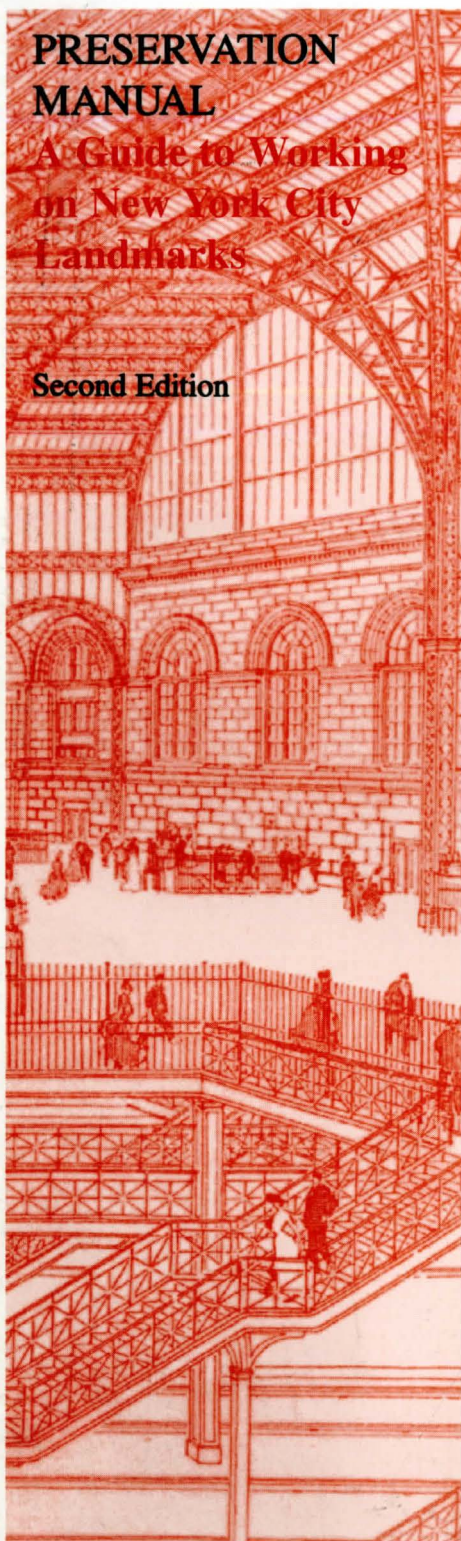


PRESERVATION MANUAL

A Guide to Working on New York City Landmarks

Second Edition



PRESERVATION TENTS MANUAL

A Guide to Working on New York City Landmarks

SECTION 1

The New York City Landmarks

Second Edition

SECTION 2

Performing Work on Individual

Landmarks or Buildings

in Historic Districts

SECTION 3

Standards for Performing Work

SECTION 4

Technical Information

on Building Materials

SECTION 5

Obtaining Approval

For Work on Landmarks

GLOSSARY

DIRECTORY

ACKNOWLEDGMENTS

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TABLE OF CONTENTS

FOREWORD

INTRODUCTION

SECTION 1

The New York City Landmarks
Preservation Commission.....Page 1

SECTION 2

Performing Work on Individual
Landmarks or Buildings
in Historic DistrictsPage 4

SECTION 3

Standards for Performing WorkPage 9

SECTION 4

Technical Information
on Building Materials.....Page 16

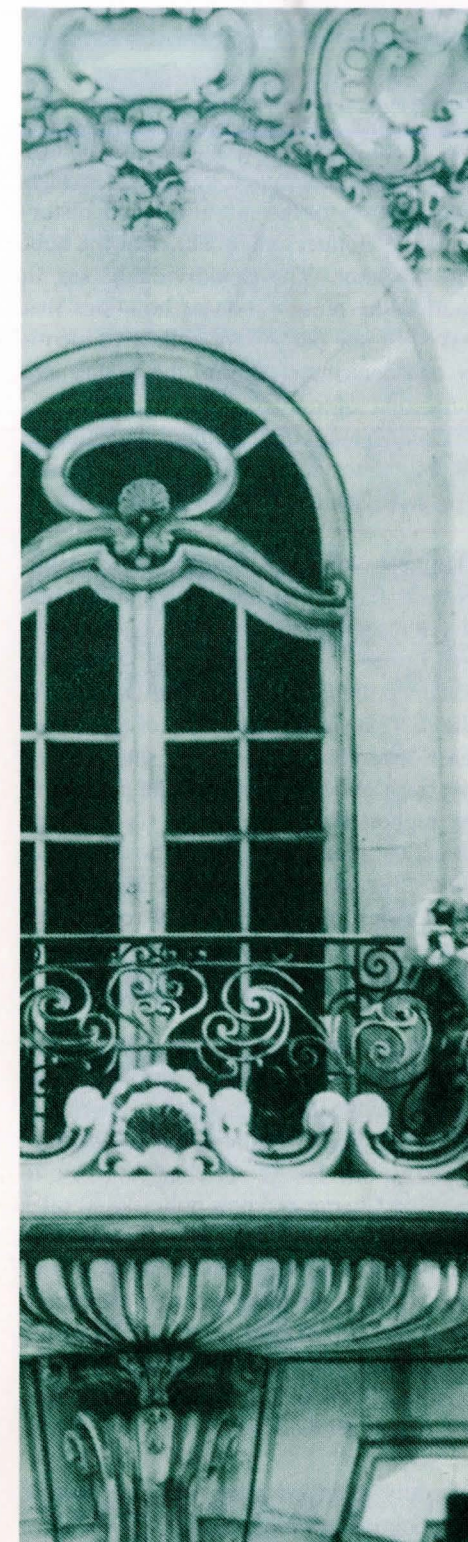
SECTION 5

Government Agencies
You May Need to Contact.....Page 18

GLOSSARYPage 20

DIRECTORYPage 24

ACKNOWLEDGMENTS



FOREWORD

The preservation movement has been and continues to be a grass-roots effort led by individuals determined to foster a greater appreciation for the cultural, social, historical, and architectural qualities of the built environment. These individuals set in motion the preservation of buildings that have become part of our collective identity and contribute daily to the beauty and education of our city and country. This revised *Preservation Manual* is dedicated to the memory of one of those individuals, Halina Rosenthal.

Halina's role in preserving the treasures of New York's Upper East Side was so great that an elected official once suggested that the Upper East Side Historic District be renamed the Halina Rosenthal District. As the first president of Friends of the Upper East Side Historic Districts, she believed the most effective way to build community support for preservation was through direct communications with those individuals affected and concerned about landmarks designation. For this reason she conceived and published the first *Preservation Manual* in 1989.

Before her untimely death in 1991, Halina secured funding to print a revised second edition of the manual and charged her successors at Friends with producing the publication. She knew that changes made to the City Charter and new policies and rules adopted by the Landmarks Preservation Commission made a revised manual essential. Because the information in the manual is of equal value to all historic neighborhoods, Friends has joined with the Historic Districts Council to ensure a wider use of this publication.

In addition to providing you with helpful information, we hope this manual will also

convey to you some of the passion Halina had for preservation. Perhaps that is best done by presenting the following Foreword written by Halina for the first edition of the manual.

Friends of the Upper East Side
Historic Districts
Historic Districts Council
July, 1994

Dear Friend:

William Shakespeare tells us in "All's Well That Ends Well" that "praising what is lost makes remembrance dear."

The wondrous tracery of arches and domes which we chose for the cover of this Manual was once upon a time the steel-ribbed frame which held within it the magnificent spaces of Pennsylvania Station (built 1906-1910). On October 30, 1963, when the station came down, The New York Times wrote: "Until the first blow fell, no one was convinced that Penn Station really would be demolished or that New York would permit this monumental act of vandalism... Any city gets what it admires, will pay for, and ultimately deserves. Even when we had Penn Station, we couldn't afford to keep it clean. We want and deserve tin-can architecture and tin-horn culture. And we will probably be judged not by the monuments we build but those we have destroyed."

And there are many losses for us to regret, for many structures had to be lost before the city woke up to the fact that we were tearing down the most significant architectural treasures which we should have cherished as our personal heritage. As one after another fell, the need for preservation of what we still had grew, so that if ever anything good can be said about the loss of Penn Station, or the Brokaw Mansion, and too many others, it

has to be that these repeated losses gave birth in 1965 to the creation of the Landmarks Preservation Commission.

