

**Testimony of LANDMARK WEST!  
Certificate of Appropriateness Committee  
Before the Landmarks Preservation Commission  
49 West 94<sup>th</sup> Street  
March 3<sup>rd</sup>, 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 legalize work in non-compliance with PMW 07-7301 at 49 West 94<sup>th</sup> Street, a Renaissance/Romanesque Revival-style rowhouse designed by Charles M. Youngs and built in 1890-91.

This application for legalization of work seems the example that proves the rule: Appearances can be deceiving. Nearby neighbors are not failsafe indicators of appropriateness, and should *never* be an applicant's sole basis for work to their own property. Our streetscapes are constantly changing, both with and, unfortunately, without the Commission's sanction. Each and every building deserves individual consideration, and what may be appropriate for one property does not inherently translate to another. Looking to inappropriate models has negatively – though not irreversibly – affected 49 West 94<sup>th</sup> Street.

**Façade and window frame color**

Myriad colors are present on West 94<sup>th</sup> Street. However, that does not give carte blanche to the full Sherwin Williams® range of colors for the façade of No. 49. The color and texture of brownstone – the historic façade material for this rowhouse – should be required. Likewise, the windows should be restored to their original color, not covered in bright white as other rowhouses have been subjected. This work has already been completed, but it is easily reversed – and should be.

**Flowerbed/Planter**

The non-compliant flowerbed does not impede further on the pedestrian's space by way of a horizontal expansion, but rather visually due to a vertical extension. Our Committee questions its appropriateness.

As our Committee understands it, these violations occurred due to negligence during the filing process. It should be noted that approving this C of A application sends the message that mistakes are rewarded with after-the-fact approval. This is a dangerous lesson to teach. What is to deter any other would-be applicant from undertaking unauthorized work and citing naivety as to their responsibilities to work with the Commission, counting on legalization as a relatively sure thing? It's not a far-fetched possibility and we urge the Commissioners to take this under serious consideration.