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April 09, 2009

Honorable Robert Tierney, Commissioner
Landmarks Preservation Commission
1 Centre Street, 9th Floor
New York, NY 10007

**RE: Application to legalize a rooftop addition
and iron fence at 12-14 West 68th Street, Manhattan**

Dear Commissioner Tierney:

As a resident of 67th Street, I am familiar with Nos. 12 and 14 West 68th Street. The garden space, rare in our urban environment, enriches the neighborhood and adds depth to our streetscape. But the significance of 12-14 West 68th Street is not limited to 68th Street alone. The character of these two buildings relates directly to the artist studio buildings of West 67th Street as well.

As a practicing architect, and as someone who has appeared in front of your board numerous times over the last 20 odd years, I appreciate the function of the Landmarks Preservation Commission to ensure the care of our architectural resources. I am aware of the time and expense required to do a proper and thorough presentation so that you can render your response. Thus I find the concept of legalization for this property to be very problematic. It is wrong to give property owners who consciously ignore the Regulations and Rules of the Commission with “after-the-fact” permission. Where is the integrity in this? What is the incentive for individuals and institutions to abide by the Commission’s Rules if post-build legalization becomes an all-too-often likelihood? Worse, the community and the Commission are denied their rightful opportunity for review and comment on proposed changes to our irreplaceable architectural heritage.

The illegal rooftop addition at 12-14 West 68th Street is architecturally inappropriate. It also jeopardizes the integrity of the large studio windows of its southern neighbor, the Hotel de Artistes (1 West 67th Street). In the Commission’s own Upper West Side/Central Park West Historical District designation report, the double-height industrial sash windows are called out. Indicative of the historic purpose of des Artistes and the other inspired edifices lining the north side of West 67th Street, these large industrial windows depend on the low-scale nature of 68th

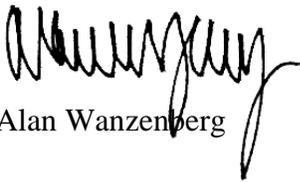
Street to realize their original function. For artists to benefit from unobstructed light, as was originally intended, 68th Street must remain low-scale. To insure this historical use can be passed on, additions such as the illegal rooftop structure at No.12 must not be permitted.

Furthermore, the fifth floor of No. 12 is architecturally inappropriate for the overall character of West 68th Street. The atypical lot layout, with an open garden space fronting the street, renders the building entirely visible from the street and sidewalk. My initial and now persistent feeling is that had this modification been prepared and submitted it would have been sent back for redesign. Why and what are the reasons for approving it now?

As for the existing non-original areaway fence, I find it to be incongruous with this building. The owners of this building would do well to remove the illegal fence at No. 14 and replace it with something appropriate.

Thank you for taking these concerns into consideration.

Sincerely,

A handwritten signature in black ink, appearing to read 'Alan Wanzenberg', with a long, sweeping flourish extending downwards and to the right.

Alan Wanzenberg

April 10th, 2009

Hon. Robert Tierney, Commissioner
Landmarks Preservation Commission
1 Centre Street, 9th Floor
New York, NY 10007

RE: Application to legalize a rooftop addition and iron fence at 12-14 West 68th Street, Manhattan

Dear Commissioner Tierney,

I am writing as a neighbor and an architect to express my outrage at the proposed post construction legalization of the rooftop addition. My comments are as follows:

- **Post Construction Legalization**

To legalize a project after construction it must **at least** meet the criteria that it would have to have met if properly filed and approved. This project would never have been approved by either the Building Department or (in my professional experience) The Landmarks Commission if full disclosure had been made originally. For us practicing professionals to learn that this egregious rooftop addition would be permissible in a Landmark District in full view of a public thoroughfare would undermine any experience that we have had in similar applications. We ask that this alone be sufficient to disapprove this application. The idea that a wealthy New York City real estate owner with access to professionals can "fix" an illegal but lucrative addition is untenable.

- **Design of Rooftop Addition**

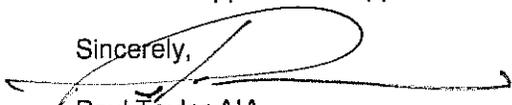
The roof top addition to the 1925 rear studio building dwarfs the height of the main 1895 Queen Anne style brownstone. The scale of the windows is dramatically taller than the original windows below affording an odd proportion of an attic story eclipsing the main façade below. The circular transom is completely incompatible with the either the 1895 building or 1925 addition. The viewer has no sense as to where the original building and the new addition begins. One can only surmise that the "1925" addition is odd indeed without a visual cue.