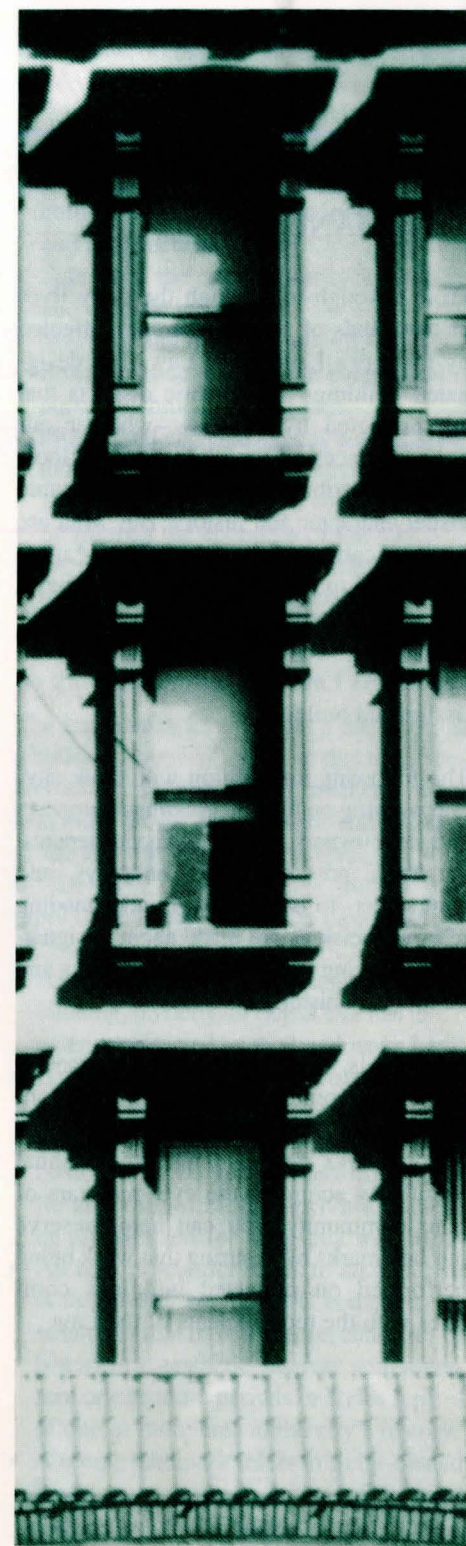
If when reading this, you say to yourself that following the rules and regulations described herein is time-consuming and frustrating, think again and rejoice about the fact that had it not been for the Commission, you would be living in a city without distinctive character, without grace, and without the beauty that the building you own (or the building you are working on in one capacity or another) has contributed to make New York City, with its unique mix of what we preserve and what we build, the exciting and beautiful place that it is.

When we started writing this Preservation Manual, it was our intention to make the text breezy and reader-friendly. However, as the material was being reviewed and corrected by the senior staff of the Landmarks Preservation Commission, we found that alas, breezy and legalese may go together, but do not mix.

Furthermore, to take the myth out of historic preservation, it is most important for us to give you the facts, and we are doing just that. Therefore, the bottom line here is when in doubt don't do anything at all until you call the Landmarks Preservation Commission first, at [212-487-6800]; or call any of the preservation organizations whose names are at the back of this book. You have something to preserve and we are here to help.

Halina Rosenthal

Halina Rosenthal
President,
Friends of the Upper East Side
Historic Districts
December 1989



INTRODUCTION

THE PURPOSE OF THIS MANUAL

From borough to borough the daily lives of thousands of New Yorkers are affected by the city's Landmarks Law. The designated buildings and historic districts that are protected by the Law—whether our homes, places of employment, or local stores—contribute to the city's remarkable visual character and history. But what are the implications of this Law? This Manual is intended to provide answers to the basic questions pertaining to the New York City Landmarks Preservation Commission, the Landmarks Law, and performing work on designated buildings.

The following information will allow anyone working on historic buildings—property and store owners, managing agents, tenants, architects, preservationists, attorneys, and contractors—to have a better understanding of how decisions are made about designating and caring for individual landmarks and buildings in historic districts.

Individuals, neighborhood block associations, and community-based groups concerned with the appropriate preservation of landmarks will also find this Manual useful. By acting as the eyes and ears of your community, you can help preserve our landmarks by ensuring that work being performed on protected buildings complies with the requirements of the Law.



SECTION 1

The New York City Landmarks Preservation Commission (LPC)

NEW YORK CITY'S LANDMARKS LAW

The dynamic and ever-changing qualities of New York City's five boroughs have established it as a place of international attraction and leadership—it is an archetypal American city. It is also a city whose residents recognize the importance of preserving its architectural treasures. The 1963 demolition of Pennsylvania Station, and the threatened loss of other heralded buildings, produced a collective uproar that led to the enactment of the 1965 Landmarks Law and the creation of the Landmarks Preservation Commission. The Law, supported by then mayor, Robert F. Wagner, and championed by the civic community, acknowledged that the growth and vitality of the city could not be sustained without the preservation of its built past. "The standing of this city," the City Council decreed, "as a world-wide tourist center and world capital of business, culture, and government cannot be maintained or enhanced by disregarding the historical and architectural heritage of the city and by countenancing the destruction of such cultural assets." Today, this mandate has given all New Yorkers a visual connection to our historical, cultural, and architectural past and helps guarantee the future health of our city.

Importance of the Law

The Landmarks Law embraces the necessity for change while mandating the importance of preserving individual

landmarks and historic districts. As stated in the Law, official designation was enacted to serve the following purposes:

- Protect, enhance, and perpetuate buildings that represent the city's cultural, social, economic, political, and architectural history.
- Safeguard the city's historic, aesthetic, and cultural heritage.
- Stabilize and improve property values.
- Promote civic pride in the beauty and accomplishments of the past.
- Protect and enhance the city's attractions to tourists and visitors, thereby supporting and stimulating business and industry.
- Strengthen the economy of the city.
- Promote the use of designated buildings for the education, pleasure, and welfare of the people of the city.

About Landmarks

The Landmarks Law defines a landmark as a building, property, or object that has a special historical, cultural, or aesthetic value important to the development and heritage of the city that has been designated as such by the LPC. The following are the four types of designations that the Law permits:

- An individual (or exterior) landmark is a building, property, or object that has its exterior protected by the Landmarks Law.
- An interior landmark refers to an interior space that is protected by the Landmarks Law. These spaces must customarily be accessible to the public and cannot include private homes or places used for religious worship.
- An historic district refers to an area that is designated by the LPC consisting of structures that have a special character of historic or aesthetic interest and represent one or more periods or styles typical of one or more eras in the city's history.
- A scenic landmark refers to a city-owned landscape feature or group of features that has been designated by the LPC.

The Landmarks Law requires that a property or object must be at least thirty years old before it can be designated. Since 1965, the LPC has designated more than 1000 individual landmarks and more than sixty historic districts. To determine if a building is an individual landmark or within an historic district, contact the Public Information Officer at the LPC, the Historic Districts Council, or your local preservation organization. In addition, you can consult the *Guide to New York City Landmarks* by Andrew S. Dolkart, available at bookstores, which provides information concerning all individual landmarks and historic districts designated by the LPC as of the end of 1991.

THE LANDMARKS PRESERVATION COMMISSION

The Landmarks Preservation Commission was established by law as the city agency responsible for identifying, designating, and regulating changes to the city's individual landmarks, buildings in historic districts, and scenic landmarks. Although the LPC is one of the smallest city agencies, it is the largest municipal preservation agency in the country. Many of the nation's 1,800 preservation agencies have drafted legislation based on New York City's Landmarks Law. The LPC consists of eleven Commissioners, acting as a body, and a full-time staff of professional architects, architectural historians, restoration specialists, urban planners, and archaeologists, as well as administrative and legal personnel. The Landmarks Law mandates that the eleven Commissioners include at least three architects, one historian, one city planner or landscape architect, and one realtor. There must be at least one resident of each of the five boroughs. Commissioners are appointed by the

Mayor with the advice and consent of the City Council for three-year terms and, with the exception of the Commission's Chair, serve part-time and receive no salary.

THE DESIGNATION PROCESS

The designation of an historic district or building, property, or object as a landmark is a meticulous procedure. Anyone can recommend that a building be considered for landmark designation by contacting the LPC. Requests from individuals, community groups, and surveys conducted by the LPC's staff identify buildings significant to the architectural, cultural, or historical development of the city. If the LPC has sufficient interest in a building, a public hearing—called a designation hearing—is scheduled where the LPC's staff presents an overview of a building's importance. This hearing is the preliminary information-gathering stage of the designation process. Testimony from property owners and their representatives, local residents, elected officials, and the general public either supporting or opposing the designation is welcomed. The LPC must inform the City Planning Commission, all affected Community Boards (many have a landmarks committee), and the appropriate Borough President of the proposed designation and hearing. The City Councilmember whose district is affected may also participate in the process to represent his or her constituents' interests.

