned and confused, and so we took legal action to ensure that the best interests of the Roosevelt Island community and surrounding neighborhoods are given the respect they deserve."

The petitioners' account is the subject of a New York Times article published this week by James Barron, *Using A.I. to Stop the Demolition of an Old Steam Plant:* Article PDF here

PRICED OUT OF REPRESENTATION, AI TO THE RESCUE

After informal consultations with lawyers who said they had a strong case but could not offer pro bono representation, Krisko and neighbor Rachel Dowling did what many cash-strapped people are increasingly forced to do: they turned to AI for research help and filed the petition themselves.

Working late into the night with neighbor Kalin Kresnitchki — a volunteer in the grassroots campaign to halt the demolition — the petitioners researched local rules and procedures using AI, drafted and verified the petition themselves, and filed it through the New York State Courts Electronic Filing system at 11:55 p.m. on July 3, minutes ahead of a filing deadline.

The petition asks the court to review the administrative record, annul the permit authorizing demolition of the property's two smokestacks, and direct the City to complete the environmental and land use reviews that residents argue should have taken place long before the first crew arrived.

"If AI can help us force everyone involved to be accountable and honest, and help the community stay safe in the face of reckless work that puts us in harm's way — as it does in this instance — it serves the greater good," says Dowling, who lives just 207 feet across the street from the steam plant with her family.

Her teenage son lives with asthma, and her elderly mother is a two-time cancer survivor. All three have health vulnerabilities that put them at an increased risk for chemical exposure and toxicity, Dowling says.

"We hope this spotlight on our cause will garner the interest of an attorney willing to take the case and propel us toward our goal to have the demo project done legally with the utmost care — or not done at all."

WHAT'S AT STAKE: DIRECT HARM TO THE COMMUNITY

The verified petition details the harm the petitioners and their families face living in the shadow of the site.

Krisko lives with his wife and young children along the primary demolition truck route. He plans to enroll one of his children in the daycare across the street from the steam plant.

The anti-demolition community campaign says the project illustrates the public safety risks of bringing down massive masonry structures packed with decades of hardened #6 fuel oil residue next to active community spaces — including the popular Roosevelt Island tram station and a tennis bubble that sits about eight feet from the 210-foot western stack, where falling debris could reach the ground at roughly 80 miles per hour.

THE LEGAL CLAIMS: IMPROPER SEGMENTATION, NO EMERGENCY, REVIEWS THAT NEVER HAPPENED

The petition challenges DOB Work Permit No. M01305740-S4-GC-CX, issued on March 3, 2026. Classified by the Department of Buildings as an "alteration," the permit authorizes the complete demolition of the property's two masonry smokestacks, which stand approximately 210 and 240 feet tall.

The petition rests on two primary causes of action:

Violation of lawful procedure — no environmental or land use review: The petition argues the City has advanced the demolition without mandated reviews or a community air monitoring plan despite an open spill case at the site (DEC Spill #2508914).

The lawsuit asserts that the demolition is an unreviewed predicate component of a larger planned residential redevelopment. Under the State Environmental Quality Review Act (SEQRA), City Environmental Quality Review (CEQR) and the Uniform Land Use Review Procedure (ULURP), city agencies cannot improperly "segment" a major demolition from the redevelopment it enables.

Arbitrary and capricious: The petition argues the City's determination lacks a rational basis. An independent structural engineer who reviewed the building's original drawings concluded that the 1939 steel-frame industrial building — designed by Starrett & Van Vleck, the firm behind Lord & Taylor and Saks Fifth Avenue — is physically salvageable.

An industrial chimney contractor who inspected both smokestacks found them repairable at roughly $700,000; the City's permit to demolish those same two stacks is valued at roughly $750,000.

Demolishing the rest of the building is a separate expense of roughly $7.3 to $8 million in public funds.

In 2023, a specialist repaired one of the stacks for about $80,000. At a meeting in May with Roosevelt Island residents, the Department of Buildings' First Deputy Commissioner confirmed there was no emergency order to demolish the building, saying the City **"has no use for the building."**

A NEW ADMINISTRATION INHERITED THIS DEMOLITION

Mayor Zohran Mamdani's administration inherited the demolition from the previous administration, and nothing requires it to carry out a decision it did not make. Pausing for an independent assessment costs the City nothing it cannot recover — and it preserves options, including affordable and mixed-income housing with community facility space, that demolition forecloses permanently.

Demolition is the only option on the table that cannot be undone.

WHAT WE WANT

The petitioners seek judicial review of the administrative record, an order annulling the demolition permit, and a mandate compelling full environmental and land use review before any additional work takes place.

Alongside the petition, the community campaign is asking the City to:

- **Pause the demolition** long enough for an independent review. There is no emergency; there is time.
- **Release the structural assessment** residents have requested since December 2, 2025.
- **Commission an independent feasibility study** of repair and reuse, with residents at the table.
- **Monitor air and soil at the perimeter**, not only inside the work area, for the duration of the work — testing for all contaminants expected at this site, including lead, heavy metals and PCBs, not asbestos alone.
- **Bring in an independent engineer and contractor who specialize in tall-chimney work** to review the method and the

repair alternative before any further stack work. **Share the full results and the means and methods with the community.**

HOW TO HELP

- **Sign our petition —** As of July 21, more than 2,200 residents and supporters have signed a petition to halt the demolition pending a transparent review of the project: change.org/p/save-the-roosevelt-island-steam-power-plant-demand-transparency-and-accountability
- **Donate to our legal fundraiser —** The costs of this case fall on two residents and a volunteer effort. Community contributions total $3,447 as of July 21, 2026: gofundme.com/f/stop-the-steamplant-demolition

The Architectural Community Alliance of Roosevelt Island (ArchRI / ArchRIca) is a volunteer community organization advocating for the reuse of the steam plant as affordable and mixed-income housing with community facility space. ArchRI is a 2026 Historic Districts Council “Six to Celebrate” honoree. ArchRI is not a party to the court proceeding. For court documents and campaign updates: archrica.org