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The City of New York
Community Board 8 Manhattan
Landmarks Committee
Monday, April 20, 2020 – 6:30PM

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.

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, April 22, 2020, via Zoom 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.

Resolutions for approval:

Approval: Items 2a*, 3a*

Disapprovals: Items 1, 2b, 3b, and 4*

*Unanimous

Minutes

- 1. 38 East 73rd Street (between Madison Avenue and Park Avenue) Upper East Side Historic District.** *David Turner, architect.* Application is for legalization of a rear yard extension built without permits and not visible from the public way.

WHEREAS 38 East 73rd Street is an Italian new-Grec/Queen Anne style row brownstone built by Charles Rusk & Co. in 1886-1887.

WHEREAS the current owner of the property is not responsible for the extension.

WHEREAS the current owner purchased the property in 2015; the extension was added around 2005.

WHEREAS the extension is approximately 19' wide x 17' deep and is completely surrounded by tall buildings, invisible from the public way, and within the commercial district since the property is less than 100' from Madison Avenue.

WHEREAS the violation has existed since 2005; the current owner was informed of the violation when the current owner applied for permits to do other work at the property.

WHEREAS the applicant was not able to show the Committee an image of any kind of the extension.

WHEREAS the presentation by the applicant was incomplete.

THEREFORE BE IT RESOLVED that this resolution is **DISAPPROVED** as presented.

VOTE: 7 in favor (Gale Baron, Michele Birnbaum, Alida Camp, Sarah Chu, Anthony Cohn, David Helpern, Jane Parshall), 1 abstention (Marco Tamayo), 1 not voting for cause (Elizabeth Ashby).

TWO PUBLIC MEMBERS IN FAVOR: Christina Davis, Kimberly Selway

2. **106 East 78th Street (between Park and Lexington Avenues) – Upper East Side Historic District** – *Anik Pearson, Architect* – A Neo-Grec style building designed by R.W. Buckley and built in 1879-1880. Application is for work at the front and rear elevations.

THIS APPLICATION WILL BE VOTED ON IN TWO PARTS.

PART A: Building

WHEREAS 106 East 78th Street is an 18-foot-wide, four story building;

WHEREAS the neo-classical details of 106 East 78th Street were removed in 1937 except for the cornice;

WHEREAS the applicant intends to return the building to a single-family residence and restore the neo-classical character of the building;

WHEREAS 106 East 78th Street was built as one of three adjoining buildings'

WHEREAS the applicant has looked to the sister buildings for touchstones for the restoration of 106 East 78th Street;

WHEREAS the front façade was originally built with a stucco finish;

WHEREAS the restoration will have a stucco finish;

WHEREAS the base of the building will have a rusticated character;

WHEREAS the stucco will be white with beige surrounds at the windows and doors;

WHEREAS the windows and shutters will be black painted wood;

WHEREAS the windows will be nine over nine, divided lites;

WHEREAS the two front doors will be black painted wood, fully glazed to bring in daylight on the ground floor, with decorative metal overlay on the glass;

WHEREAS the fence at the front of the house is made of black painted iron;

WHEREAS the existing rear addition has two adjoining volumes extending out from the main façade;

WHEREAS the three-story volume extends slightly into the 30-foot rear yard and the two-story volume extends half as far as the three-story volume;

WHEREAS the three-story volume will be reduced to two stories and set back slightly to create a 30-foot rear yard;

WHEREAS the existing two-story volume will be extended to align with the face of the shortened three-story volume to create a two-story addition the width of the house;

WHEREAS the reorganized, two story addition will grow by 76 square feet;
WHEREAS the ventilated cornice will be restored;
WHEREAS the windows will be divided lites;
WHEREAS there will be French doors with divided lites to the balcony on the first floor and the terrace on the second floor;
WHEREAS the façade material will be red brick with black painted windows and black iron railings;
WHEREAS the proposed alterations to the facades are contextual within the historic district;

THEREFORE, Part A of this application is **APPROVED** as presented.

VOTE: 9 in favor (Ashby, Baron, Birnbaum, Camp, Chu, Cohn, Helpern, Parshall, Tamayo).