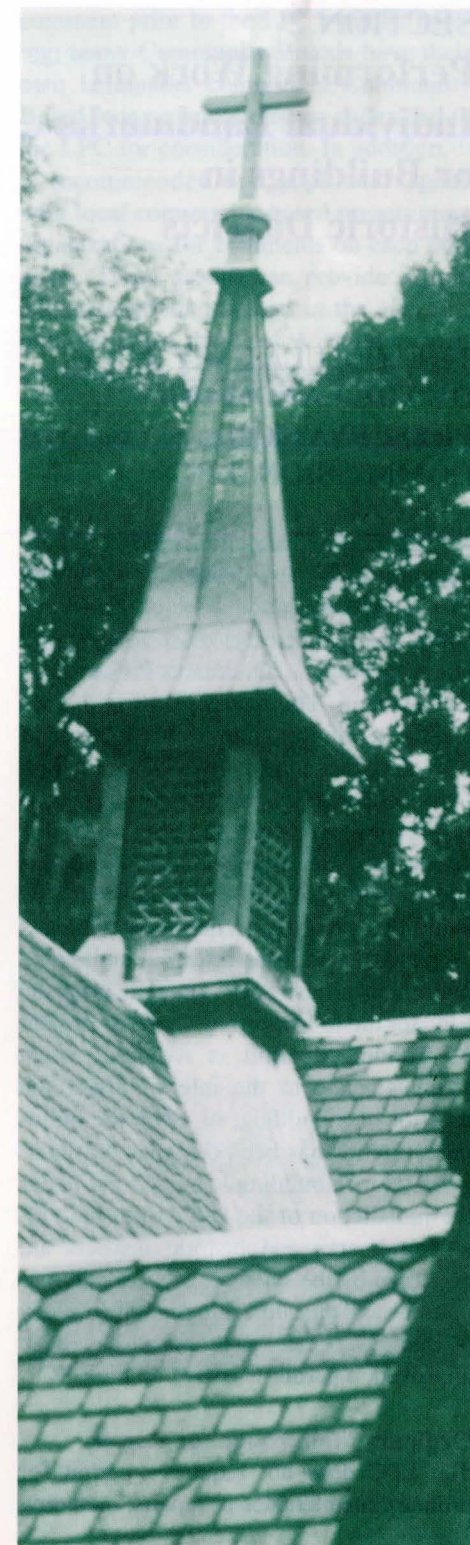
After this hearing the LPC's staff researches and prepares a draft designation report documenting the architectural, historical, and cultural history of the building. During this period, the Department of Buildings will not issue permits for buildings being considered for designation before consulting the LPC. The draft designation report is then reviewed by the Commissioners, followed by a public meeting where the Commissioners vote;

the approval of at least six Commissioners is required for designation. At that point an approved individual landmark or historic district is under the full force and protection of the Landmarks Law.

Additional Approvals

Following designation by the LPC, individual landmarks and historic districts are reviewed by the City Planning Commission and City Council. The LPC must notify both bodies within ten days of designation. The City Planning Commission then has sixty days to submit a report to the City Council analyzing the relationship of the designation, whether an individual landmark or historic district, to the surrounding area's zoning and plans for improvements, development, or renewal. In addition to this report, the designation of an historic district requires the City Planning Commission to hold a public hearing.

The City Council has 120 days from when they were first notified to affirm, modify, or disapprove the designation by a majority vote. The Council's vote is final unless vetoed by the Mayor, whose action can subsequently be overridden by a two-thirds vote of the Council.



SECTION 2

Performing Work on Individual Landmarks or Buildings in Historic Districts

THE REGULATORY ROLE OF THE LANDMARKS PRESERVATION COMMISSION (LPC)

Any alteration, restoration, reconstruction, demolition, or new construction planned for individual landmarks or buildings within historic districts must be approved in advance by the Landmarks Preservation Commission. This requirement is to protect the significant architectural features of a building that contribute to its special historic, cultural, or aesthetic character. Approval is required for any work that affects the exterior appearance of a building, whether or not a Department of Buildings permit is required. Applicants proposing work that affects a building's interior must also seek approval from the LPC for the following: when a Department of Buildings permit is required; when changes made to the interior affect the exterior of a building; or when the building's interior has been designated a landmark. How a building is used is not under the jurisdiction of the LPC. Both individual landmarks and historic districts are governed by the same set of rules and regulations and are subject to the same review procedures. Once a proposal has been approved, a permit is issued by the LPC.

Ordinary Maintenance or Repair

The LPC does not require a permit for ordinary maintenance or repairs, including

replacing broken glass, repainting a building exterior the same color, and removing graffiti.

TYPES OF PERMITS

The LPC issues three types of permits to applicants performing work on designated buildings. Permits are valid for specific periods of time outlined below. Application forms and instructions for filing can be obtained by calling or stopping by the LPC's office.

Certificate of No Effect (CNE)

A Certificate of No Effect is issued for proposed work that requires a permit from the Department of Buildings but does not affect the significant architectural features of a building. For example, heating equipment that may not adversely affect the significant architectural features of a building, but does require a Department of Buildings permit, may be granted a CNE. The LPC has thirty days to respond to a completed CNE application. If the LPC determines that the proposal would affect those portions of a building protected by the Landmarks Law, assistance will be provided to revise the alteration, or the owner may apply for a Certificate of Appropriateness (see below). A building that has outstanding violations may not be granted a CNE.

The LPC has a review procedure called an "Expedited Certificate of No Effect" for certain applications that enables the LPC to issue a CNE within forty-eight hours. To qualify for an Expedited CNE, proposals must be filed by a certified architect or engineer for interior work above the second story that does not affect significant architectural features. For instance, the work must not involve any change to, replacement of, or penetration of an exterior wall,

window, skylight, or roof. Proposals that would affect a designated interior landmark are not eligible for this review.

Permit for Minor Work (PMW)

A Permit for Minor Work is issued by the LPC for work that will affect the significant architectural features of a designated building but does not require a permit from the Department of Buildings. Examples of work that require a PMW include masonry repointing and cleaning, cornice repair, brownstone patching, window repair, and repainting in a different color. The installation of new windows replicating the size, shape, material, and configuration of the historic windows can be approved under a PMW. The LPC reviews each application to determine whether the proposed changes are appropriate to the building or historic district. Once a completed application is filed, the LPC must respond within twenty days. If the LPC denies the PMW, an owner may apply for a Certificate of Appropriateness (see below).

Certificate of Appropriateness (C of A)

A Certificate of Appropriateness is required for a proposal that requires a Department of Buildings permit and affects the significant architectural features of a building protected by the Landmarks Law. C of A's are required for a range of work, from additions, demolitions, and new construction, to the installation of signs and the enlargement of doors and windows. The Landmarks Law requires that a public hearing be held for each C of A application (usually held on the fourth Tuesday of each month at the LPC's offices). Each local Community Board is notified by the LPC of C of A applications affecting properties within its district. It is recommended that applicants present their proposals to the appropriate Community Board for review and

comment prior to the LPC's public hearing; many Community Boards have their own landmarks committee. Community Board recommendations are submitted to the LPC for consideration. In addition, it is recommended that applicants speak with local community-based preservation organizations for comments on each proposal. These groups can provide insight and suggestions to assist in the approval process. Once the C of A application is complete, the LPC must make its determination within ninety days. Approval of at least six Commissioners is required.

CERTIFICATE

OF NO EFFECT (CNE):

Required for: Work that requires a permit from the Department of Buildings but does not affect the significant architectural features of a building

Processing time: 30 working days

Valid for: Four (4) years

Public hearing: Not required

PERMIT FOR

MINOR WORK (PMW):

Required for: Work that affects the significant architectural features of a building but does not require a permit from the Department of Buildings

Processing time: 20 working days

Valid for: Four (4) years

Public hearing: Not required

CERTIFICATE

OF APPROPRIATENESS (C OF A):

Required for: Work that requires a permit from the Department of Buildings and affects the significant architectural features of a building

Processing time: 90 working days

Valid for: Six (6) years

Public hearing: Required, followed by the approval of at least six (6) Commissioners

The Application Process

To apply for a permit from the Landmarks Preservation Commission, you or your representative must first complete an "Application Form for Work on Designated Properties" and submit descriptive materials that show the existing conditions of a building and how it will appear after the work is finished. All applications must be signed by the building/property owner. The LPC will provide you with application forms and instructions for filing if you call the Commission office and request that they be mailed or you may pick them up in person at the LPC office.

Although the LPC responds to phone inquiries, it is recommended to apply first so that your application can be given a docket number and assigned a staff member. The staff member will let you know if your application is complete, what other information is needed, and the type of permit the proposed work requires. The Historic Districts Council or your local preservation organization may also be contacted to review applications and make design suggestions. This preliminary step can help guide proposals through the LPC and make the application process easier. Completed forms and back-up materials may be mailed or delivered to the LPC's office. Presently, there are no filing fees.

The Approval Process

The approval process depends on the complexity of your proposal, the type of back-up materials required, and whether a building visit is needed. The LPC is mandated by law to make a decision on a completed application within the following time periods: CNE—30 working days; PMW—20 working days; C of A—90 working days. You may find it necessary to arrange a meeting at the LPC's office or at the building to allow for input and advice from the staff. If you need

more time to provide the necessary descriptive materials or to change a proposal, you may request an extension by writing to the LPC.

Duration and Renewal of Permits

Permits are valid for the following periods of time: CNE—four (4) years; PMW—four (4) years; C of A—six (6) years. The LPC will grant a renewal of a permit if there are no violations on the building and if other conditions are met, such as filing within sixty days before the expiration date and including a signed construction contract. Renewal permits are valid for shorter periods of time: CNE and PMW—valid for two (2) years from the date of expiration of the original permit; C of A—valid for three (3) years from the date of expiration of the original permit.

The Role of the Landmark Preservation Commission's Staff

The staff of the Preservation Department of the LPC, supervised by the department's director and deputy director, works with you or your representative to guide the application through the review process. Most applications—PMWs and CNEs—will be handled at the "staff level" without a public hearing before the eleven commissioners. Of the approximately 4,000 applications that the LPC receives annually, less than ten percent require a C of A and public hearing, and almost half receive a CNE. Staff members will tell you about the specific descriptive materials that may be needed for your application, for example drawings, photographs, material samples, or written specifications. The presentation must clearly differentiate between the existing conditions of the building and the proposed work.

