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April 26, 2022

#### Landmarks Preservation Commission Certificate of Appropriateness Public Hearing

Re: 210 East 62nd Street

Chair Carroll and Honorable Commissioners,

*210 East 62nd Street is a rowhouse designed by F.S. Barns and built in 1870, and altered in the 20th century. Application is to legalize the construction of a rooftop addition, excavation and alterations to the roof and rear facade in non-compliance with Certificate of Appropriateness 19-06723.*

In 2016 when this project was first presented, Commissioners expressed dismay for the excessive massing of the rooftop and rear yard additions which appeared to “swallow” the building. Commissioners characterized the applicant as “plowing ahead” and “flouting all the rules.”<sup>1</sup> Although the approved version was slightly scaled back, unfortunately the level of disregard for the building, the neighborhood, and the Landmarks Law itself has only worsened in the five years since the permit was granted.

The applicant has built taller and bulkier than what was approved, demolished significant historic details meant to be maintained, and illegally excavated and underpinned the building. 210 East 62nd Street has remained an open shell for the past five years, with the rear completely subject to the elements, accelerating its deterioration – a condition of which the Commission has been aware since at least 2018.

The owner has failed to keep this building in good repair as required by Section 25-311 of the Landmarks Law, and instead, has created a condition that endangers the structure and its neighbors. FRIENDS Preservation Committee believes this situation demands strong administrative enforcement. This includes, but is not limited to, revocation of the existing Certificate of Appropriateness permit per section 7-05 of the LPC’s Rules which state “failure to comply” with the provisions of the Landmarks Law as cause to revoke an existing approval. FRIENDS also believes in the Commission’s authority to prosecute the owner for Demolition by Neglect. At a minimum, the agency must require significant alterations to the proposal and a tight timeline for completion of work, coupled with a schedule of meaningful fines if such timeline is not followed, in order to achieve a positive outcome for this building.

Notwithstanding the proposed restoration of the front facade, both the original application and the legalization proposal in front of you today are incongruent with the character of the

<sup>1</sup> Comments made by then Chair Meenakshi Srinivasan and Commissioner Michael Goldblum at the Public Hearing for Item 14, 18-1027, 210 East 62nd Street, on September 20th, 2016.



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Treadwell Farm Historic District. FRIENDS acknowledges the reduced visibility of the proposed bulkhead. Nevertheless, we believe that no amount of visibility is appropriate for this location. This building is part of five rowhouses, all of which have remained at the same height and without any visible rooftop addition. Any element that interrupts the uniform cornice line, either at the front or at the rear of building, and its interpretation, will severely detract from the character of the historic district, which derives its architectural importance from this uniformity.

While we understand that most of the rear addition is not formally being considered under this application, this is an opportunity for the Commission to right a wrong. Not only is the rear extension far too deep and tall, it is also full-width, making its impact even greater. Of this entire row in the district, only one building has a rear extension which goes further than the proposed, with construction dated likely prior to the designation of the district.<sup>2</sup> In addition, this building's row of five houses contains only modest changes to the rear facades. To interrupt this with a bulky, glassy, and ostentatious addition would be completely inappropriate and not in keeping with the character of Treadwell Farm Historic District.

FRIENDS strongly believes the depth of infringements and complete disregard for the authority of this Commission by the applicant warrant parameters more stringent than those set forth in the original approval. Regardless which course of action the Commission decides to pursue, any amended permit must be conditioned on the following changes to the proposal:

- Restore the interior floor heights to original levels.
- Restore the roof height and configuration to its original conditions, without parapets, guardrails, or any additional element that is visible from a public thoroughfare.
- Restore the rear cornice line, including rebuilding the historic corbelling.
- Restore the rear window configuration on the top floor.
- Significantly scale back the rear addition, both in depth, height, and design.

Treadwell Farm is a neighborhood that was purposefully built and maintained. In 1868, a Protective Covenant was signed by the owners of the plots of land in those blocks, with the intent to create "desirable places for residence," among other things, this document stated that the rear yards "shall be forever kept as an open space or courtyard unencumbered by any erections." The 1967 designation report stated that "the architectural importance of the Historic District lies in its consistently residential character, its uniform cornice height, and in the style of its buildings and care with which the buildings are preserved." Apart from the usual early 20th century alterations, the historic district has remained mostly intact, with harmonious streetwalls and building envelopes.

<sup>2</sup> From Numbers 208 through 246 on East 62nd Street, only No. 242 has a two-story addition that extends beyond the proposed, built sometime between 1965 and 1967.



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This egregious and extremely contentious proposal violates this harmony, and never should have been approved. Given the Commissioners' comments at the time, FRIENDS remains taken aback by the outcome. In approving this application, the Commission has ultimately neglected its duties as stewards of New York City's landmarks and is liable for the building's severe derelict condition.

While FRIENDS understands the various scenarios at play, we have seen an alarming number of protected historic buildings being demolished recently and fear a similar outcome in this situation. This project is yet another example of the real structural risks to historic buildings when all interior floors are removed and completely reshuffled without proper oversight. Too often, the result is that preservation is pitted against public safety - an unfair battle in which protected landmarks will be lost. FRIENDS stands for the ongoing preservation of historic neighborhoods for the public good, and we believe a system should be established to better monitor and oversee interior demolition plans, with the assistance of qualified structural engineers and preservationists, in the rare cases when such projects are deemed appropriate.

Regarding 210 East 62nd Street, we urge the Commission to take every step needed to prevent the unnecessary loss of this building and its significant historic character.

Thank you.