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**The City of New York**  
**Community Board 8 Manhattan**  
**Landmarks Committee**  
**Monday, February 13, 2023 – 6:30pm**  
*This meeting was conducted via Zoom*

**PLEASE NOTE:** When evaluating Applications for Certificates of Appropriateness, the Landmarks Committee of Community Board 8 Manhattan ONLY considers the appropriateness of the proposal to the architecture of the building and, in the case of a building within a 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, February 13, 2022**. 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:**

**Board Members Present:** Elizabeth Ashby, Gayle Baron, Michele Birnbaum, Alida Camp, Sarah Chu, Anthony Cohn, David Helpern, Jane Parshall, Marco Tamayo. Public Member, Kimberly Selway, was also present.

**Resolutions for Approval:**

- Item 1:** 980 Fifth Avenue - Disapproval
- Item 2:** 828 Madison Avenue - Disapproval
- Item 3:** 234 East 61<sup>st</sup> Street - Approval
- Item 4:** 117 East 72<sup>nd</sup> Street - Unanimous Approval
- Item 5:** 101 East 63<sup>rd</sup> Street - Unanimous Disapproval

1. **980 Fifth Avenue (Metropolitan Museum Historic District)** *Oswaldo Bertolini, Architect* - A multi-family building designed by Paul Resnick and Harry F. Green and constructed in 1965-68. Application is to construct an accessory-use gym in the rear yard.

**WHEREAS** 980 Fifth Avenue is an apartment building designed by Paul Resnick and Harry F. Green and constructed in 1965-1968;

**WHEREAS** the applicant is proposing the construction of a 600 sq. ft. fitness center in the rear yard area of 980 Fifth Avenue; the gym will go to the property line at the north and at the east;

**WHEREAS** the fitness center will present as a U-shape; the western most part of the “U” will be a narrow hallway to access to the 15’ x 15’ workout room which is located on the eastern side of the site; there is an existing garden seating area in the middle of the “U” shaped site;

**WHEREAS** there is now an existing grade change to access the rear yard; the rear yard is approximately 5' below grade and is now reached by a short flight of steps;  
**WHEREAS** the applicant proposes to dig down so that the gym area will be about 6' below grade and at its tallest point be 12 feet high from the floor slab for the gym;  
**WHEREAS** there will be a slanted sky floor over the gym; the sky floor at its lowest point will be 9 1/2 feet from the floor slab and its highest point 12'; the gym will be approximately 12' high on the inside;  
**WHEREAS** the gym will be completely shrouded by 2 East 80th Street, 4 East 80th Street and 9 East 79<sup>th</sup> Street, all apartment buildings;  
**WHEREAS** the walls of the actual gym space will be concrete with the sky wall/skylight above; the walkway to the gym will have a normal roofing material;  
**WHEREAS** there will be an 8' to 9' wall of solid concrete — framing the gym — that will be above grade;  
**WHEREAS** the applicant does not propose any kind of shading material/covering for the interior of the skylight to protect the neighbors from potential light pools;  
**WHEREAS** there is handicapped access to the gym by means of an elevator in the interior of the building and then through the building's parking garage;  
**WHEREAS** although the rear yards of the surrounding buildings are not planted, the rear yards of the 4 buildings, taken together, provide a feeling of openness; the proposed 9' high concrete wall of the above grade portion of the gym will completely diminish this;  
**WHEREAS** as a courtesy to the neighbors, the applicant should consider some form of light control for the sky roof/skylight;

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

**VOTE: 4 In Favor:** (Birnbaum, Camp, Chu, Parshall)  
**4 Opposed:** (Ashby, Baron, Helpern, Tamayo)  
**One Public Member In Favor:** (Kimberly Selway)

**2. 828 Madison Avenue (FORMERLY THE WESTBURY HOTEL) (Upper East Side Historic District)** *BW Architects* - A Neo-Renaissance building designed by George Pelham and constructed in 1925-26. Application is for proposed alteration of 21 existing windows and a new door and transom on 70<sup>th</sup> Street.