Additional Information About Permits

The LPC issues a permit in the form of a letter to the applicant. A permit card, sent with the letter, must be displayed at the

site of work in a prominent location visible from the street while work is underway. If you are concerned that work being performed on a designated landmark, or on a building within an historic district, may not have been approved by the LPC, or does not conform to the description of work detailed on a permit, contact your local preservation organization, the Violations Officer of the LPC, or the appropriate Community Board or City Councilmember.

Applicants whose proposals are not approved by the LPC will receive a letter stating the reasons for the rejection, whereupon they may revise the application and submit it again. If a CNE or PMW is denied, the applicant may request a permit for a C of A which requires a public hearing before the Commissioners.

Public Hearings

At the public hearing the staff will introduce the proposal. The applicants, their architect, attorneys, and other representatives may present relevant information and members of the public may comment or submit written testimony. The Commissioners will also consider the comments provided by the local Community Board, whose advice is sought but not binding, elected officials, as well as community-based preservation organizations. Public hearings are usually scheduled the fourth Tuesday of each month at the LPC's office. To be scheduled for a public hearing, completed applications must be filed by the end of the preceding month.

After the public hearing is closed, the Commissioners will evaluate the appropriateness of the proposal and its impact on the significant architectural features of a building. In the case of historic districts, the Law requires the Commissioners to also consider the relationship between the proposal and the exterior architectural features of neighboring buildings.

Often the Commissioners will vote on the day of the hearing, but in many cases more information is needed before a decision can be made, and the record will be kept open or the hearing will be continued at a later date. The vote of at least six Commissioners is needed for approval. If a proposal is approved, a permit will not be issued until the staff has reviewed all the construction drawings to confirm that they are consistent with the proposal as approved by the Commissioners.

Hardship

If the LPC has determined that a specific application to alter or demolish a designated structure is inappropriate, the owner of the building may file for a C of A under the hardship provisions of the Landmarks Law. Owners subject to real estate taxes may file for hardship on the grounds that the existing conditions of the building prevent the property from earning a reasonable return of no less than six percent of the valuation of the land and building plus two percent allowance for the depreciation of the building. If a preliminary decision is made that economic hardship exists, the LPC may attempt to find alternative relief to enable the owner to earn a reasonable return through tax benefits, structural alterations, a special zoning permit, or the sale of the property. Depending on the LPC's plan, the applicant may accept the relief offered or the LPC may authorize the original proposal.

Owners of tax-exempt properties that have gone through the LPC's hardship process and been denied may apply for a separate determination by the Hardship Appeals Panel. The Panel, consisting of five members appointed by the Mayor and independent of the LPC, reviews appeals from institutions that must prove, among other things, that the building is no longer adequate or suitable for the organization's charitable purposes. The Hardship Appeals

Panel may affirm or reverse the determination of the LPC. If reversed, the LPC has an opportunity to seek alternative relief for the tax-exempt property.

Notice of Violation

Performing work on designated buildings without obtaining the required approval from the LPC is in violation of the Landmarks Law and also often in violation of the New York City Building Code. The LPC monitors for illegal changes made to landmarks and buildings in historic districts. Individuals, block associations, and preservation groups play a vital role in safeguarding designated buildings by reporting violations to the LPC's Violations Officer. The LPC will issue a Notice to Stop Work and a Notice of Violation to a building owner or owner's representative for work-in-progress that has been documented as being in violation of the Landmarks Law. If illegal changes are documented after completion, the LPC will issue a Notice of Violation. The owner must respond to the Notice of Violation by applying to either correct, remove, or legalize the work. Failure to respond to a Notice of Violation can result in the delay of future permits from the LPC and Department of Buildings as well as fines and judicial proceedings.



SECTION 3

Standards For Performing Work

Work performed on designated landmarks and buildings in historic districts should comply with the following preservation standards:

- Preserve original or historically significant materials and architectural features.
- Repair rather than replace.
- When repair is not feasible, replace with compatible features or materials.
- Learn from existing examples within historic districts.

In addition to these general standards, the Landmarks Preservation Commission has published rules for specific alterations that include:

- Applications for Master Plans
- Repair and Replacement of Windows
- Installation of Air Conditioners
- Rooftop Additions
- Awnings Installations
- Fire Escape Removal, Repair, or Installations
- Sandstone/Brownstone Restoration and Replacement
- Restoration of Building or Facade Features
- New Window Openings
- Rear Yard Additions or Enlargements
- Temporary Installations
- Designated Broadway Theaters

These rules are available from the Public Information Officer of the LPC and from the Historic Districts Council. From time to time the LPC may adopt new rules, so contact the LPC before proceeding with

any work. The information on the following pages outlines what is acceptable and how proposals are evaluated by the LPC.

RULES OF THE LANDMARK PRESERVATION COMMISSION

Master Plans

Master plans establish building-wide standards for future changes to specific building elements. They are encouraged for large residential and commercial buildings; rowhouses and smaller commercial buildings generally do not need master plans. Building owners may submit master plans that cover work for replacement windows, air conditioner installations, new storefronts, and signage. Once the LPC has approved a master plan through a PMW or a C of A, future applications can be approved faster. Applicants only need to show that the work to be performed will conform to the approved plan. Upon review, the LPC can approve an authorization to proceed without a public hearing. Approved master plans are valid indefinitely.

Windows

The most frequent alterations made to individual landmarks and buildings in historic districts are the repair and replacement of existing windows. Changes made to windows affect the style, scale, and character of historic buildings and need to be considered with care. Recognizing the importance of window design, the LPC has issued *Window Guidelines* which outline procedures to assist in window rehabilitation, restoration, and replacement. In general, these guidelines are based on the following principles:

- Do not destroy original features, and avoid removing or altering distinctive architectural elements.

- Repair rather than replace deteriorated windows whenever possible.
- If replacement is necessary, match the design, material, and other visual qualities of the appropriate historic windows.

You can usually perform ordinary repair and maintenance on deteriorated windows on designated landmarks and buildings in historic districts without a permit. A permit is not required to replace broken glass, caulk around frames, replace window hardware, repaint the same color, or even partly rebuild to the same size and shape. You must, however, obtain a permit for work beyond this scope, including window rehabilitation, restoration, or replacement. In general, a replacement window must match the historic window's configuration, operation, details, material, and finish.

Your application must include a written description of the work to be performed, as well as such supporting documentation as photographs of the deteriorated windows, scaled drawings of the old and new windows, and often material samples of the new windows. If the building is within an historic district, include photographs of adjacent buildings. The application form must be signed by the property owner or, for a cooperative or condominium building, the president of the board of directors.

The majority of applications do not require a public hearing and can be approved by the LPC under the provisions of a PMW. Once an application is completed, a PMW is issued within twenty working days. If a proposal does not meet the standards set forth in the *Window Guidelines*, the LPC's Preservation Department will assist in making recommendations for revisions. If an applicant is unable or unwilling to make such changes, a request for a C of A and a public hearing may be made in which case at least six Commissioners

must find the proposal appropriate in order to approve it. For larger buildings, applicants are encouraged to file a master plan.

Before making any changes to windows or filing an application, you should obtain a copy of the LPC's *Window Guidelines* by contacting the LPC, the HDC or your local preservation organization. Technical questions may be directed to the Preservation Department of the LPC or the New York Landmarks Conservancy.

Air Conditioner Units

Air conditioner units that can be installed in a window and do not cause damage to a building's exterior wall surface do not require permits. "Through-wall" installation of air conditioner units on individually designated buildings or buildings in historic districts can often be approved with a PMW if the following conditions are met: the air conditioner is located under a window opening; it is located through a wall without significant architectural features (an undeveloped wall); and it does not damage decorative masonry. If the air conditioner is not installed under a window, permits from both the Department of Buildings and the LPC are needed. The LPC generally does not approve through-wall installation on front facades of townhouses and rowhouses. For larger buildings, applicants are encouraged to file a master plan.

Rooftop Additions

Applications for rooftop additions are evaluated on the basis of the addition's visibility from public thoroughfares and its impact on a building's significant architectural features. In many instances the LPC may issue a CNE for the installation of mechanical equipment or the addition of occupiable space that does not damage significant architectural features and is not visible from a public thoroughfare. If a proposal does not meet the LPC criteria set forth in the rules, the applicant may

request a permit for a C of A. All applications for rooftop additions must include such descriptive materials as photographs and sightline studies. The LPC provides an information sheet, *Rooftop Additions: Supplementary Instructions for Filing*, to assist in the application process.

Retractable Awnings

Retractable awnings are appropriate for storefronts, windows, and entryways on many designated buildings or buildings within historic districts. The LPC rules provide that awnings be able to close and open as needed; however, in some instances fixed awnings have been approved on commercial streets in historic districts. A PMW can be issued for retractable awnings: fixed awnings require a Department of Buildings permit and a C of A from the LPC.

Fire Escapes

Many older fire escapes are significant architectural elements that contribute to the character of an individual landmark or historic district. Proposals for the repair, removal, or replacement of fire escapes are reviewed by the LPC. In many cases a CNE can be issued if the fire escape is not a significant architectural element of the building. If the fire escape does contribute to the special character of an historic district or is architecturally significant, a proposal for a C of A must be submitted. New fire escapes must not damage significant features, and their installation on the main facades of a building requires a C of A.

