



THE NEW YORK CITY LANDMARKS PRESERVATION COMMISSION  
1 CENTRE STREET 9TH FLOOR NORTH NEW YORK NY 10007  
TEL: 212 669-7700 FAX: 212 669-7780



# PERMIT

## CERTIFICATE OF APPROPRIATENESS

<b>ISSUE DATE:</b> 03/20/2007	<b>EXPIRATION DATE:</b> 03/20/2013	<b>DOCKET #:</b> 07-4370	<b>COFA #:</b> COFA 07-6928
<b>ADDRESS</b> 49-51 WEST 85TH STREET <b>HISTORIC DISTRICT</b> UPPER WEST SIDE-CPW		<b>BOROUGH:</b>  MANHATTAN	<b>BLOCK/LOT:</b>  1199/13

**Display This Permit While Work Is In Progress**

**ISSUED TO:**

**Peter Montemurro**  
**49-51 West 85th Street Corp.**  
**49 West 85th Street**  
**New York, NY 10024**

Pursuant to Section 25-307 of the Administrative Code of the City of New York, the Landmarks Preservation Commission, at the Public Meeting of March 20, 2007, following the Public Hearing of the same date, voted to approve in part and deny in part the legalization of work completed at the subject premises without a permit from the Landmarks Preservation Commission, as put forward in your application completed February 22, 2007.

The approved work consists of legalizing the replacement of two-over-two, double-hung windows, featuring horizontal muntins, throughout the front facade with new one-over-one, double-hung windows. The denied work included legalizing the painting of the glazed blue brickwork at the front and sidewall facades a dark brown color; the replacement of the areaway wall; and the installation of areaway iron-work, three awnings and a security camera. The work was shown on three presentation boards, consisting of current condition photographs, submitted by Tia Maria Scanno, and a historic district map and photographs from the time of designation and circa 1997, provided by the Commission staff, all presented at the Public Hearing and Public Meeting.

In reviewing this proposal, the Commission noted that the Upper West Side/Central Park West Historic District Designation Report describes 49-51 West 85th Street as a glazed brick apartment building, designed by Yeshayahu Eshkar and built in 1968-1972. The Commission also noted that Notices of Violation 98-0743 and 98-0744 were issued June 30, 1998 for "painting of front facade without permit(s)" and the "installation of wall at areaway without permit(s)" respectively; that Warning Letters 07-0208 and 07-0209 were issued December 6, 2006 for "replacement of windows at front facade without permit(s)" and the "installation of awnings at ground floor facade without permit(s)" respectively; and that Warning Letter 07-0408 was issued March 19, 2007 for the "installation of a security camera at front facade without permit(s)."

With regard to this proposal, the Commission found that the replacement of the windows has not eliminated any significant historic features; that the replacement windows maintain a uniform fenestration pattern; and that the

configuration and material of the windows are in keeping with buildings of this type and age and harmonious with the fenestration patterns of buildings throughout the streetscape. Based on these findings, the Commission determined the replacement of the windows to be appropriate to the building and the historic district and voted to approve this portion of the application.

However, the Commission found that the brown painted finish is not in keeping with the unpainted finish of brickwork throughout this historic district; that the painted finish conceals the coursing patterns, shadow lines and variations in color of the unusual blue glazed brickwork, thereby creating a monolithic appearance of the masonry and contrasting with the perceptible individuality of masonry units at buildings throughout the streetscape; that the areaway walls and ironwork are significantly larger than the fences at the adjoining properties, thereby disrupting the unity of the streetscape; that the decorative detailing of the areaway fencing, the large scale of the areaway walls, the shape and color of the rounded red awnings, and the prominent placement and finish of the security camera create a cluttered appearance at the base of this simply-styled building and draw attention away from significant features of the streetscape; and that this work detracts from the Upper West Side/Central Park West Historic District. Based on these findings, the Commission determined the facade painting, replacement of the areaway wall, and the installation of the areaway iron-work, awnings and a security camera to be inappropriate to the building and historic district and voted to deny this portion of the application.

Please note that Warning Letter 07-0208 is hereby rescinded. Notices of Violation 98-0743 and 98-0744 and Warning Letters 07-0209 and 07-0408 remain in force. Failure to resolve these matters may result in the issuance of Notices of Violation (NOV) originating from the Environmental Control Board in accordance with Title 63 of the Rules of the City of New York, Section 7-02 (c). A new application to address these conditions should be promptly submitted to the Landmarks Preservation Commission.

This permit is issued on the basis of the building and site conditions described in the application and disclosed during the review process. By accepting this permit, the applicant agrees to notify the Commission if the actual building or site conditions vary or if original or historic building fabric is discovered. The Commission reserves the right to amend or revoke this permit, upon written notice to the applicant, in the event that the actual building or site conditions are materially different from those described in the application or disclosed during the review process.

All approved drawings are marked approved by the Commission with a perforated seal indicating the date of approval. The work is limited to what is contained in the perforated documents. Other work or amendments to this filing must be reviewed and approved separately. The applicant is hereby put on notice that performing or maintaining any work not explicitly authorized by this permit may make the applicant liable for criminal and/or civil penalties, including imprisonment and fines. This letter constitutes the permit; a copy must be prominently displayed at the site while work is in progress. Please direct inquiries to Bernadette Artus.

Robert B. Tierney  
Chair

**PLEASE NOTE: PERFORATED DRAWINGS AND A COPY OF THIS PERMIT HAVE BEEN SENT TO:  
Tia Maria Scanno**

cc: Caroline Kane Levy, Deputy Director of Preservation/LPC; Anne Carlin, Compliance Officer