



THE COMMITTEE TO PRESERVE THE UPPER WEST SIDE

**Testimony of LANDMARK WEST!
Certificate of Appropriateness Committee
Before the Landmarks Preservation Commission
105 West 77th Street
February 17th, 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 modify and legalize storefront infill at 105 West 77th Street, a Renaissance Revival-style rowhouse designed by Thom & Wilson and built in 1892.

Again, an application to legalize unsanctioned work to a precious landmarked building. Since 1998, this storefront has been in violation of the Commission's *Rules*, playing host to an inappropriate awning, glaring white storefront paint and garishly painted red steps. For more than a decade, the property owner ignored their responsibility to return this storefront to a historically sensitive and appropriate condition. Then, in October of 2008, following the issuance of yet another Warning Letter by the Violations Officer, they are finally being made to comply with the *Rules*.

No emergent situation was at play in this recent history – the property owner and/or tenant made a conscious decision to flounce the Commission's *Rules*. Now, they seek your approval of these past actions. For their part, the applicant is proposing to modify aspects of the storefront's current condition. But these improvements – refinishing the brownstone steps, replacing the bulky gray awning with a more open awning – do not mitigate the applicant's past actions.

Approving this application says two things: First, that the Commission feels the modifications to be appropriate improvements. Second, and most importantly to LANDMARK WEST!, that transgressors of the LPC's *Rules* can expect years of leniency, perhaps some fines, but eventually approval.

Our Committee acknowledges the proposed modifications to be steps in an appropriate direction, but urges the Commissioners to not forget the eyesore endured by the neighborhood for over ten years.