Sandstone/Brownstone Restoration and Replacement

Due to the environmental forces of wind, rain, temperature change, and pollution, the deterioration of brown sandstone, more commonly known as brownstone, is a frequent problem in New York City. The LPC can issue a PMW for the restoration or replacement of sandstone/brownstone elements based on set criteria. In most

cases the work must attempt to preserve the original stone and replace damaged stone with new material that replicates the original's texture, color, profile, and details. The work should be performed by an experienced contractor who is familiar with sandstone/brownstone repairs. Referrals may be obtained by contacting the New York Landmarks Conservancy, listed in the Directory of this Manual.

Restoration of a Building or Facade Features

The restoration of a building or its facade features to their original appearance or other significant period can enhance a building's value as well as a neighborhood's historic character. The LPC can issue a CNE for the restoration of stoops, cornices, window and door openings, and enframements if the work does not cause the removal of original architectural details or significant details added at a later period in time. Applications need to include old photographs or other documented evidence that the restoration is historically accurate. The restoration of a stoop that has been previously removed and would intrude on the public way requires a "Revocable Consent" from the New York City Department of Transportation.

New Window Openings

Window openings on a building create a pattern of solids and voids that is integral to a facade's design and appearance. For individual landmarks and buildings in historic districts, the blocking-up of existing windows or the creation of new window openings can have a significant impact on this pattern and its visual relationship to neighboring buildings. Applications for new window openings can be issued a CNE if the new openings are located on undeveloped facades and retain the same general shape and pattern as the existing windows. Applicants whose proposals do not meet these criteria may apply for a C of A.

Rear Yard Additions or Enlargements

The open areas of rear yards historically characterize the middle of city rowhouse blocks. To ensure that rear yard additions and enlargements do not damage the significant features of designated buildings, the LPC has established standards for issuing a CNE. The standards require that additions not be visible from a public thoroughfare; that they do not alter a building's significant architectural features; and that they do not substantially diminish a rear yard. If the standards established by the LPC for a CNE or PMW are not met, then a public hearing for a C of A may be scheduled. In addition, the Department of Buildings evaluates proposals to see that they are in compliance with the Zoning Resolution.

Temporary Installations

The LPC can issue a CNE for the temporary installation of signs, banners, artwork, or kiosks that do not damage the significant architectural features of a building. The installation must be for one calendar year or less and include a plan and time schedule for its dismantling. The LPC may also require an escrow agreement or other adequate assurance that the installation will be removed on time.

Designated Broadway Theaters

The LPC has established guidelines that regulate work performed on the interiors and exteriors of designated Broadway theaters. Contact the LPC directly for further information.

Historic Districts

Proposed alterations, new construction, or demolition of buildings in historic districts have the same regulations and standards that govern individual landmarks. However, as of this date, there is one historic district, the Riverdale Historic District in The Bronx that has a specific set of rules that have been adopted by the LPC. These guidelines, *Proposed Alterations and New Construction*

of Structures and Landscapes in the Riverdale Historic District, are based on the relationship and siting of Riverdale's historic dwellings and picturesque landscape features. One other historic district, Tribeca West in Manhattan, has a manual of design standards adopted by the LPC that can assist applicants and ensure that changes made are appropriate to the area's historic character. Additional district specific rules or guidelines for other historic districts may be adopted in the future.

Sources of Funding for Building Repair, Rehabilitation, and Restoration

To assist low- and middle-income property owners and not-for-profit organizations, the LPC administers two grant programs, the Facade Improvement Program and the Not-for-Profit Facade Program, that provide funds for the repair or restoration of facades. Contact the LPC for information. The New York Landmarks Conservancy administers the New York City Historic Properties Fund for low- and middle-income neighborhoods offering below-market loans for building, repair, rehabilitation, and restoration. Contact the New York Landmarks Conservancy for information.

INFORMATION FOR OTHER TYPES OF WORK

In addition to the rules established by the LPC, the following pages outline the general application procedures for performing work on:

- Storefronts
- Store Signs
- Sidewalks and Curbs
- Flagpoles
- Canopies
- Iron Grilles and Fences

Storefronts

Depending on the complexity of work, new storefront installations on individual landmarks or buildings in historic districts usually require a permit from the Department of Buildings and a C of A from the LPC. Company logos and prototype storefronts may be modified to preserve the architectural details of an individual landmark or the character of an historic district. The LPC will review the materials and design of each proposal to ensure that no significant architectural features are removed. In addition to the LPC's standards, local preservation groups have suggested design guidelines to assist commercial businesses in the application process and help retain an area's historic character. Master plans are recommended for storefront installations in larger buildings.

Due to the ever-present reality of crime, security gates have become part of many storefronts. Proposals for the installation of security gates on individual landmarks or buildings in historic districts must be reviewed by the LPC. The LPC generally does not approve the installation of exterior gates since the gate-housing may obscure or damage significant architectural features. Recessed exterior gates, however, may be granted a PMW, and no permit is needed for roll-down open-link gates mounted on the inside of a store window, unless the installation requires a permit from the Department of Buildings.

For storefronts on Columbus and Madison Avenues in Manhattan, the LPC has a procedure to evaluate quickly the impact of a proposed storefront on a building's historic materials. A description and photograph of each building are filed in the LPC's office so the staff can determine if significant features of the building will be damaged by the proposed changes. If the changes do not damage significant features and the storefront meets the criteria of the LPC, a CNE can be issued.

Store Signs

Commercial signs on individual landmarks and buildings in historic districts must be reviewed by the LPC. If a Department of Buildings permit is not required, the LPC can issue a PMW. The LPC will evaluate a sign's size, method of attachment, material, location, and shape; content is not considered. Stationary canopies or box signs are discouraged by local preservation groups and the LPC. Signs that project from a building and/or are illuminated require a Department of Buildings permit and must receive a C of A from the LPC. The exception to this regulation are those signs proposed for Madison and Columbus Avenues (see the above section on Storefronts). Master plans that establish building-wide standards for commercial signs are encouraged for larger buildings.

Sidewalks and Curbs

The original material of sidewalks and curbs, like bluestone or granite, contribute to the distinctive character and integrity of historic districts and individual landmarks. Applications for sidewalk repair or replacement are reviewed by the LPC and must include photographs of the existing conditions, plans (including scoring patterns), and the type of material to be used. The LPC can issue a PMW for work that replaces a sidewalk with the same materials and pattern. Applicants proposing to replace historic materials with new concrete or requiring special sidewalk patterns must apply for a C of A. In all cases, approval must also be obtained from the Department of Transportation.

Flagpoles

In general the LPC discourages the use of banners and flags as advertisements for commercial properties in residential districts; however, it does recognize their appropriateness for schools and consulates.

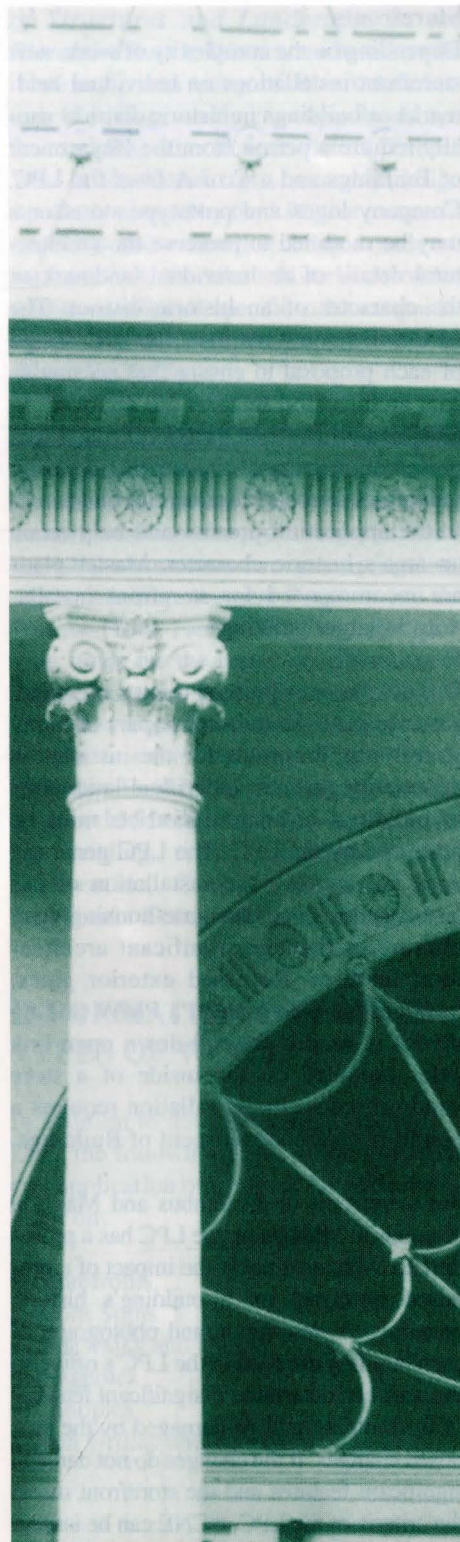
Applications for the permanent installation of new flagpoles require a permit from the Department of Buildings and thereby require a C of A from the LPC. The LPC will consider the siting, historical appropriateness of the flagpole, its relationship to neighboring buildings, and if the installation will damage significant architectural features. Individuals proposing work on existing flagpoles may apply for a PMW.

