

Alida Camp
Chair

Will Brightbill
District Manager



505 Park Avenue, Suite 620
New York, N.Y. 10022-1106
(212) 758-4340
(212) 758-4616 (Fax)
www.cb8m.com - Website
info@cb8m.com - E-Mail

**The City of New York
Community Board 8 Manhattan
Landmarks Committee
Monday, December 16, 2019 – 6:30PM
The Chapin School, Gordon Room
100 East End Ave**

Please note: The resolutions contained in the committee minutes are recommendations submitted by the committee chair to the Community Board. At the monthly full board meeting, the resolutions are discussed and voted upon by all members of Community Board 8 Manhattan.

Resolutions for approval:

Item 1 Part A – Unanimous Approval

Item 1 Part B – Disapproval

Item 1 Part C – Unanimous Disapproval

Item 2 – Approval

PLEASE NOTE: When evaluating Applications for Certificates of Appropriateness, the Landmarks Committee of Community Board 8M ONLY considers the appropriateness of the proposal to the architecture of the building and, in the case of a building within an Historic District, the appropriateness of the proposal to the character of that Historic District. All testimony should be related to such appropriateness. The Committee recommends a Resolution to the full Community Board, which votes on a Resolution to be sent to the Landmarks Preservation Commission. These Resolutions are advisory; the decision of the Landmarks Preservation Commission is binding.

Applicants and members of the public who are interested in the issues addressed are invited, but not required, to attend the **Full Board meeting on Wednesday, December 18, 2019, at the New York Blood Center Auditorium (310 East 67th Street, between 1st and 2nd Avenues) at 6:30PM.** They may testify for up to three minutes in the Public Session, which they must sign up for no later than 6:45PM. Members of the Board will discuss the items in executive session; if a member of the public wishes a comment made or a question asked at this time, he or she must ask a Board Member to do it.

MINUTES:

1. 3 East 89th Street (between 5th Avenue and Madison Avenue) — Expanded Carnegie Hill Historic District. Jim Herr, Rafael Vinoly Architects; Slater & Beckman, Land Use Attorney; Higgins Quasebarth, Historic Preservation Consultant. Application is for restoration of north, south, east and west elevations AND for roof-top and rear yard additions and a modification of use pursuant to an application for a Section 74-711 special permit.

[Section 74-711 of the Zoning Resolution allows the City Planning Commission, by special permit, to modify use and bulk regulations in order to further the preservation of designated landmarks buildings or buildings located within historic districts.

An application for a 74-711 special permit shall include a report from the Landmarks Preservation Commission stating that the project entails a major restoration component and that the owner agrees to a building maintenance component going forward.]

THIS APPLICATION IS DIVIDED INTO THREE PARTS

PART A: The required Section 74-711 Restoration and Maintenance Plan which includes the adoption of a cyclical maintenance plan.

PART B: The three openings and the introduction of a new awning at the ground floor at the front elevation.

PART C: The proposed application for a Certificate of Appropriateness at the Landmarks Preservation Commission. This includes 1) rear and side yard enlargements 2) rooftop additions 3) the introduction of a new awning/canopy at the front entrance — For 3) **PLEASE REFER BACK TO PART B ABOVE**

[The City Planning Commission application for a modification of the zoning to allow for a commercial art gallery and for height and rear yard waivers will come back to Community Board 8 as separate item after possible Certificate of Appropriateness approval at the Landmarks Preservation Commission.]

DESCRIPTION OF PROPERTY

WHEREAS 3 East 89th Street is a 14,000 sq. ft. neo-Renaissance style house commissioned by Archer Milton Huntington, designed by Ogden Codman, Jr., and constructed between 1913 and 1915.

WHEREAS 3 East 89th Street was originally built as a new wing for the mansion at 1083 Fifth Avenue, also designed by Ogden Codman, Jr., that was purchased in 1902 by Mr. Huntington, the stepson of the railroad “Big Four” tycoon, Collis P. Huntington.

WHEREAS Mr. Huntington was the founder of the Hispanic Society and Research Library on Audubon Terrace.

WHEREAS in 1941, Mr. Huntington donated the house along with 1083 Fifth Avenue to the National Academy of Design; 3 East 89th Street became part of a 3 building campus including, in addition to 3 East 89th Street and 1083 Fifth Avenue, 5-7 East 89th Street.

WHEREAS in 1941 and in 1955 enlargements were made to the house; the original historic doors were replaced as part of the 1941 enlargement.

WHEREAS in 2019, the National Academy of Design, as part of a de-accessioning program for the 3 buildings, sold 3 East 89th Street to Jeanne Greenberg Rohatyn, the owner of Salon 94, to serve as the commercial art gallery’s headquarters and exhibition space.

WHEREAS the applicant is requesting a special permit for a zoning waiver, pursuant to Zoning Resolution Section 74-711 to allow for a commercial art gallery, height and rear-yard waivers and a long-term maintenance program. [See italicized paragraph above.]

