



THE NEW YORK CITY LANDMARKS PRESERVATION COMMISSION  
 1 CENTRE STREET 9TH FLOOR NORTH NEW YORK NY 10007  
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# PERMIT CERTIFICATE OF APPROPRIATENESS

<b>ISSUE DATE:</b> 01/29/16	<b>EXPIRATION DATE:</b> 12/15/2021	<b>DOCKET #:</b> 178347	<b>COFA #:</b> COFA 18-1656
<b>ADDRESS:</b> 39 EAST 67TH STREET <u>HISTORIC DISTRICT</u> UPPER EAST SIDE		<b>BOROUGH:</b> MANHATTAN	<b>BLOCK/LOT:</b> 1382 / 28

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

ISSUED TO:

**Caroline O'Neil Ryan**  
**39 East 67th Street**  
**New York, NY 10065**

**NOT ORIGINAL  
 COMPUTER-GENERATED COPY**

Pursuant to Section 25-307 of the Administrative Code of the City of New York, the Landmarks Preservation Commission, at the Public Meeting of December 15, 2015, following the Public Meeting and Public Hearing of October 13, 2015, voted to approve a proposal to amend a previously approved proposal to construct rooftop and rear yard additions, excavate the rear yard and sub-cellar, and to replace windows at the East 67th Street facade at the subject premises, as put forward in your application completed November 19, 2015. The approval will expire December 15, 2021.

The proposal, as approved, consists of exterior work at the roof, including demolishing existing mechanical bulkheads, constructing new bulkheads and copper louvered mechanical enclosures, extending existing chimneys, constructing new masonry chimneys, installing glass and metal railings, and demolishing a skylight at the rear portion of the roof; excavating the sub-cellar and rear yard, and constructing a below-grade addition; at the rear facade, demolishing an existing masonry rear yard extension and rear facade, and constructing a new rear facade, featuring a projecting glazing system with articulated bronze framing, fixed and operable window panels, limestone cladding at the outer piers, double-height skylight at the upper facade and roof, and metal deck and partially enclosed stair at the first floor; and at the East 67th Street facade, painting all windows at the basement through 4th floors black. The proposal was shown on presentation slides labeled T-000, LM-008.1, LM-010.1, LM-010.2, LM-010.3, LM-011.1, LM-011.2, LM-014, LM-015, LM-015.1, LM-016, LM-016.1, LM-019.1, LM-020, LM-021, LM-022.1, LM-023, LM-023.1, LM-024, LM-024.1, LM-025, LM-025.1, A-100 through A-108, A-500 through A-505, all dated December 15, 2015, and S-001.00, S-100.00, and S-500.00, dated September 18, 2015, that included existing condition

photographs, renderings, block plans, existing condition and proposed elevations, plans, sections, and details, prepared by Matthew Baird Architects PLLC, and presented at the Public Meeting. The proposal, as initially presented, called for full-yard excavation, and at the roof, eliminating the pitched skylight and constructing a larger mechanical bulkhead, as shown on presentation slides labeled T-000, LM-001 through LM-025, and A-100 through A-108, dated September 28, 2015; and S-001.00, S-100.00 and S-500.00, dated August 6, 2015, prepared by Matthew Baird Architects PLLC and presented at the Public Hearing and Public Meeting.

In reviewing this proposal, the Commission noted that the Upper East Side Historic District designation report describes 39 East 67th Street as a rowhouse originally designed by D. & J. Jardine and built in 1876-77 and altered in the Beaux-Arts style by Ernest Flagg in 1903-04; and that building's style, scale, materials and details are among the features that contribute to the architectural and historic character of the Upper East Side Historic District.

With regard to this proposal, the Commission found that the construction of the two-story bulkhead and mechanical enclosure will not result in the destruction of any significant architectural features; that the bulkhead will not be visible in conjunction with the East 67th Street façade when viewed from directly across the street, and will be only minimally visible from a limited view shed from Park Avenue over a secondary elevation in the context of other buildings beyond, and therefore will have little or no effect on the significant architectural features of the building or the streetscape; that the proposed copper cladding will be in keeping with the materiality of certain traditional rooftop accretions, such as skylights and other bulkheads, and will otherwise not call undue attention to itself by virtue of its limited visibility from a public thoroughfare; that the removal of the existing rear façade and rear yard addition, which date to the 20th century alteration to the building, is in keeping with the history of major alterations to rear facades of townhouses in this historic district, and will not result in the loss of significant historic fabric; that the proposed work at the rear façade and rear yard will not be visible from any public thoroughfare; that the building does not belong to a contiguous row and is adjacent to other large rear yard additions, and therefore constructing a new rear façade set slightly forward of the existing plane will not significantly alter the scale of the building or diminish its relationship to the adjacent buildings; that the building is surrounded by large buildings and highly altered rowhouses and gardens, and therefore, the presence of a new contemporary full-height façade will be in keeping with the varied development history of this block; that the use of a projecting glazing system with articulated bronze framing at the proposed rear façade, including horizontal mullions at each floor level and vertical mullions dividing fixed and operable window panels, set slightly in front of the limestone cladding at the outer piers, will convey a sense of scale and articulation that will provide an interesting counterpoint to the masonry facades of the other buildings in the row; that the proposed work will reduce the total volume of rear additions and return the rear of the building to a massing more in keeping with the scale and character of an individual rowhouse, and will increase the limited central green space; that the existing rear yard and surrounding rear yards are already paved and altered with grade changes, and therefore the proposed excavation work to construct a below-grade addition and lower the yard will not diminish the special character of the central greenspace; and that the proposed excavation work will be done in compliance with the Department of Buildings regulations under the supervision of a licensed professional engineer to protect this building and adjacent buildings. The Commission further found that the presence of a steep skylight directly above the rear façade will be consistent with the existing condition at the rear of the building; that the scale and proportions of the proposed rear facade below the skylight, and approximate alignment with the roofline and footprint of the adjacent rear façade, will improve the relationship between the two buildings; that the excavation below a portion of the original building for a new sub-cellar floor, which will connect to the excavation and below-grade addition in the rear yard, will be done in compliance with the Department of Buildings regulations under the supervision of a licensed professional engineer to protect this building and adjacent buildings; that although not matching the original brown finish, the proposed black finish at the replicated special windows will match the existing condition at the

