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## The City of New York Manhattan Community Board 8

April 17, 2014

Hon. Robert B. Tierney, Chair  
NYC Landmarks Preservation Commission  
Municipal Building  
One Centre Street, 9<sup>th</sup> Floor  
New York, NY 10007

**Re: 20-22 East 71<sup>st</sup> Street (between 5<sup>th</sup> and Madison Avenues) – Upper East Side Historic District**

Dear Chair Tierney:

At the Full Board meeting on Wednesday, April 16, 2014, the board adopted the following resolution regarding **20-22 East 71<sup>st</sup> Street (between 5<sup>th</sup> and Madison Avenues) – Upper East Side Historic District -- Peter Marino and Judith Saltzman, Architect**. Application is for restorative work and a report to the City Planning Commission for a 74-711 special permit to revert the building back to single family residential use.

**WHEREAS** 20-22 East 71<sup>st</sup> Street, the former Forstmann house, is a five-story neo-Italian Renaissance house designed by C. P. H. Gilbert and completed in 1923.

**WHEREAS** 20-22 East 71<sup>st</sup> Street is a double-width limestone house with expansive proportions and a mansard roof pierced by dormers.

**WHEREAS** although built as a single family residence, in 1979, after several owners, 20-22 East 71<sup>st</sup> Street became offices; the Certificate of Occupancy was changed to reflect commercial use and no longer permits a residential use.

**WHEREAS** the applicant is seeking a special permit pursuant to Section 74-711 of the Zoning Resolution to allow the modification of the rear yard requirement and the inner court dimensions requirement so that a C of O changing the use to residential is obtained from the City Planning Commission.

**WHEREAS** the applicant, to change to the C of O, requires a report from the Landmarks Preservation Commission to the City Planning Commission stating that a continuing maintenance program has been established that will result in the preservation of 20-22 East 71<sup>st</sup> Street and that the proposed use modification contributes to a preservation purpose.

**WHEREAS** the special permit is required because the rear yard, at 11'5", does not meet the rear yard requirement (30') for a residential use; there is no inner courtyard (required for light and air to the sleeping rooms when the rear yard is so narrow).

**WHEREAS** all of the proposed restoration work has been approved at the staff level at the Landmarks Preservation Commission, including the removal of a non-historic greenhouse at the rear, adding a black painted iron fence at the roof at the rear that will match the iron painted fence on the floor below and adding new mechanical equipment at the roof that will be invisible from the public way.

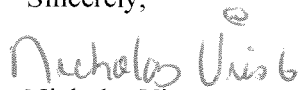
**WHEREAS** the restoration work will include window replacement and restoration; all windows will match the 4 remaining original windows.

**WHEREAS** the applicant is requesting a report from the Landmarks Preservation Commission to the City Planning Commission resulting from a proposed preservation plan to be outlined in a restrictive declaration – this report will request the CPC to waive both the required inner court dimensions and the rear yard requirement as set forth in the zoning resolution for residential properties so that the required C of O will be approved at the CPC.

**THEREFORE BE IT RESOLVED** that this application is approved as presented

*This recommendation was approved by a vote of 36 in favor, 0 opposed, 0 abstentions, and 0 not voting for cause.*

Sincerely,

  
Nicholas Viest  
Chair

  
David Helpert and Jane Parshall  
Co-Chairs, Landmarks Committee

cc: Honorable Bill de Blasio, Mayor of the City of New York  
Honorable Gale Brewer, Manhattan Borough President  
Honorable Liz Krueger, NYS Senator, 26<sup>th</sup> Senatorial District  
Honorable Micah Kellner, NYS Assembly Member, 65<sup>th</sup> Assembly District  
Honorable Dan Quart, NYS Assembly Member, 73<sup>rd</sup> Assembly District  
Honorable Ben Kallos, NYC Council Member, 5<sup>th</sup> Council District  
Honorable Daniel Garodnick, NYC Council Member, 4<sup>th</sup> Council District