**WHEREAS** the Westbury was completed as a hotel in 1927 and was converted to condominium apartments in 1999;  
**WHEREAS** a new members club is proposed for the northern portion of the ground and 2<sup>nd</sup> floors;  
**WHEREAS** the applicant proposes changes to the northern service entry on East 70<sup>th</sup> Street to accommodate the members club and to replace 21 windows on the south, west, and north elevations with new windows to match existing windows;  
**WHEREAS** the applicant proposes to replace the existing windows now framed in painted white aluminum with a bronze anodized finish; the rest of the windows on the first and 2<sup>nd</sup> floors present as having bronze frames and will not be changed;  
**WHEREAS** the windows to be replaced include 17 windows on the Madison Avenue elevation, 3 windows on East 69<sup>th</sup> Street and 1 window on East 70<sup>th</sup> Street;  
**WHEREAS** the windows to be changed would remain double hung windows;  
**WHEREAS** on East 70<sup>th</sup> Street there is an existing 7'1" wide service door flanked a small window;  
**WHEREAS** the applicant proposes to widen or expand the granite frame around the existing door to accommodate a second door; existing window to the left of the door would be replaced with a new service door and transom to accommodate this change;  
**WHEREAS** the new opening would be 11'4";  
**WHEREAS** real bronze rather than an "bronze anodized finish" should be used for the windows;

**WHEREAS** windows with a “bronze anodized finish” are not contextual or appropriate within the historic district or for a building of this stature;

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

**VOTE: 5 In Favor** (Baron, Birnbaum, Camp, Cohn, Helpern, Parshall)  
**2 Opposed** (Ashby, Tamayo)  
**One Public Member In Favor** (Kimberly Selway)

**3. 234 East 61<sup>st</sup> Street (Treadwell Farm Historic District) - Alan Berman, Archetype Architecture - A** 4-story row house designed by F.S. Barnes and constructed in 1873. Application is for the vertical enlargement and interior renovation of existing 4-story single-family dwelling.

**WHEREAS** 234 East 61<sup>st</sup> Street is a 20-foot-wide four-story row house;  
**WHEREAS** the applicant proposes to add a penthouse;  
**WHEREAS** the penthouse is about 1/3 the area of the roof;  
**WHEREAS** the penthouse is set back 27'-4 3/4" from the front façade;  
**WHEREAS** the upper two floors are set back from the lower two floors in the rear;  
**WHEREAS** the building is 44'-2" high to the top of the roof;  
**WHEREAS** the penthouse adds 11'-6 3/4" for a height to the top of the penthouse roof of 55'-8 3/4";  
**WHEREAS** the penthouse is nominally full width in the rear by about 13 feet deep to accommodate a music room;  
**WHEREAS** the music room will have a door to the main roof;  
**WHEREAS** the penthouse is set back 2'-1" from the façade of the upper portion of the rear façade to create a shallow terrace;  
**WHEREAS** the penthouse has an approximate nine foot wide by about seven-foot-deep extension towards the front to accommodate the continuation of the interior stair and a bathroom;  
**WHEREAS** there is a new skylight over the portion of the stair within the existing fourth floor;  
**WHEREAS** the railings at the penthouse are 3'-6" high;  
**WHEREAS** there are three condensing units towards the rear of the penthouse which sit on dunnage and have an overall height of about four feet;  
**WHEREAS** the front façade of the penthouse will match the brownstone façade;  
**WHEREAS** the rear façade of the penthouse will match the white stucco façade;  
**WHEREAS** the penthouse is not visible from the street, including the railings and condensing units;  
**WHEREAS** the penthouse is visible from the rear yard;  
**WHEREAS** there are many buildings that are five stories high in the historic district;  
**WHEREAS** the building to the west of 234 East 61<sup>st</sup> Street is five stories high;  
**WHEREAS** the penthouse addition is modest in size;  
**WHEREAS** the materials of the facades are consistent with the materials of the existing house;  
**WHEREAS** the proposed penthouse is appropriate and contextual within the historic district;

**THEREFORE BE IT RESOLVED** that this application is **APPROVED** as presented.

**VOTE: 7 In Favor:** (Ashby, Baron, Camp, Cohn, Helpern, Parshall, Tamayo)  
**1 Opposed:** (Birnbaum)  
**One Public Member In Favor:** (Selway)

**4. 117 East 72<sup>nd</sup> Street (Upper East Side District Extension) - John Berson, Sawyer Berson - An** apartment building designed by Kenneth Murchison constructed in 1927-1928. Application for alterations to an existing penthouse including the expansion of the existing penthouse for a new interior stair and enlarged bulkhead at upper terrace and the construction of an open exterior egress stair.