WHEREAS the site is just over 40' feet wide — since the site is under 45' wide, a variance from the “Sliver Law” would also be required; this would also be included as part of the Section 74-711 special permit.

WHEREAS a zoning waiver is required because 3 East 89th Street is situated on two adjacent adjacent zoning districts, R8B and R10. [*To clarify, the site is just over 40' wide; about 23' is zoned R10 — part of the Fifth Avenue zoning with no rear yard requirement and about 17' is in an R8B district — with a 30' rear yard requirement and a height limit of 75'.*]

WHEREAS the applicant's intention is to base all restoration work at 3 East 83rd Street on the house as it looked when it was gifted to the National Academy of Design in 1941; thus, the house's condition in 1941 is the start point for the restoration work.

WHEREAS the existing front elevation of 3 East 89th Street presents as 4 stories topped by a balustraded parapet — the height increases to 80' 11 1/2" when the parapet is included.

WHEREAS behind the parapet is an existing 300 SF partial floor (FIFTH FLOOR) and 2 bulkheads — a stair bulkhead and an elevator bulkhead.

WHEREAS most of the area of this existing 5th floor is uncovered roof.

WHEREAS at the front elevation, significant features include at the first floor a rusticated limestone base, at the second floor a balcony with a wrought-iron railing and round-arched openings with multi-pane windows and a balustraded parapet atop the cornice.

PART A: The required Section 74-711 Restoration and Maintenance Plan

WHEREAS at the front or south elevation the applicant proposes a complete restoration including a) a comprehensive cleaning and patching of limestone, brick and granite b) a restoration of the historic Porte Cochere configuration, c) removal of non-historic windows to be replaced with historically accurate windows d) restoration of missing cast-iron detailing to balcony.

WHEREAS at the front or south elevation at the 4th floor the applicant also proposes to reopen and restore the now bricked-in historic window openings and remove the brick infill at the 4th floor balustrade; the applicant also proposes to restore the door in the center bay.

WHEREAS the applicant proposes a complete restoration of the west elevation and a partial restoration of the east elevation, including repairing all deteriorated masonry, stucco and windows. (See below with reference to the infill at the side elevation.)

WHEREAS the west elevation, with blind arches and multi-paned windows, is visible from the public way because of a 10' service alley between 3 East 89th Street and the apartment building on the corner.

WHEREAS at the east elevation the applicant proposes to relocate and integrate the existing HVAC mechanical equipment — now located in the rear yard of 5 East 89th Street — to the side of the augmented or infilled building at the 3rd floor of 3 East 89th Street.

WHEREAS the applicant has made a commitment to a comprehensive maintenance program going forward to sustain the integrity of the building;

THEREFORE BE IT RESOLVED THAT Part A of this application be **approved** as presented.

VOTE: 5 in favor (Ashby, Birnbaum, Cohn, Parshall, and Tamayo)

ONE PUBLIC MEMBER IN FAVOR: Kimberley Selway

PART B: The three openings and the introduction of a new awning at the ground level at the front elevation.

WHEREAS at the front elevation at the entrance, the applicant proposes to return the existing institutional entrance doors to an interpretation of the historic wooden configuration; the applicant proposes a simple brass-framed glass door for the 2nd egress door to the west of the main entrance (east entry door).

WHEREAS there is an existing window between the 2 doors so that there would now be 3 different styles of opening: the wood main door, the window with the grating removed and the brass-framed glass door.

WHEREAS the 2nd egress door presents as modern and as a second entry door to 3 East 83rd Street rather than an egress door.

WHEREAS a more traditional half-glazed door would be more in keeping with the historic front elevation.

WHEREAS the applicant is proposing a 2” thick metal awning projecting 4’11” from the face of the building, there would be no commercial signage.

WHEREAS the thin metal awning, although a minimal intrusion, presents as modern, and does not relate to the rest of the historic front elevation.

THEREFORE BE IT RESOLVED THAT Part B of this application is disapproved as presented.

VOTE: 4 yes (Ashby, Birnbaum, Cohn, Tamayo); 1 against (Parshall)

ONE PUBLIC MEMBER IN FAVOR: Kimberley Selway

PART C - Rear and side yard enlargements and rooftop additions

WHEREAS the applicant proposes to extend the entire house to the rear lot line; the existing 13,870 SF of floor area will increase to 21,578 SF or an overall increase of approximately 56% of usable SF. (Different calculations present a different percent increase.)

WHEREAS the augmentation of the bulk includes infill at the existing 10’ rear yard; the infill will extend up to the top of the proposed new 6th floor on top of the infilled 5th floor.

WHEREAS the proposed addition of 2 floors will increase the height of 3 East 89th Street from 78’ 5 1/2” at the top of the existing mansard roof to 90’ 11 1/2” at the top of the new proposed 6th floor, not including the two proposed bulkheads at the top of the proposed new 6th floor.

WHEREAS with the inclusion of the bulkheads, the overall height increases to approximately 99’.