TWO PUBLIC MEMBERS IN FAVOR: Davis, Selway

PART B: Areaway

WHEREAS the front areaway is three steps down from the sidewalk;
WHEREAS the applicant seeks to extend the front areaway towards the curb;
WHEREAS the existing depth of the areaway is 6'-4" and the distance to the tree pit is 8'-0";
WHEREAS the proposed depth of the areaway of 8'-2" matches the low granite wall of the existing 875 Park Avenue building;
WHEREAS the proposed width between the edge of the areaway and the tree pit would be 6'-2";
WHEREAS this reduction of the width of the sidewalk is not appropriate;

THEREFORE, Part B of this application is **DISAPPROVED**.

VOTE: 7 in favor (Baron, Birnbaum, Camp, Chu, Helpern, Parshall, Tamayo), 1 opposed (Cohn), 1 abstention (Ashby).

TWO PUBLIC MEMBERS IN FAVOR: (Davis, Selway)

3. 34-36 East 70th Street (between Madison Avenue and Park Avenue). Upper East Side Historic District. *J. L. Ramirez, architect.* Application is for modifications to the front elevation, the areaway, the rear elevation, and the rear yard.

[Please note that additions at the roof were originally part of this application. However, these additions, *not visible from the public way*, were approved at the staff level at the Landmarks Preservation Commission.]

THIS APPLICATION WILL BE VOTED ON IN TWO PARTS.

Part A: All work at the rear elevation, the addition of a front area way, the extension in height of the front door, replacement of the 2nd floor iron railing with Juliet balconies.

Part B: The proposed replacement of the existing cladding at the front elevation with different textures of limestone.

WHEREAS 34-36 East 70th Street is a neo-Medieval style building originally constructed by Charles Graham & Sons in 1885;

WHEREAS 34-36 East 70th Street originally presented as a neo-Grec brownstone-fronted row house. Later modifications to the front elevation were designed by William Lawrence Bottomley between 1924 and 1929;

WHEREAS James Warburg (a nephew of Felix Warburg who hired C.P.H. Gilbert to build his own house, now The Jewish Museum) purchased 34 East 70th Street in 1925 and later, in 1929, purchased 36 East 70th Street;

WHEREAS William Lawrence Bottomley (who, among other notable commissions, designed the River House and Turtle Bay Gardens) was hired to combine the two houses into a single 5-story house, 37' wide; his new design presented as neo-Medieval and exists to this day;

WHEREAS 34-36 East 70th Street is now being converted back to a single family home after being divided into 10 apartments;

WHEREAS the front elevation of 34-36 East 70th Street is distinguished by a set of pointed Florentine arches at the 5th floor and a mixture of smooth and rough stone [Note: At the 5th floor there is one "blind" arch that hides a party wall — it is at this point that 34 East 70th Street and 36 East 70th Street were joined together.];

WHEREAS the current condition of the "underlying material" (brownstone) has degraded badly and is beginning to crumble; over the years the series of finishes on the brownstone have trapped water causing the brownstone to deteriorate;

WHEREAS on top of the "underlying" material, is the existing cladding — a mixture of smooth stucco and cast stone that has been painted;

WHEREAS to correct the damaged front elevation, the applicant proposes a *significant intervention that would replicate the same detail of the original Bottomley design* — the neo-Medieval design would be maintained BUT the applicant would replace the stuccoed-brownstone with limestone;

WHEREAS the design intent is to restore the building **AND** recreate the existing mottled character of the facade by using different treatments of limestone to maintain the texture and the color distinction — thus some of the limestone would present as smoother and lighter, some would be hammered and sandblasted and present as darker so that the original character of the front elevation as Bottomley intended it would be maintained;

WHEREAS at the second floor of the front elevation, the applicant proposes to remove the railing and install Juliet balconies at the windows; the iron work on the balconies would mimic the detail of the railing to be removed;

WHEREAS the applicant plans to match exactly the detailing and organization of the front elevation;

WHEREAS at the front elevation would be replaced with in-kind wood windows;

