

# FRIENDS

*of the* UPPER EAST SIDE  
HISTORIC DISTRICTS

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January 14, 2022

Mayor Eric Adams  
City Hall  
New York, NY 10007

Sarah Carroll, Chair  
New York City Landmarks Preservation Commission  
One Centre Street, 9th floor  
New York, NY 10007

Melanie La Rocca, Commissioner  
New York City Department of Buildings  
280 Broadway, 7th floor  
New York, NY 10007

Daniel G. Cort, Acting Commissioner  
NYC Department of Investigation  
180 Maiden Lane  
New York, NY 10038

Via postal mail and email

**Re: 21 East 65th Street, Manhattan**

Dear Mayor Adams, Chair Carroll, Commissioner La Rocca, and Acting Commissioner Cort:

In mid-December 2021 FRIENDS learned the disturbing news that the upper stories of 21 East 65th Street, a historic building located in the Upper East Side Historic District, were being demolished due to the appearance of an 8-inch-wide crack in floors 3-5 of its front facade. The Department of Buildings (DOB) had determined that the front wall was structurally unsound and ordered its emergency demolition.<sup>1</sup> The demolished facade was being incorporated into a new building under construction at 760 Madison Avenue. The entire front facade was to be maintained and restored according to Landmarks Preservation Commission (LPC) 2019 approval.

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<sup>1</sup> DOB complaint #1588770 filed 12/10/21 reported the following: "Responding to an incident project manager reported exposure#1 wall is about to collapse. Inspection reveal exposure#1 wall pullaway from the bracing as the demolition worker remove to [sic] much of the bottom of wall leaving the wall to pull away from the bracing. Stop all demolition operation except to perform emergency demolition on exposure#1."

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The upper three stories of the five-story building at 21 East 65th Street have now been entirely deconstructed, leaving only the two-story base intact. Together with nine low-scale buildings in the Gansevoort Market Historic District in October 2021, this is now the second instance in recent months where landmarked buildings have been adversely impacted by neighboring construction activity. Both projects demonstrate the real structural risks to historic buildings when facadism is supported by the LPC. FRIENDS has serious concerns about the growing prevalence of LPC approvals that preserve only superficial elements of historic buildings, and we urge that a consulting engineer at LPC oversee the demolition process in the rare cases when such projects are deemed appropriate.

Similarly, we are concerned that DOB's oversight and approval process for complex, surgical demolition work is apparently not adequate to ensure these historic elements are preserved as the LPC has ordered. Yes, health and safety are the primary concerns, but DOB must work toward oversight that avoids having to make such judgments by minimizing the potential for accidents that cause them, as well as have processes in place that can correct unsafe conditions without demolition orders.

FRIENDS understands that mistakes happen, but we must also recognize the inherent motivations for both the applicant and the DOB to remove the logistical obstacles presented by historic resources. A project becomes more straightforward without the complexities presented by a historic facade. Further, there are rationales for DOB to issue demolition orders as the easiest and safest way forward when there is a problem. These underlying dynamics make unfortunate outcomes even more likely when such projects are permitted by LPC.

At 21 East 65th Street, we request that the responsible city agencies perform a thorough investigation to determine what led to the unnecessary demolition of this building. If the owner performed illegal work, or filed misleading, false or inaccurate plans, or if demolition workers exceeded their scope of work, they should be held responsible to the full extent allowable by law. If city agencies improperly approved plans for demolition without fully ensuring that such work could be performed safely while maintaining the facade, then these city agencies are at fault. FRIENDS' own initial analysis of DOB documents raises several questions. For example, public DOB forms<sup>2</sup> for this project fail to state that demolition work will affect the exterior building envelope, and curiously list additional demolition documents and required items as "not applicable." (Emphasis added below.)

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<sup>2</sup> See details for Job 123923558

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## 21 Demolition Details

Demolition notification received - FULL demolition will begin on 10/28/2021

Pre-Demolition Inspection: PASSED on 06/24/2021

Demolition Submittal Documents and Required Items: NOT APPLICABLE

Yes No

☐ ☒ Demolishing a secondary structure? Specify:

☐ ☒ Mechanical means from out of building? ☐ entire structure or ☐ part of structure

☒ ☐ Mechanical means from within building? Describe equipment proposed: SKID STEER LOADER

☐ ☐ Demolition work affects the exterior building envelope

☐ ☐ The scope of work involves raising/moving of a building

Just as important as a full understanding of what led to this unfortunate situation, FRIENDS reminds you that the portion of the project involving to 21 East 65th Street must come back to the LPC for full public review as a public hearing item. With the DOB-ordered demolition of 21 East 65th Street, the LPC-approved plans describe a project that no longer exists. As a result, a new approval is necessary. Further, any future LPC approval should be made with input from the public, and a new application should be heard by the Community Board. Finally, we believe that LPC should carefully review plans for the entire project to make sure the neighboring building at 19 East 65th Street doesn't suffer a similar fate when its rear and interior demolition work is performed.

This location has seen, throughout the years, numerous proposals for new development, including one in the late 1980s that involved the full demolition of 21 East 65th Street. At the time, FRIENDS staunchly opposed the proposal, emphasizing the importance of deference to these rowhouse forms, for their innate contribution to neighborhood character. FRIENDS' first president, Halina Rosenthal, wrote at the time:

"The character and the ambiance of the Upper East Side Historic District is largely based upon the low-rise and small scale buildings such as these, they are what determines the District's special character and its sense of place."

In the context of this unfortunate and unnecessary demolition, FRIENDS urges the City to undertake a transparent investigation to determine how and why this occurred, take proper action to remediate the situation including a new round of full public review by the Community Board and LPC, and publicly commit to improved/new policies to ensure this will not be the outcome of other historic buildings.

Sincerely,



Rachel Levy  
Executive Director

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Cc:

Maria Torres Springer, Deputy Mayor for Economic and Workforce Development  
Meera Joshi, Deputy Mayor for Operations  
John Weiss, Deputy Counsel, Landmarks Preservation Commission  
Tim Lynch, Director of Enforcement, Department of Buildings  
Rick Cook, Cook+Fox  
Harrison Sitomer, SL Green  
Jonathan Taylor, Higgins Quasebarth & Partners  
Council Member Keith Powers  
Russell Squire, Community Board 8