WHEREAS there will be a 10’ invasion into the rear yard which will make the infill up to and including the 6th floor HIGHLY visible. [Note that there is a “drum” shaped structure at the rear of 1083 Fifth Avenue - the drum is highly visible over the low-in-scale adjacent annex to the Church of the Heavenly Rest — the view of the distinctive silhouette of the drum will be obscured by the 10’ infill into the rear yard behind it — the existing drum is also clearly visible from the existing view from the east- north facade — this view will not exist after the infill is completed.]

WHEREAS the infill which presents as an increase of 44% of usable space is so visible from the public way that it intrudes into the historic district

WHEREAS at the side yard and at the rear, the applicant proposes infill 10’ wide x 40’ deep for the three floors above the ground floor.

WHEREAS at the existing 5th floor, the infill will measure 40’ x 40’.

WHEREAS the new proposed 6th floor will be set back at an angle from the front elevation by 32’.

WHEREAS the 10' rear yard should be respected above the first 2 floors of 3 East 89th Street.

WHEREAS while the change of use to a commercial art gallery is an acceptable use within the historic district, the highly visible enlargement contingent on zoning waivers for both height and intrusion into the rear yard offers no corresponding public benefit to the community.

WHEREAS the proposed shiny glass surface or surround for the 4 sides of the proposed 6th floor will inevitably reflect back into the apartment buildings at either end of the block.

WHEREAS at the existing 4th floor mansard roof, the applicant is proposing 3 new skylights;

WHEREAS at the roof, the applicant is proposing to augment/fill out the existing 5th floor so that it will now present as a full floor to be clad in limestone.

WHEREAS the applicant is proposing a new 6th floor which will be surrounded in glass.

WHEREAS both the expanded 5th floor and the proposed new 6th floor will be well set back from the street but are proposed to go to the rear lot line. [Normally, in an R8B district, there is a 30' rear yard requirement. However, 3 East 89th Street already extends into the rear yard and the larger part of the lot is in an R10 district.]

WHEREAS the proposed 6th floor, to be clad in glass, clearly calls attention to itself.

WHEREAS the applicant proposes a new larger passenger/service elevator to replace the existing elevator which will only go to the infilled 5th floor; an "east roof top box" will accommodate the staircase override.

WHEREAS there will also be a "west roof top box" for the residential HVAC.

WHEREAS there is a 25' wide expanse on Fifth Avenue next to 1083 Fifth Avenue where there is a low-in-scale addition to the Church of the Heavenly Rest — the augmentation/infill at the rear presents as unusually visible from this vantage point.

WHEREAS the added/augmented bulk (the build-out of the 5th floor, the new 6th floor and the new stair bulkhead) would be clearly visible from the public way.

WHEREAS the material (the glass) proposed for the 6th floor is a jarring addition to the historic style of the house and is totally inappropriate within the historic district.

WHEREAS the additional bulk impinges on the neighboring buildings, especially on the south elevation of the adjacent Church of the Heavenly Rest.

WHEREAS at the east elevation the applicant proposes to remove 2 decorative arched windows and one small circular decorative window and replace with 3 pairs of three windows each that will present as symmetrical on the 4th floor, the 5th floor and the new 6th floor.

WHEREAS the additional bulk at the side yard allows for the relocation of the mechanical equipment.

WHEREAS the additions to eliminate the rear yard are just too big; the application would have been better served without the extension into the rear yard.

WHEREAS the rear yard addition should be no more than 2 floors which would allow the neighboring buildings some breathing space.

WHEREAS both rooftop addition and the intrusion into the rear yard are inappropriate and out-of- context within the historic district.

THEREFORE BE IT RESOLVED THAT Part C of this application is disapproved as presented.

VOTE: 5 in favor (Ashby, Birnbaum, Anthony, Parshall, and Tamayo)

ONE PUBLIC MEMBER IN FAVOR: Kimberley Selway

2 Lighthouse at Lighthouse Park (located at the northern end of Roosevelt Island). INDIVIDUAL LANDMARK -Thomas A. Fenniman, Architect. Application is for restoration of the stone facade, replacement of stairs, observation platform, lantern house and non-historic lighting.

WHEREAS the Lighthouse was designed in the rustic Gothic style by James Renwick and constructed in 1872.

WHEREAS the cast-iron lantern at the top of the lighthouse is splitting apart and needs to be disassembled to be restored.

WHEREAS the existing lantern is 10-sided on an 8-sided base and is not original to the historic lighthouse.

WHEREAS the applicant proposes to replicate the geometry of the original lantern, but not in cast-iron.

WHEREAS glass with a steel frame would be used to recreate the original lantern.

WHEREAS the applicant is restoring the geometry of the original lantern, not the historic materials.

WHEREAS glass is a fine substitute for the original cast-iron.

THEREFORE THIS APPLICATION is approved as presented.

VOTE: 3 in favor (Cohn, Parshall, Strong-Shinozaki); 1 against (Birnbaum); 2 abstentions (Ashby, Tamayo)

ONE PUBLIC MEMBER IN FAVOR: Kimberley Selway

3. Old Business

4. New Business

David Helpern and Jane Parshall, Co-Chairs