Canopies

Many large apartment buildings have permanent canopies that project from a central entrance to the curb at street level. These should not be confused with retractable awnings that are used on shopfronts and windows. The LPC reviews all applications for canopies to evaluate the impact they will have on the character and significant architectural features of an individual landmark or a building in an historic district; the LPC discourages canopies on commercial buildings. Proposals for new canopies require a C of A and also must receive a permit from the Department of Transportation.

Iron Grilles and Fences

The installation of new iron grilles and fences often require a C of A. Applicants should consider how the proposed design relates to various architectural elements of a building—for example, the stoop—as well as its relationship to adjacent buildings. Applicants are encouraged to study and adapt the style of grilles and fences on similar buildings for their own building proposals. The restoration of an existing grille and fence can be approved by the LPC with a PMW.



OTHER REGULATORY ISSUES AFFECTING DESIGNATED PROPERTIES

Americans with Disabilities Act

In 1992 the Americans with Disabilities Act (ADA) went into effect to provide comprehensive civil-rights protection for Americans with mental and physical disabilities. This Federal law recognizes the discrimination encountered by individuals who without assistance are unable to enter or move through buildings due to physical barriers, such as steps, narrow doorways, or high thresholds. The ADA mandates that public and private buildings be made accessible to people with disabilities to the greatest extent possible. If these standards promote the destruction of a building's historic significance and materials, applicants can use the ADA's minimum-accessibility standards. These less-restrictive requirements can only be used for proposals that have been approved by the State Historic Preservation Office. Exceptions to the law include private clubs, religious buildings, private homes (if used exclusively as residences), and bed-and-breakfast inns (if owner-occupied and with fewer than six units). New York State's Uniform Fire Prevention and Building Code already includes many requirements for accessibility, usability, and safety, some stricter than the ADA's standards. For further information on the ADA's impact on historic buildings, contact the Technical Assistance Center of the Preservation League of New York State, or the Mayor's Office for People with Disabilities.

Local Law 58

Local Law 58, enacted in 1987 by the City of New York, mandates that new construction be accessible to people with disabilities. Alterations, additions, repairs, and changes in occupancy or use of any building in New York City need to be reviewed

for compliance with the specific standards of the building code. The law applies to both public and private buildings. The Mayor's Office for People with Disabilities may be consulted about the impact of the law on individual landmarks and buildings in historic districts. Applicants may request waivers from the Mayor's Office if the requirements of Local Law 58 will affect the significant architectural features of a building. All waivers will be evaluated by the Mayor's Office and require a letter of opinion or the results of a public hearing from the LPC denying an installation. Since Local Law 58 and the ADA are autonomous, waivers granted cannot be used for the ADA and vice versa.

Local Law 10

Local Law 10, administered by the Department of Buildings, requires property owners to make periodic inspections of exterior walls and overhanging architectural elements of buildings greater than six stories in height. The law's aim is to mandate repairs of unsafe conditions; it is not meant to encourage the removal of architectural details, though at times this has been the result. Inspections must be made once every five years by a licensed architect or engineer who submits a written report documenting significant deterioration, unsafe conditions, or physical movement. Upon filing the report with the Department of Buildings, steps to correct any unsafe conditions must commence immediately. Any work that would require a permit from the Department of Buildings or remove significant architectural features of designated buildings or buildings in historic districts must receive a C of A.

SECTION 4

Technical Information on Building Materials

Work on historic buildings requires careful attention to the variety and complexity of materials that contribute to a building's character and integrity. These materials—masonry, metal, glass and wood—require different methods of cleaning, repair, and replacement that in many cases need a permit from the LPC.

The primary cause of damage to buildings is water penetration. Water can cause masonry to crack, metal to corrode, and wood to rot. Roof leaks, poor drainage, and the extreme weather conditions of New York City contribute to the deterioration of all types of building materials. For these reasons, any proposal to perform work on designated landmarks or buildings in historic districts should correct existing problems, and safeguard and shield a building from future water penetration.

The selection of an experienced contractor is essential to performing quality work and should be considered carefully. Contractors familiar with working on historic buildings can ease the application process, make technical recommendations, and help to avoid future deterioration of a building. A contractor unacquainted with proper methods can irrevocably damage a building. The Technical Preservation Services Center of the New York Landmarks Conservancy can help answer questions about historic materials and recommend experienced contractors and restoration professionals.

Cleaning

Exterior cleaning of historic buildings must be undertaken with care and consideration

of the age and condition of each building. The LPC requires a PMW for cleaning an individual landmark or a building in a historic district; rigs or sidewalk bridges need a permit from the Department of Buildings. The most acceptable methods for cleaning masonry (natural building stones, brick, and terra cotta) are hand-scrubbing, some types of pressure water washing, and chemical and steam cleaning. The LPC will not approve sandblasting because it irreparably damages the surface of masonry, shortening its life. Successful cleaning usually combines two or more methods performed by a professional.

Graffiti Removal

The best defense against graffiti is its quick removal. Graffiti removal, considered ordinary maintenance, does not require a permit from the LPC if the process and products used are non-abrasive and do not cause damage. To determine the appropriate product and method for removal, identify the building material and the substance that was used to create the graffiti. Painted graffiti can be removed with "off-the-shelf" solvents that have been proven to be effective; however, since these products are often toxic and dangerous to handle, you should first try a mild detergent mixed with water. If a building is already painted, you may paint over the graffiti with the same color paint as the building. This does not require a permit; however, painting an unpainted surface does require a PMW and is generally not approved. Although many contractors may recommend applying a protective coating to masonry that is vulnerable to graffiti, this can damage historic materials and would also need LPC approval.

Removing Paint and Repainting

Painting and removing paint from historic building materials is a complex subject that should be undertaken with care. The treatment of painted masonry, for example, depends on the condition of the underlying

brick or stone. On the one hand, many 19th-century brick buildings were painted to protect poor-quality porous bricks; removing this paint can damage the masonry. However, if paint is removed from masonry that is in good condition, its repainting is discouraged by the LPC, since painting masonry can create a waterproof layer that traps water against the brick or stone and hastens deterioration.

Metal and wood, on the other hand, should always be painted. Removing paint from metals can be done with chemical solvents. Before repainting, holes should be repaired and rust removed. Removing paint from wood can be accomplished by using chemical solvents or a hot-air gun; sanding is not recommended, and the use of a blow-torch is illegal. Before repainting wood a different color, applicants should consider having a paint analysis performed by an experienced professional. This analysis can determine the wood's original finish as well as the history of a building's paint colors.

The removal of paint from historic materials is similar to the cleaning process and requires a PMW. Proposals to repaint masonry, metal, or wood a different color require a PMW; however, previously painted surfaces can be repainted the same color without a permit. In evaluating paint color, the LPC will consider the color's historic significance and compatibility with neighboring buildings.

Repairing and Repointing Masonry

Repairing masonry through patching, consolidation of materials, and repointing requires a PMW. An applicant's proposal to patch natural stone or replace older brick will be reviewed to ensure that new materials match the color and texture of adjoining historic fabric. Repointing—the removal and replacement of deteriorated mortar—is one of the commonest forms

of repair. The visual pattern, color, and tooling of brick joints are important elements to the design and maintenance of buildings. Improperly tooled joints can cause serious water damage and destroy the rhythm of bricks and mortar. The strength and composition of the mortar are also very important. Contemporary contractors frequently use Portland cement mortars that are too rigid and do not allow for the needed flexibility found in older mortars. The use of rigid mortars can lead to additional cracking of bricks. Proposals must include the method of mortar removal (the LPC discourages the use of power tools), composition, color and texture, tooling, and application techniques.

Repairing Roof Materials

The maintenance of a structure's roof is one of the most important elements in shielding a building from water. The visual characteristics of a roof—its size, shape, and sheathing—are important and significant elements of many historic buildings. The Landmarks Law protects the outside—including the roof—of all individual landmarks and buildings in historic districts. Any proposed work affecting significant materials, such as slate, tile, and copper, needs to be reviewed by the LPC and issued a PMW. It is advisable to contact an architect or preservation consultant who will inspect and identify roof problems.

SECTION 5

Government Agencies You May Need to Contact

CITY AGENCIES

In addition to approvals from the Landmarks Preservation Commission, applicants should be aware that in many cases permits may be needed from other city agencies before work can be performed. City agencies can be contacted directly to verify appropriate procedures before filing applications. Consult the Directory of this Manual for the phone number and address of each agency.

City Planning Commission

The City Planning Commission (CPC) has primary responsibility for land-use planning in the city. The chair of the CPC heads the Department of City Planning, which serves as his or her staff. The CPC drafts and approves amendments to the city's 1961 Zoning Resolution. The Resolution and subsequent revisions have a significant impact on the appearance of all parts of New York City. The height, bulk, use, setback, floor area ratio (FAR), lot coverage, and open-space regulations are all established by the Zoning Resolution. Although the LPC has no jurisdiction over the Zoning Resolution, applications for special permits before the CPC affecting individual landmarks and buildings within historic districts must be reviewed by the LPC to ensure that a landmark's architectural significance is not diminished. Proposals that exceed the zoned height and bulk regulations of an area must obtain special permits or variances from the CPC or the Board of Standards and Appeals (BSA).

