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**The City of New York
Community Board 8 Manhattan**

May 20, 2021

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 May 19, 2021, the board unanimously approved the following resolution by a vote of 46 in favor, 0 opposed, 0 abstentions, and 0 not voting for cause.

WHEREAS a roof top addition and rear yard extension was approved by CB8 in 2016 and received a Certificate of Appropriateness from the Landmarks Preservation Commission in 2017;

WHEREAS the rooftop structure that has been built is larger than the rooftop addition that was approved by the Landmarks Preservation Commission;

WHEREAS the applicant seeks a Certificate of Appropriateness for the larger, built rooftop addition with possible minor adjustments;

WHEREAS the third, fourth, and roof levels built by the applicant are higher than the original floor and roof levels of the building, with the roof in front about 2’-6” higher than the height approved in the applicant’s 2016 design;

WHEREAS the applicant represented that they have made minor adjustments to the front façade and the rear façade to find a compromise that will satisfy the Board, the Community, and the Landmarks Preservation Commission;

WHEREAS the adjustment in the rear includes the elimination of a projection at the bottom of the rear wall of the enlargement so that the wall comes straight down to the fourth floor;

WHEREAS the adjustment in the front returns the proportion of the top of the façade to its original proportions;

WHEREAS the cornice in the front acted as the safety barrier at roof level, the higher roof level requires a glass rail that is higher than the top of the cornice but, according to the applicant’s sight line diagram, is not visible from the street;

WHEREAS the roof top enlargement is much more visible from the Third Avenue direction than the originally approved roof top enlargement;

WHEREAS the adjustments do not achieve the scale and limited visibility of the currently approved design;

WHEREAS members of the community, including neighbors and the President of Treadwell Farm Historic District, have again written letters and/or testified about the sordid history of the construction of the building to include the following assertions: not constructing per the 2017 Certificate of Appropriateness; not protecting passersby in the front; demolishing the rear and leaving open the floors to the weather with consequent deterioration; underpinning adjacent structures without permits; building the enlargement so that it overlaps neighbors’ properties; not addressing over 80 violations totaling over \$385,000 in fees; and not paying taxes amounting to over \$36,000;

WHEREAS the unsightliness of the site and the inconvenience to the Treadwell Farm Community have not been addressed sufficiently by the Landmarks Preservation Commission or the Department of Buildings;
WHEREAS the LPC has allowed the applicant to continue discussions at staff level with the goal of maintaining the incorrectly built condition rather than to insist on the applicant complying with the approved design;
WHEREAS the LPC is allowing 210 East 62nd Street to deteriorate by not acting to protect the building;
WHEREAS there are precedents for requiring construction that does not conform to the approved plans to be demolished and rebuilt as designed and approved;
WHEREAS the September 22, 2020 resolution of the CB8 Board that was sent to Chair Sarah Carroll brought many of the conditions cited above to the attention of the Landmarks Preservation Commission;
WHEREAS the September 2020 resolution of CB8 stated that the project warranted a full investigation under the enforcement provisions of the Landmarks Preservation Commission;
WHEREAS the October 8, 2020 letter to Chair Sarah Carroll from Council Member Keith Powers, State Senator Liz Kruger, and Manhattan Borough President Gale Brewer referenced the “derelict state of the building and “the instances of encroachment on neighboring properties”;
WHEREAS the October 8th letter pointed out that the individuals living in the Treadwell Farm Historic District “care deeply about maintaining the historic integrity of their neighborhood and wish to preserve the distinct qualities that spurred one of the first landmark designations in the city”;
WHEREAS the October 8th letter restated the position of the writers that the LPC disapprove any application submitted by 210 East 62nd Street “that goes beyond the height and bulk” of what LPC originally approved;
WHEREAS the October 8th letter also asked “that LPC investigate the dubious construction of the rooftop addition” and “further utilize the commission’s enforcement capability if wrongdoing is found.”
WHEREAS the applicant made clear in its statements that the intent is not to build per the approved Certificate of Appropriateness;
WHEREAS the applicant has made clear in its statements that the intent is to have LPC approve changes that are inappropriate and not contextual within the historic district;
WHEREAS the LPC appears not to have acted on the CB8 resolution or the letter from Powers, Kruger, and Brewer to investigate the status and conditions of the project;
WHEREAS the applicant has not committed to the LPC that it will demolish the inappropriate construction, resolve outstanding construction issues with the neighbors and the Treadwell Farm community, eliminate the violations, and pay the fines and taxes;
WHEREAS the actions of the applicant reflect a disregard for the community and the LPC;
WHEREAS the LPC should revoke the Certificate of Appropriateness due to the applicant’s not building the approved design and the applicant’s allowing the building to deteriorate;

THEREFORE, BE IT RESOLVED that this resubmission by the applicant is **DISAPPROVED**.

Sincerely,

Russell Squire

Russell Squire
Chair

David Helpern and Jane Parshall

David Helpern and Jane Parshall
Co-Chairs, Landmarks Committee

cc: Honorable Bill de Blasio, Mayor of the City of New York
Honorable Carolyn Maloney, 12th Congressional District Representative
Honorable Gale Brewer, 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 Robert J. Rodriguez, NYS Assembly Member 68th Assembly District
Honorable Ben Kallos, NYC Council Member, 5th Council District
Honorable Keith Powers, NYC Council Member, 4th Council District