primary facade, and will be in keeping with black finishes commonly used at limestone facades throughout this historic district; and that the proposed work will not detract from the special character of the Upper East Side Historic District. Based on these findings, the Commission determined the proposed work to be appropriate to the building and the Upper East Side Historic District, and voted to approve this application.

However, in voting to grant this approval, the Commission stipulated that the visibility of the mechanical enclosure be further reduced; that the footprint of the rear yard excavation be reduced to maintain a planting area at the rear lot line; and that two final signed and sealed Department of Buildings filing drawings for the approved work be submitted to the Landmarks Preservation Commission for review and approval.

Subsequently, on January 28, 2016, the Landmarks Preservation Commission received two sets of the required final drawings, labeled T-000.00, G-001.00 through G-003.00, Z-001.00 through Z-004.00, D-100.00, D-101.00, D-102.00, D-103.00, A-100.00 through A-104.00, A-300.00, A-301.00, A-302.00, all dated December 16, 2015; A-500 through A-506, dated (revised) January 28, 2016, prepared by Matthew Baird, R.A.; drawings labeled S-001.00, S-100.00 through S-104.00, S-300.00, S-310.00, S-500.00, S-501.00, S-502.00, S-505.00, and S-510.00, dated December 15, 2015, prepared by Brian Albert Falconer, P.E.; drawings labeled M-001.00, M-002.00, M-100.00 through M-104.00, M-200.00 through M-203.00, M-300.00, M-301.00, M-400.00, M-401, P-001.00, P-100.00 through P-104.00, P-200.00 through P-203.00, dated December 15, 2015, prepared by Adam Jan Trojanowski, P.E.; drawings labeled SOE-001.00 through SOE-006.00, dated (revised) January 12, 2016, prepared by Gregory Pillori, P.E.; and written specifications including a structural feasibility report prepared by Severud Associates, and windows condition statement prepared by Heights Woodworking. Accordingly, the staff of the Commission reviewed the submitted materials and found that the changes required by the Commission have been incorporated into the proposal, and that the proposal approved by the Commission has been maintained. Staff further found that the drawings show additional exterior restorative work at the East 67th Street facade, including in-kind replacement of one (1) multi-light double-hung wood window at the basement, and seven (7) multi-light wood casement windows and transoms at the 1st through 4th floors, all with profiled wood brickmolds and black painted finish; reconstructing the mansard roof at the 5th floor, featuring copper trim and flashing, slate shingles, and two (2) copper-clad wood casement dormer windows with profiled copper-clad lintels and copper trim; cleaning the limestone facade using a low-pressure water wash and restoration cleaner; select stone repointing and patching; in-kind replacement of a below-grade metal stair at the front areaway, painted black; scraping, priming, and repainting all ironwork black; and interior alterations at all floors, including the demolition and construction of nonbearing partitions and finishes, as well as structural, mechanical, plumbing, electrical, and HVAC work.

With regard to the additional scope of work, the Commission finds, in accordance with the provisions set forth in Title 63 of the Rules of the City of New York, Section 3-04(c)(2)(i), that the replacement windows will match the historic windows in terms of configuration, operation, details, and material; in accordance with Section 2-17(c)(1), that the restoration will not cause the removal of significant historic fabric that may have been added over time, which is evidence of the history and development of a building, structure, or site; and that the authenticity of the restoration is documented by photographic evidence and physical evidence on the building. The Commission further finds that the proposed cleaning will be undertaken with the gentlest method possible without damaging the masonry walls; that the proposed patching mortar will match the color, texture, finish and details of the original stone; that the existing joints will be raked by hand or by a method that will not cause damage to the surrounding stone; that the proposed mortar will match the historic mortar in terms of size, color, texture and tooling; and that the proposed work will protect the building's facade and structure from future damage due to water infiltration, and aid in the long term preservation of the building. Based on these and the above findings, the drawings have been marked approved with a perforated seal, and Certificate of Appropriateness 18-1656 (LPC 17-8347) is being issued.

PLEASE NOTE: This permit is contingent upon the Commission's review and approval of slate shingle and copper samples, and installed sample mockups of masonry cleaning, limestone patching and pointing mortar prior to the commencement of work. Samples should be installed adjacent to clean, original surface(s) being repaired; allowed to cure; and cleaned of residue. Submit digital photographs of all samples to [ebellinghausen@lpc.nyc.gov](mailto:ebellinghausen@lpc.nyc.gov) for review. This permit is also contingent on the understanding that the work will be performed by hand and when the temperature remains a constant 45 degrees Fahrenheit or above for a 72 hour period from the commencement of the work.

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 the approval. The work is limited to what is contained in the perforated document. 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 fine. This letter constitutes the permit; a copy must be prominently displayed at the site while work is in progress. Please direct inquiries to Edith Bellinghausen.

Meenakshi Srinivasan  
Chair

**PLEASE NOTE: PERFORATED DRAWINGS AND A COPY OF THIS PERMIT HAVE BEEN SENT TO:**  
Linda Lee, Matthew Baird Architects, PLLC

cc: Cory Scott Herrala, Director of Technical Affairs/LPC