Special Zoning Provisions for Landmarks

The Zoning Resolution also has specific provisions affecting New York City's designated landmarks and historic buildings:

Section 74-79

Transfer of Development Rights

Many individual landmarks are not built to the full height and bulk permitted by the Zoning Resolution. Under Section 74-79 of the Zoning Resolution, owners may obtain a permit to transfer some unused development rights (so-called air rights) from an individual landmark to an adjacent lot, or lots, or to one across the street, or to one diagonally across an intersection, or to a lot linked through an unbroken chain of ownership. The transfer requires a full public review, a report by the LPC, and a special permit from the City Planning Commission. There must also be a program to ensure the continued preservation of the landmark. The transfer of development rights by this special permit is not allowed in historic districts.

Section 74-711

Waivers of Certain Use and Bulk Regulations

Section 74-711 of the Zoning Resolution allows the LPC to apply to the CPC on behalf of a property owner for a special permit waiving certain use and bulk regulations. If a proposal is approved by the LPC, and then by the CPC, the special permit is granted. As with the provision of Section 74-79, a program must be included to assure the long-term preservation of the landmark.

Limited Height Districts

To preserve the scale of specific historic districts, the Zoning Resolution has regulations limiting the height of buildings. Four areas – the Upper East Side, Gramercy Park, Cobble Hill, and Brooklyn Heights historic districts – are limited height districts regulated by this zoning.

Special Zoning Districts

Special zoning districts, which in some cases overlap designated historic districts, have been established by the Department of City Planning to encourage and preserve an area's special character. Various zoning mechanisms are enacted that regulate the scale, use, and architectural features of these districts.

Department of Buildings

The Department of Buildings enforces the Building Code, Zoning Resolution, and local laws related to building construction and alterations in the city. In many cases work performed on individual landmarks or buildings in historic districts requires a permit from the Department of Buildings (DOB). Although applicants needing permits from both the DOB and LPC may apply to either agency first, it is suggested to file initially with the DOB and obtain a DOB application number. This will help speed the LPC application process; for example, the LPC cannot issue a CNE until the DOB application number is supplied. Upon filing with both agencies the applications can be processed simultaneously. However, applicants proposing to enlarge a building or construct a new building in an historic district must first file with the DOB and obtain a DOB application number and a Zoning Objections Sheet. Only then can the LPC application be completed and filed.

Department of Transportation

The Department of Transportation (DOT) ensures the safe movement of people and vehicles in New York City. In addition to the approval of the LPC, the DOT must issue its permission for canopies and the replacement of sidewalks, pavement installations, and street lighting. Proposals for stoop restorations intruding on the public way, construction of sidewalk cafes, and curb cuts must receive a "Revocable Consent" from the DOT.

STATE AND FEDERAL PROGRAMS

State and National Register of Historic Places

Many designated landmarks and buildings within historic districts are also listed in the New York State and National Registers of Historic Places. These are the official lists of buildings, structures, districts, objects, and sites significant in the history, architecture, archaeology, and culture of New York and the nation. The National Park Service of the United States Department of the Interior administers this program through the New York State Office of Parks, Recreation and Historic Preservation, listed in the Directory of this Manual. The two listings provide limited protection from the effects of Federal and/or state-sponsored projects and offer owners twenty percent Federal investment-tax credits for the cost of "certified rehabilitations" of some properties.

GLOSSARY

Air Rights: See Development Rights.

As-of-Right: The term used to describe a proposed building that conforms to the existing zoning regulations, thereby requiring only approval from the Department of Buildings; proposals do not require ULURP public hearings when as-of-right, although they may require LPC permits.

Balustrade: A railing that runs across a balcony, roof, or stairs consisting of vertical members and a rail.

Board of Standards and Appeals (BSA): The appeals body to which a property owner petitions to obtain a special permit or variance modifying the zoning regulations of a lot or building.

Bonus: An incentive in the form of additional floor area in return for a public amenity.

Bulk: The term used to describe the size of a building including its height and floor area. Bulk regulations may include floor area limits, setbacks, and loading spaces.

Cantilever: A projecting beam or structure supported at only one end.

Casement: A hinged window that swings opens like a door.

Cast Iron: A type of iron popular in the 19th century manufactured by pouring molten iron into a cast. It was used for building fronts, door enframements, and other ornamentation.

Certification: The term used frequently to refer to the first step in the ULURP process, when a development project is certified as being complete by the City Planning Commission and forwarded to the Community Board for review and recommendation.

Certified Rehabilitation: The rehabilitation of a certified historic structure for the purposes of an investment-tax credit that the United States Secretary of the Interior has determined is consistent with the historical character of the property or the district in which the property is located.

City Council: The legislative branch of the city government consisting of 51 members each serving four-year terms. The Council has legislative power and oversees all city agencies, approves city budgets, and has decision-making powers over land use issues. Councilmembers can on occasion assist constituents with questions and concerns regarding the potential demolition or designation of local buildings.

Community Board: The local body that represents each of the city's 59 community districts. Each board has up to 50 appointed unsalaried members, named by the Borough President who live or work in the board district. Community Boards advise city agencies on issues pertaining to landmarks, zoning, land-use, community planning, and the city budget, and assist in the coordination of municipal services. Many Community Boards have a landmarks committee that reviews any building alteration, demolition, or construction within historic districts or affecting individual landmarks. For information on Community Boards call the Community Assistance Unit at 212-788-7418.

Contextual Zoning: Zoning that regulates the height, bulk, setback requirements, and width of new buildings to conform to the existing character of a neighborhood.

Contributing: A term used to describe a building or building feature whose architectural, historic, and/or cultural value is included in the character of a specific historic district. This contribution is based on scale, materials, type, or style.

Cornice: A projecting molding that is most often attached to the roof line of a building.

Development Rights: Same as Air Rights. The potential under the Zoning Resolution to develop a parcel. An unused portion of that potential (the "unused development rights") can be transferred to another parcel by several mechanisms: 1) as of right through a merged zoning lot; and 2) by special permits. There are two special permits that involve landmarks, the 74-711 and the 74-79. See Section 5 of text.

Dormer: A small covered structure, usually housing a window, that projects from a roof.

Entablature: A major horizontal molding supported by a column or pilaster.

Facade Improvement Program: A grant program, Federally funded and administered by the LPC, that provides up to \$15,000 for facade repairs for buildings in historic districts that are owner-occupied and contain fewer than eight apartments or fifteen rooming-house units. Applicants must meet Federal Section 8 housing income guidelines. The LPC also administers the Not-for-Profit Facade Program which provides grants to not-for-profit institutions that own individual landmarks or significant buildings within historic districts. Grant money provided must be used for the restoration or rehabilitation of building exteriors.

Fenestration: The number, shape, and organization of window openings on a building's facades.

Floor Area Ratio (FAR): The ratio of total floor area that may be built on a zoning lot to the lot area; FAR does not include below-ground space, mechanical spaces, and balconies.

Footprint: The floor plan of a building at the street level.

Frieze: An decorative band near the top of a wall.

Historic District: An area designated by the New York City Landmarks Preservation Commission because of its special character of historic or aesthetic interest that represents one or more periods or styles typical of one or more eras in the city's history.

Infrastructure: The life-support system of a city, typically including water mains, sewers, gas and steam lines, electric conduits, streets, sidewalks, and public-transportation systems.

Joint: The space between adjacent bricks and stones containing mortar.

Landmark: A building, property, or object that has a special historical, cultural, or aesthetic value important to the development and heritage of the city that has been designated as such by the Landmarks Preservation Commission. The law permits three types of landmarks: individual (or exterior), interior, and scenic. To be designated a landmark, a building must be at least thirty years old in whole or in part.

Limited Height District: An area within an historic district that has a specific zoning overlay restricting the height of buildings; it ensures that the scale and historic character of a district are maintained.

Lintel: A horizontal member spanning an opening; it can be structural or ornamental.

Lot Line: Any boundary of a zoning lot; it can separate a zoning lot from a street or from another zoning lot.

Lunette: A crescent-shaped or semicircular area on a wall or opening.

Master Plan: A proposal that sets a standard for future changes involving architectural features of a building. In most instances a master plan is used when a proposal involves the repetitive alteration of architectural features (such as windows, through-wall air conditioning installations, storefronts, etc.) and when those alterations are not planned to occur all at once.

Midblock: The portion of a city block which lies on the side streets between buildings fronting on avenues and usually characterized by lower floor area ratio and smaller scale.

Mullion: A horizontal or vertical member that holds together adjacent windows or doors.

Muntin: A secondary framing member separating panes of glass within a sash.

New York City Historic Properties Fund: A program administered by the New York Landmarks Conservancy providing low- and middle-income property owners with below-market loans, in conjunction with architectural services and construction supervision, for building repair, rehabilitation, and restoration. Loans are generally applied to exterior work and structural repairs and range from \$15,000 to \$100,000.