WHEREAS at the front elevation, the applicant proposes to create a small areaway at the ground in order to create a more generous front door height that would present as a more appropriately scaled door;

WHEREAS the proposed new areaway, with a new front garden and would be set 15 1/2 inches below street level, would be surround by a 42" high wrought iron fence; the new areaway would be within the property line;

WHEREAS the existing windows at the ground floor have wrought iron window gratings; the window gratings would be restored and made longer to accommodate the proposed longer windows in the area way;

WHEREAS to summarize where limestone would be inserted as the replacement fabric on the front elevation: a) the existing brownstone rusticated bass with painted yellow stucco to be release in limestone b) all existing brownstone header detail now painted yellow, will be

restored in kind with limestone c) all existing brownstone bands now painted with yellow stucco to be replaced with limestone d) existing brownstone coved cornice now painted yellow to be replaced with limestone cornice e) existing brown window casings and sills now painted yellow stucco to be replaced with white hammered limestone f) all existing brownstone wall panels painted yellow to be replaced with limestone g) existing brownstone wall panels painted with gray stucco to be replaced with limestone h) all brownstone sills painted with yellow stucco to be replaced with limestone h) existing brick pilasters painted yellow to be replaced with limestone i) existing brick arcade painted yellow to be replaced with limestone arches j) existing brownstone cornice painted with yellow stucco to be replaced with a limestone cornice;

WHEREAS at the rear elevation the applicant proposes to reconfigure and reduce the non-conformity of the existing 2-story extension by removing the 2nd story; the windows of the one-story extension that remains will mimic in design the pointed arched windows at the 5th floor of the front elevation;

WHEREAS at the rear elevation, the applicant proposes to pull out the facade for floors 3, 4, and 5 for a total of 1200 sq. ft. or 430 sq.ft. at each floor;

WHEREAS at the rear elevation, the applicant proposes to retain the existing brick cladding;

WHEREAS at the rear elevation at the 5th floor, the applicant proposes to introduce a curved parapet;

WHEREAS at the rear elevation, the applicant proposes to introduce a copper clad divided-light bay window; the copper will be lead coated and over time will turn a dark gray;

WHEREAS at the rear elevation, the existing windows will be replaced with in-kind metal clad wood windows;

WHEREAS proposed changes to the fabric of front elevation — the proposed new limestone using different textures — diminishes the intent of the original Bottomley-designed front elevation for the Warburg residence;

WHEREAS the applicant's premise is wrong; the replacement of the front elevation with different forms of limestone provides a "ghostlike" remembrance of the original brownstone building;

WHEREAS the house was/is dark; the dark color is a character defining element; the proposed limestone replacement fails to capture the truly exotic qualities of the building;

WHEREAS the existing front elevation is memorable; the new proposed radical replacement elevation is pallid and completely steps away from the original design; William Lawrence Bottomley kept the brownstone and made the color/texture contrasts pronounced to provide whimsy and distinction to his neo-medieval façade;

VOTE IS DIVIDED INTO TWO PARTS

Part A: All proposed work to be done at 34-36 East 70th Street WITH THE EXCEPTION OF THE PROPOSED NEW LIMESTONE CLADDING AT THE FRONT ELEVATION.

THEREFORE BE IT RESOLVED that Part A of this application, all proposed work to be done at 34-36 East 70th Street, with the exception of the proposed new limestone cladding at the front elevation is **APPROVED** as presented.

VOTE: 8 in favor (Ashby, Baron, Birnbaum, Camp, Chu, Helpert, Parshall, Tamayo), 0 opposed, 0 abstentions, 0 not voting for cause.

TWO PUBLIC MEMBERS IN FAVOR: Davis, Selway

Part B: Proposed new limestone cladding at the front elevation.

THEREFORE BE IT RESOLVED that Part B of this application, the proposed limestone replacement cladding for the front elevation, is **DISAPPROVED** as presented.

VOTE: 6 in favor (Ashby, Baron, Camp, Helpern, Parshall), 3 opposed (Birnbaum, Chu, Tamayo), 0 abstentions, 0 not voting for cause.

