



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> 01/17/2006	<b>EXPIRATION DATE:</b> 01/18/2011	<b>DOCKET #:</b> 06-4579	<b>COFA #:</b> COFA 06-5220
<b>ADDRESS</b> 433 AMSTERDAM AVENUE <b>HISTORIC DISTRICT</b> UPPER WEST SIDE-CPW		<b>BOROUGH:</b>  MANHATTAN	<b>BLOCK/LOT:</b>  1211/63

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

**ISSUED TO:**

**Sheri Shulmen**  
**SCB West 81st Street**  
**29 Barston Road**  
**Great Neck, NY 11021**

Pursuant to Section 25-307 of the Administrative Code of the City of New York, the Landmarks Preservation Commission, at the Public Meeting of January 18, 2005, following the Public Hearing and Public Meeting of October 26, 2004, voted to grant a Certificate of Appropriateness for the proposed work at the subject premises, as put forth in your application completed September 30, 2004, and as you were notified in Status Update Letter 05-4888, issued on January 18, 2005.

The proposal, as approved, consists of altering an existing neon sign that was installed without Landmarks Preservation Commission permits by trimming the existing support channels to the edge of the cast iron piers, painting the existing entrance door that was finished in noncompliance with Certificate of Appropriateness 95-0113 the color black, removing an existing blade sign and lights with exposed conduit that were installed without Landmarks Preservation Commission permits and installing a new bracket sign and lighting. The proposal, as initially presented, included legalizing existing the neon sign and entrance door without alteration and placing the proposed blade sign above the storefront lintel. The proposal was shown in photographs and drawings labeled A-1 dated revised October 11, 2004 and November 22, 2004 prepared by Marcia Esquenazi, submitted as components of the application and presented at the Public Hearing and Public Meeting.

In reviewing the proposal, the Commission noted that the Upper West Side/Central Park West Historic District Designation Report describes 433 Amsterdam Avenue as a Renaissance/Romanesque Revival style apartment building built in 1889-90 designed by A.B. Odgen & Son; and that in terms of its style, scale, materials and details, the building contributes to the special architectural and historic character for which the Upper West Side/Central Park West Historic District was designated. The Commission further noted that Certificate of Appropriateness 95-0113 was issued on March 2, 1995 approving new storefront infill; and that Notice of Violation 00-0269 issued on December 9, 2003 for "alterations to 2nd northern-most Amsterdam Avenue storefront in non-compliance with Certificate of Appropriateness 95-0113 issued 2nd of March, 1995"; Notice of

Violation 00-0270 issued on April 19, 2000 for "installation of signage ("Haru") and an awning at 2nd northern-most Amsterdam Avenue shopfront without permit(s)"; Notice of Violation 00-0272 issued on April 19, 2000 for "sealing window opening and installation of a through-the-wall air conditioner unit at West 81st Street ground floor facade without permit(s)"; Notice of Violation 00-0273 issued on April 19, 2000 for "installation of a garbage enclosure structure at West 81st Street facade without permit(s)"; Notice of Violation 02-0575 issued on December 9, 2003 for "painting of ground floor of West 81st Street facade and installation of lighting above corner shopfront (Monsoon) without permit(s)"; and Warning Letter 04-0641 issued on March 31, 2004 for "installation of exhaust vent at West 81st Street sidewalk without permit(s)" all remain in effect.

With regard to this proposal, the Commission found that the installation of signs and lights will not cause damage to significant architectural features of the building; that bracket signs and signs with exposed neon tubes were historically found on storefronts along Amsterdam Avenue, therefore, the proposed signs are consistent with the historic commercial character of the avenue; that the proposed lights are small and unobtrusive and will be concealed by awnings; that the design and painted finish of the new door will blend well with the storefront infill; and that the proposed work will not diminish the special architectural and historic character of the building and the Upper West Side/Central Park West Historic District. Based on these findings, the Commission determined the work to be appropriate to the building and to the Upper West Side/Central Park West Historic District and voted to approve this application.

However, in voting to grant this approval, the Commission stipulated that two final signed and sealed Department of Buildings filing drawings showing the approved proposal be submitted to the Landmarks Preservation Commission for review and approval.

Subsequently, on January 11, 2006, the Landmarks Preservation Commission received final drawing A-1 dated revised November 22, 2004 prepared by Marcia Esquenazi, R.A. Accordingly, the staff of the Commission reviewed the drawings, and found that the proposal approved by the Commission has been maintained, and that the drawings additionally show the removal of existing menu boxes installed without Landmarks Preservation Commission permits and the repair of any damage to the cast iron pier and the installation of retractable awnings at the storefront. The Commission finds that the removal of the menu boxes will eliminate a feature that detracts from the architectural and historic character of the building and the streetscape; and that the proposed awnings conform to the the provisions set forth in Title 63 of the Rules of the City of New York, Section 2-12 (f). Based on these and the above findings, the drawings have been marked approved with a perforated seal, and Certificate of Appropriateness 06-5220 is being issued.

This permit is contingent upon the Commission's review and approval of a sample of the awning fabric.

Please note that Notice of Violation 00-0269 and Notice of Violation 00-0270 will remain in force against the property until the work approved under this permit is completed and inspected for compliance. Please submit photographs of the completed work to the Commission along with a letter requesting a Notice of Compliance. Please further note that this permit contains a compliance date of May 17, 2006. If you do not complete the work by this date, second Notices of Violation (NOV) originating from the Environmental Control Board may be issued in accordance with Title 63 of the Rules of the City of New York, Section 7-02 (c). These NOV's would require court appearances and civil fines may be imposed.

Please finally note that Notice of Violation 00-0272, Notice of Violation 00-0273, Notice of Violation 02-0575 and Warning Letter 04-0641 are not addressed by the issuance of this permit and remain in force against the property. Failure to address these violations will result in the issuance of second 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). These NOV's would require court appearances and civil fines may be imposed.

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 Cynthia Danza.

Robert B. Tierney  
Chair

**PLEASE NOTE: PERFORATED DRAWINGS AND A COPY OF THIS PERMIT HAVE BEEN SENT TO:  
Marcia Esquenazi, Marcia Esquenazi, Architect**

cc: Anne Carlin, Violations Officer; Caroline Kane Levy, Deputy Director of Preservation