Non-Complying: A building whose bulk does not comply with the Zoning Resolution; a legally non-complying building is one which complied with the zoning, if any, in effect when built but no longer meets current bulk regulations.

Non-Conforming: A building whose uses do not conform to the current zoning regulations; a legally non-conforming building is one whose use was permitted when built.

Oriel: A bay window projecting from a wall and supported by brackets or bricks.

Pediment: The triangular space used ornamentally above a cornice, door, or window.

Public Hearing: An advertised open public forum for testimony or the expression of views. Any member of the public may appear in person to speak or may submit written testimony. In the ULURP process, public hearings are held by the Community Board and City Planning Commission. The Landmarks Preservation Commission holds hearings for designation proceedings and for proposals regarding Certificates of Appropriateness. The Board of Standards and Appeals holds hearings when a zoning variance or special permit is requested.

Quoins: Masonry used to reinforce a building's corner; often distinguished from adjacent masonry and imitated for decorative purposes.

Reasonable Return: One of the findings used by the LPC for hardship determination of a financial return of no less than six percent of the valuation of the land and building plus two percent for depreciation of the building.

Rehabilitation: The correction or repair of any deteriorated, decayed, or damaged portion of a building or its parts to a state of utility while preserving those portions which are significant to its historical, architectural, and cultural values.

Renovation: Modernization of an old or historic building.

Repointing: The process of refilling the spaces between bricks or stone with new mortar.

Restoration: The process of returning, as nearly as possible, a building or its parts to its original or historical form and condition.

Reveal: The side of a window or door opening that shows the thickness of the adjacent walls.

Revocable Consent: The permission granted by the city through the Department of Transportation for the use of city-owned property; sidewalk cafes, and stoop restorations beyond the property line all require revocable consent.

Rusticated Stone: Cut stones that have strongly emphasized recessed joints and smooth or roughly textured surfaces.

Sandstone: A sedimentary stone consisting of small grains of sand and minerals held together by natural adhesives; brownstone is an example of a type of sandstone.

Sash: The frame in which panes of glass are set for a window or door.

Setback: The portion that may be set back at a certain point of a building's height and for a certain depth; often required by zoning regulations to assure that adequate light and air reach the streets and lower floors.

Significant Architectural Feature: The architectural component of an individual landmark or building in an historic district that contributes to its special historic, cultural, or aesthetic character, or reinforces the special characteristics of the district and has been designated as such by the Landmarks Preservation Commission.

Sill: The horizontal member at the bottom of a window or door.

Special Districts: Areas that have received special zoning regulations to preserve and/or enhance their character.

Street Wall: Legally any portion of a building wall facing the street. To architects and urban designers, it is the series of building walls located on or near the front lot line which defines the street.

Surround: The framing material, often ornamental, encircling a window or door opening.

Taxpayer: A one- or two-story building built to generate enough income to pay for the site's expenses and taxes.

Terra Cotta: Hard fired clay, either glazed or unglazed, molded into ornamental elements, wall cladding, or roof tiles. Often used to mimic other materials such as stone or metal.

Transfer of Development Rights (TDR): Under Section 74-79 of the Zoning Resolution, the transfer by special permit of unused development rights from a landmarked building to a contiguous lot, or lots, or to one across the street, or to one diagonally across an intersection, or to a lot linked through an unbroken chain of ownership. This action must go through the ULURP process.

ULURP (Uniform Land Use Review Procedure): An up-to-seven-month review and hearing process for any discretionary action to permit projects of land-use impact. For example, major building

proposals that do not conform to the Zoning Resolution (i.e., not as-of-right) require ULURP and City Environmental Quality Review (CEQR). The ULURP process begins when the City Planning Commission certifies an application as complete. The application is then reviewed by the local Community Board. It may be reviewed by the Borough President before returning to the City Planning Commission for a final permit.

Use: The activity or operation conducted on a zoning lot. Zoning regulates uses and their locations into 18 use groups in three broad classifications—Residential, Commercial, and Manufacturing.

Variance: A modification of zoning requirements issued to a specific development, often with a time limit, by the Board of Standards and Appeals (BSA) in response to specific hardships.

Window Configuration: Classifications that describe the number of panes of glass used in each sash; i.e., a window with four panes in the upper sash and four panes in the lower sash would be described as four-over-four.

Zoning: The legal constraint, first enacted in New York City in 1916, that regulates land use and intensity of development.

Zoning Lot: A tract of land to be treated as a single entity. It may include more than one tax lot.

Zoning Lot Merger (ZLM): Allows two or more adjacent lots under single ownership to be combined for zoning purposes and treated as a single entity. This allows a portion of the unused development rights of a structure to be combined with the newly merged adjacent lot. Zoning Lot Mergers do not require a public review.

Zoning Resolution: The complete set of rules regulating zoning in New York City.



DIRECTORY

WHERE TO CALL FOR QUESTIONS

Is my building a New York City designated landmark or within an historic district?
Call the Public Information Officer of the NYC Landmarks Preservation Commission at 212-487-6800.

Whom do I contact if I see work being performed without a permit, or that has been completed and is in violation of the NYC Landmarks Law?
Contact the Violations Officer of the Landmarks Preservation Commission at 212-487-6800.

Can you tell me the name of my local preservation or neighborhood organization?
Contact the Historic Districts Council at 212-799-5837.

Can you help me with technical questions about cleaning, repairing, and maintaining historic building materials?
Contact the Technical Preservation Services Center of the New York Landmarks Conservancy at 212-995-5260.

Which Community Board district do I live in?
Contact the Community Assistance Unit of the Mayor's Office at 212-788-7418.

Who are my local, state, and Federal elected representatives?
Call the League of Women Voters of the City of New York Education Fund at 212-674-8484.

Municipal, State and Federal Agencies

Community Board Information
c/o Community Assistance Unit
51 Chambers Street, 6th floor
New York, NY 10007
212-788-7418

Mayor's Office for People with Disabilities
52 Chambers Street, Room 206
New York, NY 10007
212-788-2830
TDD/TTY 212-788-2837

National Park Service
Interior Building
18th and C Streets, N.W.
P.O. Box 37127
Washington, DC 20013-7127
202-208-4621

New York City Office:
26 Wall Street
New York, NY 10005
212-264-8700

New York City Art Commission
City Hall
New York, NY 10007
212-788-3071

New York City Board of Standards and Appeals
161 Avenue of the Americas
New York, NY 10013
212-807-3700

New York City Council
City Hall
New York, NY 10007
212-788-7100

New York City Department of Buildings
60 Hudson Street
New York, NY 10013
212-312-8000

Borough Offices:

Brooklyn
Municipal Building, 8th floor
Brooklyn, NY 11201
718-802-3681

Manhattan
60 Hudson Street, 5th floor
New York, NY 10013
212-312-8529

Queens
126-06 Queens Blvd.
Kew Gardens, NY 11415
718-520-3402

Staten Island
Borough Hall
Staten Island, NY 10301
718-390-5204

The Bronx
1932 Arthur Avenue
The Bronx, NY 10457
718-579-6906

New York City Department of City Planning
22 Reade Street
New York, NY 10007-1216
212-720-3276

Borough Planning Offices:

Brooklyn
16 Court Street
Brooklyn, NY 11241
718-643-7550

Manhattan
2 Lafayette Street
New York, NY 10007-1363
212-566-0522

Queens
29-27 41st Avenue
Long Island City, NY 11101
718-392-0656

Staten Island
56 Bay Street
Staten Island, NY 10301
718-727-8453

The Bronx
1 Fordham Plaza
The Bronx, NY 10458
718-220-8500

New York City Department of Transportation
40 Worth Street
New York, NY 10013
212-566-8385

New York City Landmarks Preservation Commission
100 Old Slip
New York, NY 10005
212-487-6800

New York City Planning Commission
22 Reade Street
New York, NY 10007-1216
212-720-3276

New York State Office of Parks, Recreation and Historic Preservation
Agency Bldg. No. 1
Empire State Plaza
Albany, NY 12238
518-474-0456

New York City Office:
915 Broadway
New York, NY 10010
212-387-0271

Not-For-Profit Organizations

Art Deco Society of New York

385 Fifth Avenue
New York, NY 10016
212-679-3326

Beaux Arts Alliance

P.O. Box 651 F.D.R. Station
New York, NY 10150
212-737-9641

Friends of Cast-Iron Architecture

235 East 87th Street, Room 6C
New York, NY 10128
212-369-6004

Friends of Terra Cotta/NYS

c/o Tunick
771 West End Avenue, 10E
New York, NY 10025
212-932-1750

Historic Districts Council

45 West 67th Street
New York, NY 10023
212-799-5837

Municipal Art Society

457 Madison Avenue
New York, NY 10022
212-935-3960

National Trust for Historic Preservation

1785 Massachusetts Avenue, N.W.
Washington, DC 20036
202-673-4000

New York Landmarks Conservancy

141 Fifth Avenue, 3rd floor
New York, NY 10010
212-995-5260

Preservation League of New York State

44 Central Avenue
Albany, NY 12206
518-462-5658

Victorian Society in America, Metropolitan Chapter

217 East 85th Street, Suite 296
New York, NY 10028
212-886-3742

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