- **The Iron Fence**

Why does it exceed the height of the original fence adjacent? This doesn't make aesthetic sense or legal sense since the NY Building code does not permit fences exceeding 6'0" in height in a residential district per Sub Chapter 7; Article 18 Fences; paragraph 27-509.

Please disapprove this application.

Sincerely,


Paul Taylor AIA
27 west 67th Street
Apartment 1R

Sanford Malter R.A. • Architectural Consultant
771 West End Avenue #11A New York, NY 10025
T. 917-815-6437 smalter1@earthlink.net

Hon. Robert Tierney, Commissioner
Landmarks Preservation Commission
1 Centre Street- 9th Floor
New York, NY 10007

Re: Application to legalize the addition of a story and iron fence at 12-14 West 68 Street, Borough of Manhattan

Dear Commissioner Tierney:

This letter is to emphatically oppose the application to legalize the addition of a story and fence to this building in the Upper West Side/Central Park West Historic District.

I have practiced architecture for many years in New York City. In the course of practice I and my colleagues have always been aware of the requirement in a Landmark District to submit plans to the Landmarks Preservation Commission and obtain their approval as a prerequisite for obtaining approval for construction from the Department of Buildings. I have diligently done so, even on occasions when it was costly to my client in terms of delaying construction. The requirement for LPC approval is clearly understood by the DOB which withholds approval of plans until the architect produces the required certificate from LPC.

The example of an architect and owner of a major addition to 12-14 West 68 St. ignoring the Landmark Preservation law will encourage the use of post-construction filing as a means to avoid compliance with the Landmarks Law.

I respectfully request that this application be disapproved.

Sincerely yours,

Sanford Malter, RA, NYSA

6 April, 2009

Hon. Robert Tierney, Commissioner
Landmarks Preservation Commission
1 Centre Street, 9th Floor
New York, NY 10007

**RE: Application to legalize a rooftop addition
and iron fence at 12-14 West 68th Street, Manhattan**

Dear Comm. Tierney:

As a practicing Architect and adjacent resident, I urge the Landmarks Preservation Commission (LPC) to deny this application and to order the removal of the addition and the fence.

I have lived at 1 West 67th Street with my wife and children since 1971. Our apartment faces north, directly at 12-14 West 68th Street. The new 5th floor addition on that building was constructed without the required review and approval of the LPC. Now, the owner is requesting a post-construction legalization. The Department of Buildings application stated this building was not a Landmark. I believe this is either a conscious falsehood to circumvent the LPC process or an unlikely ignorance. Illegal construction followed by an apology and an appeal for approval is a travesty of the public process.

What has been built disrespects the public process, the building and the historic district. I find it hard to imagine that the LPC would have approved this design of the addition, or any design that is so clearly visible from West 68th Street. From West 68th Street one sees large windows and a turret with oculus out of scale with the existing building and inappropriate within the historic district. It looks like a decorative cupola on a faux façade of a retail outlet mall or a service station found along turnpikes. On the south façade, the large plate glass windows and door are inconsistent with the punched window and door openings of the original structure; surrounding the roof deck is a metal railing with a tall wooden lattice fence. The fence appears to be far taller than required and the material is architecturally inappropriate.

As much as the illegal rooftop addition at 12-14 West 68th Street is architecturally inappropriate, so does it jeopardize the integrity of the large studio windows of the Hotel des Artistes (1 West 67th Street). This is no mere "NIMBY" concern. In the Commission's own Upper West Side/Central Park West Historic District designation report, the double-height industrial sash windows are called out. Indicative of the historic purpose of the Des Artistes and the other inspired edifices lining the north side of West 67th Street, these large industrial windows depend on the low-scale nature of 68th Street to realize their original function.

As for the existing non-original areaway fence, I find it to be incongruous with this building. The owners of this building would do well to remove the illegal fence at No. 14 and replace it with something more appropriate.

An LPC determination requiring demolition would correct this injustice and send a serious message to others contemplating the circumvention of established public policy.

Sincerely,

Steven Robinson, Architect
1 West 67th Street
New York, NY 10023