



THE COMMITTEE TO PRESERVE THE UPPER WEST SIDE

**Testimony of LANDMARK WEST!
Certificate of Appropriateness Committee
Before the Landmarks Preservation Commission
303 West 90th Street
January 20, 2009**

LANDMARK WEST! is a not-for-profit community organization committed to the preservation of the architectural heritage of the Upper West Side.

The Certificate of Appropriateness Committee wishes to comment on the application to construct rear yard and rooftop additions on this Elizabethan Renaissance-style rowhouse, designed by Clarence True and built in 1898-99.

Seven buildings situated on the corner of West 90th Street and West End Avenue, including 303 West 90th Street, pay homage to the legacy of talented Upper West Side residential architect Clarence True. On the facades, stepped gables, pitched roofs with dormers, and richly decorated bowed limestone fronts form a harmonious ensemble. The rear yards and façades prove equally distinguished and are no less deserving of your protection. Architecturally significant features and historically significant building layout must not be compromised by new additions. Our Committee feels that today's application would do so, and is thus inappropriate.

Rear Yard Addition

When the owner of a landmark building applies for exemption from the Commission's *Rules*, the Commissioners owe it to their mandate to ask why *should* the proposed changes be allowed, not why *shouldn't* they – especially when, as in this case, the changes deviate so greatly from established preservation principles. The proposed rear yard addition about rise full height and stretch full width, destroy significant architectural details and original building fabric, contradicting a total of FOUR *Rules* criteria.

A central feature of the rear façade of 303 West 90th Street is an original, pressed-metal bay window. This same feature carries across the façades of its westerly neighbors, Numbers 305 and 307. The applicant's proposal, if approved, means the destruction of this delightful feature, and the corruption of the rear façades' cohesion.

In addition, the chamfered corner of the building's rear façade must be protected. By averting a hard right angle, the chamfered corner allows the penetration of light and air to the deepest corner of these rear yards. Looking beyond the individual rowhouse at 303 West 90th Street to the larger ensemble of which it is a part is important on this topic. Satellite imagery of this collection of buildings reveals striking zig-zagging building walls and an interlocking lot disposition. As much as architecture is historically significant and to be protected, so is site planning. The unique siting of 303 West 90th Street is not a problem to overcome but a distinction to be treasured.

Over, please

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Rooftop Addition

The proposed design for the rooftop addition is stylistically incongruent and visually overwhelms the diminutive Renaissance rowhouse. The mansard roof-like covering is not in keeping with the functional rear façade of this building's row and is inappropriate.

Restoration of Front Façade

We request that the applicant separate their proposal for the restoration of the front façade of 303 West 90th Street from those for rooftop and rear yard additions. In doing so, the applicant could devote more attention to several points which our Committee found inadequately presented, including:

Windows: Additional research and testing should be undertaken to ascertain the possibility of restoration rather than replacement of what the architect suspected, at our meeting, to be original wood windows. This point carries on to the existing brickmolds, whose condition does not appear to have been adequately assessed. On this topic, our Committee welcomes the opportunity to work with the applicant towards a more responsible solution for windows preservation.

Stone and metal work: While streaking is evident on the limestone, a plan as to methods for cleaning and contingency measures for necessary patching was not made clear. Likewise, conditions and the potential for restoration of metal railing and fencing have yet to be fully explored.

We ask the applicant to rethink their modifications, and urge the Commission to deny this application.



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**Testimony of LANDMARK WEST!
Certificate of Appropriateness Committee
Before the Landmarks Preservation Commission
161 West 78th Street
January 20, 2009**

LANDMARK WEST! is a not-for-profit community organization committed to the preservation of the architectural heritage of the Upper West Side.

The Certificate of Appropriateness Committee wishes to comment on this application to request that the Landmarks Preservation Commission issue a report to the City Planning Commission relating to an application for a Modification of Bulk, Pursuant to Section 74-711 of the Zoning Resolution.

Owning and residing in a landmarked building such as this Renaissance Revival-style rowhouse, designed by Thom & Wilson and built in 1890, is nothing short of a responsibility. As a resident, the applicant is the most immediate steward of this historical resource. Regular assessment of the building's conditions and historically sensitive restorative work, in accordance with the Landmarks Law, are to be expected.

This application is before you today as a direct result of a recent ruling by the Board of Standards and Appeals (BSA) relating to rooftop additions and the application of the "Sliver Law." A new, more stringent standard has been set and the applicant now seeks to renegotiate approval of their desired rooftop addition. Our Committee believes that this application contradicts the spirit of the 74-711 provision of the Zoning Resolution and must not be approved. Restoring Number 161 to its original condition and bringing this row one step closer to its original cohesiveness is a reward in itself. Incentivizing this restoration work with a bulk modification variance is excessive and inappropriate.

We understand the knotty situation in which the applicant now finds themselves. The multiplicity of city agencies who at one point have or will influence this project – the LPC, the Department of Buildings, the BSA, the City Planning Commission – has elevated a proposed rooftop addition (approved at staff level in July of 2007) to a more complicated bulk modification. However, it can not be stated emphatically enough that the 74-711 provision is *not* the solution; it should not be used as a mechanism for repackaging the penthouse as a bulk modification and coupling the addition with the façade restoration.

It is important to note that the restorative work included in the continuing maintenance program, and intended to fulfill the "preservation purpose" component of the 74-711, was part of an earlier approved staff-level permit. That same work is now being re-positioned as significant enough to ultimately merit the requested bulk variance from the City Planning Commission. We ardently disagree.

Finally, the Commission must consider what this new BSA ruling means for the fate of our landmarks. All Commission staff must now be aware that this new BSA ruling sets a more stringent precedent when reviewing applications which increase the height of a building.