**WHEREAS** 117 East 72<sup>nd</sup> Street is a 15-story building plus a penthouse;  
**WHEREAS** the 15<sup>th</sup> floor and the penthouse are connected to create a duplex;  
**WHEREAS** the applicant seeks to make the penthouse terrace on the roof of the 15<sup>th</sup> floor more habitable;  
**WHEREAS** the penthouse is located in the approximate center of the building but close to the interior court to the east;  
**WHEREAS** an addition on the eastern side will accommodate a new interior stair connecting the 15<sup>th</sup> floor and the penthouse;  
**WHEREAS** the southern end of the interior stair addition will be curved around a portion of a new interior circular hall;  
**WHEREAS** the penthouse floor will be changed from storage to a hall providing access to the terrace;  
**WHEREAS** a new unenclosed exterior egress stair will be added on the north connecting the penthouse and the 15<sup>th</sup> floor;  
**WHEREAS** the existing parapet on the penthouse level terrace will be extended vertically 14 inches with a non-reflective glass rail to meet the 3'-6" code requirement;  
**WHEREAS** the flat portion of the interior stair addition will be brick to match the existing brick;  
**WHEREAS** the curved portion of the interior stair addition will be lead coated copper;  
**WHEREAS** the height from the 15<sup>th</sup> floor terrace to the top of the penthouse coping is 24'-2 1/2";  
**WHEREAS** the width of the penthouse level is 21'-6";  
**WHEREAS** new windows will be steel, similar to existing windows;  
**WHEREAS** the existing steel casement windows on the north façade will be replaced with steel French doors;  
**WHEREAS** the exterior egress stair is 14'-6" long by 6'-3" wide;  
**WHEREAS** the exterior egress stair will be metal with metal railings;  
**WHEREAS** the exterior egress stair railings will be painted black to match existing painted metal;  
**WHEREAS** the mockup is not visible from East 72<sup>nd</sup> Street and is minimally visible from East 73<sup>rd</sup> Street;  
**WHEREAS** the enlargement of the 15<sup>th</sup> floor and penthouse is modest;  
**WHEREAS** the materials of the new construction will match the existing materials except for the lead coated copper at the new interior stair addition and the non-reflective glass on the parapet;  
**WHEREAS** the overall character and appearance of the 15<sup>th</sup> floor and penthouse will be consistent with the existing architecture;  
**WHEREAS** the enlargement of the 15<sup>th</sup> floor and penthouse is appropriate and contextual within the historic district;

**THEREFORE BE IT RESOLVED** that this application is **APPROVED** as presented.

**VOTE: 8 In Favor:** (Ashby, Baron, Birnbaum, Camp, Cohn, Helpert, Parshall, Tamayo)  
**1 Public Member In Favor** (Selway)

**5. 101 East 63<sup>rd</sup> Street (Upper East Side Historic District)** *Steve Blatz, Architect. Valerie Campbell, Kramer Levin.* A stable and residence originally constructed in 1881 but altered in 1966-68 by Paul Rudolph as a single-family home. Application is to alter an existing entrance recess.

**WHEREAS** 101 East 63<sup>rd</sup> Street was originally constructed in 1881 as a stable-residence;  
**WHEREAS** in 1966-1968, the property was significantly altered by Paul Rudolph, the famed modernist architect and a former dean of the Yale School of Architecture;  
**WHEREAS** 101 East 63<sup>rd</sup> Street is referenced in the 4th edition of the AIA Guide to New York City as follows: "A somber brown steel and dark glass grid gives an understated face to a dramatic set of domestic spaces within."  
**WHEREAS** the existing garage door is set back 3 1/2' from the property line;

**WHEREAS** the entrance door is set back an additional 4' (7 1/2' from property line) with a canopy over it; the applicant feels that the entrance door attracts vagrants and refuse;

**WHEREAS** the applicant proposes pulling the entrance door forward 2'; the 3 existing down lights at the entrance would disappear; there would be a recessed slot above the door to provide lighting for the new entrance;

**WHEREAS** the most important aspect of 101 East 63<sup>rd</sup> Street is the way the building steps back from the lot line to the entrance;

**WHEREAS** the three down lights provide character and a lighting scheme for the space at the front entrance;

**WHEREAS** the not-always-friendly nature of Paul Rudolph's work must be respected; the house is one of only three that Paul Rudolph designed in Manhattan;

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

**VOTE: 7 In Favor** (Baron, Birnbaum, Camp, Cohn, Helpern, Parshall, Tamayo)

**One Public Member In Favor** (Selway)

**David Helpern and Jane Parshall, Co-Chairs**