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The City of New York
Community Board 8 Manhattan

April 15, 2022

Hon. Sarah Carroll, Chair
NYC Landmarks Preservation Commission
Municipal Building
1 Centre Street, 9th Floor
New York, NY 10007

RE: 210 East 62nd Street (Treadwell Farm Historic District) – *Arctangent Architecture* - A neo-Grec style building designed by F.S.Barnes and constructed in 1870. Application is for roof addition, rear yard extension, and interior renovation.

Dear Chair Carroll,

At the Full Board meeting of Community Board 8 Manhattan held on April 13, 2022, the board unanimously approved the following resolution by a vote of 39 in favor, 0 opposed, 0 abstentions, and 0 not voting for cause.

WHEREAS 210 East 62nd Street had their application for a Certificate of Appropriateness approved by Community Board 8 in 2016;

WHEREAS 210 East 62nd Street received a Certificate of Appropriateness (C of A) in 2017 for a rooftop addition and a rear extension;

WHEREAS the construction was not in compliance with the drawings approved by the Landmarks Commission and the Department of Buildings;

WHEREAS 210 East 62nd Street submitted an application to the Landmarks Preservation Commission (LPC) for a C of A for the as-built condition that was not approved;

WHEREAS 210 East 62nd Street submitted a new application for a roof addition, rear yard extension, and interior renovation;

WHEREAS 210 East 62nd Street is a four-story building above grade with a basement, three floors above the basement, and a cellar below the basement;

WHEREAS the as-built condition has a rooftop addition that is the full width of the lot as approved, but is 2'-6" higher at the peak;

WHEREAS the new application reduces the size of the rooftop addition to make it less visible;

WHEREAS the newly proposed rooftop addition ranges in width from 7'-5" at the front to 6'-3" at the rear, is 2'-1" further from the front, is 2'-0" lower than the as-built roof, but 6" higher than the approved rooftop addition or 1'-6" higher with the elevator penthouse;

WHEREAS this change in the size of the rooftop addition reduces the visibility of the proposed rooftop addition in relation to the built condition as seen from Third Avenue;

WHEREAS the floors on the interior have been incrementally raised so that the top of the third floor is 1'-7" higher than the approved floor and the roof is 3'-2" higher than the approved roof;

WHEREAS the bulk of as built condition is enlarged not just by the bulkhead but by the additional 3'-2" of height across the whole roof;

WHEREAS the current application maintains the cornice at the original and approved height;

WHEREAS the third floor is 1'-7" closer to the cornice due to the raising of the floor;

WHEREAS the third floor was raised above the sill of the third-floor windows and the first and second-floor windows were set closer to the sills than in the approved design;

WHEREAS the approved rear yard addition extends 16'-6" into the rear yard and the proposed rear yard addition will extend 16'-7" into the rear yard;

WHEREAS the rear yard addition interrupts the "donut" with its unprecedented bulk;

WHEREAS a reconsideration of the approved design and a review of the current proposed design make clear that the rear yard addition is not appropriate and should not have been approved by CB8 and LPC;

WHEREAS the top of the proposed rear yard addition will be 2'-3" higher than the approved height, adding substantially to the bulk;

WHEREAS this additional height will exacerbate the intrusion of the rear yard addition into the "donut";

WHEREAS the additional height of the roof and the additional height of the rear yard addition add considerable bulk to the building, which will be visually apparent;

WHEREAS the top of the cornice and the top of the roof are at about the same height;

WHEREAS the cornice functioned as the parapet in the approved design, prior to the roof being raised, now the applicant proposes that a glass railing be added to provide the required 42" high parapet on the front of the building;

WHEREAS the roof at the rear of the building and the rear addition are also being provided with a contemporary glass railing to create the required 42" high parapet;

WHEREAS the sight line from directly across the street just touches the top of the glass railing in the front, this modernist railing, which is not perfectly transparent, will act like a mirror and be reflective dependent upon lighting conditions;

WHEREAS the glass railing will be seen obliquely from a variety of viewpoints;

WHEREAS the LPC and DOB violations, fines, and encroachments are well documented and include excavating the cellar without authorization, underpinning adjacent properties without authorization, and overlapping adjacent properties;

WHEREAS the applicant did not protect the building from the weather thereby allowing the building to deteriorate and to create a blight in the Treadwell Farm community;

WHEREAS the DOB and HPD had to issue an emergency declaration order for dangerous and unsafe conditions;

WHEREAS the applicant stated that it was in the interest of the neighbors to have the applicant make the proposed change to reduce the size and height of the rooftop addition and complete the construction as quickly as possible—but not include other corrective work to the rest of the built condition;

WHEREAS the community stated that constructing the project right is much more important than constructing it fast;

WHEREAS the as-built condition and the current proposal add significantly to the height and bulk of the approved design;

WHEREAS the changes in the heights of the floors change the relationships from interior and exterior as seen in and/or out through the windows, with the third floor higher than the window sill;

WHEREAS the experience of the as built condition as it relates to the relationship of the floors to the windows will be inappropriate and disproportionate in relation to the original design of the house and the approved design;

WHEREAS the egregious actions of the applicant demonstrate a complete disregard for the Treadwell Farm community and the Landmarks Preservation Commission;

WHEREAS the applicant has had five years to comply with the requirements of the 2017 Certificate of Appropriateness and has not;

WHEREAS the applicant has not committed to the LPC in this new application that it will demolish the inappropriate construction;

WHEREAS the built condition with the adjustments proposed in this new application are not contextual and appropriate within the Landmark District;

WHEREAS the status of this project mandates the LPC to revoke the 2017 Certificate of Appropriateness due to the applicant's not building the approved design, allowing the historic fabric of the building to deteriorate, and not committing to re-building in compliance with the approved design;

THEREFORE, BE IT RESOLVED that this new application for a Certificate of Appropriateness is **DISAPPROVED**.

Please advise us of any action taken on this matter.

Sincerely,

Russell Squire

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Chair

David Helpern and Jane Parshall

David Helpern and Jane Parshall
Co-Chairs, Landmarks Committee

cc: Honorable Eric Adams, Mayor of the City of New York
Honorable Carolyn Maloney, 12th Congressional District Representative
Honorable Mark Levine, Manhattan Borough President
Honorable Liz Krueger, NYS Senator, 28th Senatorial District
Honorable José M. Serrano, NYS Senator, 29th Senatorial District
Honorable Dan Quart, NYS Assembly Member, 73rd Assembly District
Honorable Rebecca Seawright, NYS Assembly Member 76th Assembly District
Honorable Julie Menin, NYC Council Member, 5th Council District
Honorable Keith Powers, NYC Council Member, 4th Council District