ONE PUBLIC MEMBER IN FAVOR: Davis

ONE PUBLIC MEMBER OPPOSED: Selway

Please note that the additions at the roof were originally part of this application. However, these additions, *not visible from the public way*, were approved at the staff level at the Landmarks Preservation Commission.)

4. 1109 Fifth Avenue (between Fifth Avenue and Madison Avenue)-Expanded Carnegie Hill Historic District- *Walter B. Melvin Architects* – Chateausque style Individual Landmark originally designed by Charles Pierrepont H. Gilbert between 1906 and 1908 with an additional building built by Roche of Dinkeloo and Associates between 1988 and 1993. Application for a temporary exterior art installation on the Fifth Avenue façade along the second and third floors by artist Lawrence Weiner.

WHEREAS 1109 Fifth Avenue is the home of the Jewish Museum;

WHEREAS the Jewish Museum seeks to drape the second and third floors of the Fifth Avenue façade with a graphic artwork with an inspirational message designed by Lawrence Weiner;

WHEREAS the artwork is 28'-01/2" high by 100 feet long;

WHEREAS the artwork would remain in place for a period of about four months;

WHEREAS the Jewish Museum obtained an opinion from the Department of Buildings that this work of art is not a sign and does not violate the zoning resolution;

WHEREAS the Jewish Museum showed examples of super-large signs advertising exhibits;

WHEREAS the two largest were draped over large façade areas of the New York Historical Society on the West Side;

WHEREAS these examples were not on Museum mile and are not precedents for Museum Mile;

WHEREAS 1109 was built in two phases: the original house in 1906 -1908, designed by Charles Pierrepont Henry Gilbert, and the enlargement to the north in 1988 – 1993, designed by Kevin Roche of Roche Dinkeloo;

WHEREAS the exterior wall of the original mansion is of solid masonry construction with eight-inch-thick limestone cladding;

Whereas the exterior wall of the expansion to the north is a cavity wall with three-inch-thick limestone veneer;

WHEREAS the attachment details for the artwork are similar for the two types of walls;

WHEREAS the artwork will be hung from hot dipped, galvanized brackets attached to the walls with stainless steel anchor bolts;

WHEREAS the anchor bolts for the mansion portion will be eight inches long and the anchor bolts for the enlargement portion will be three inches long;

WHEREAS the anchor bolts will be drilled into the mortar joints for both façade conditions;

WHEREAS there would be 38 anchor bolts in the mansion portion of the façade and 48 in the enlargement portion of the façade;

WHEREAS the anchor bolts will be withdrawn after the artwork is removed, the holes will be filled with restoration mortar, and the mortar textured to match the existing mortar;

WHEREAS the Jewish Museum will replace panels of limestone at the cavity wall if there is damage due to the installation and removal process;

WHEREAS the chateausque style of the mansion requires an invasive method of attaching the brackets to enable the installation of the artwork;

WHEREAS the architecture of the historic district is what is Important, not a temporary work of art;

WHEREAS the need to install 86 bolts to hold the brackets creates a risk for permanent damage to the limestone façade;

WHEREAS the patching method for the mortar is state of the art, there is still a possibility that the patching will not be successful in fully restoring the current visual appearance of the building;

WHEREAS it is possible to replace limestone panels, new panels, if necessary, may not match the existing limestone;

WHEREAS it is important to maintain the visibility of the Fifth Avenue facade and not to cover it even temporarily;

WHEREAS it is important to maintain the integrity of the Fifth Avenue wall and not to take a chance on possible damage from the 86 bolts required for the temporary work of art;

WHEREAS the proposed temporary work of art is not contextual in the historic district;

THEREFORE, this application is **DISAPPROVED**.

VOTE: 8 in favor (Ashby, Baron, Birnbaum, Camp, Chu, Helpern, Parshall, Tamayo).

TWO PUBLIC MEMBERS IN FAVOR: (Davis, Selway)

5. Old Business

6. New Business

David Helpern and Jane Parshall, Co-Chairs