



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

ISSUE DATE: 12/08/15	EXPIRATION DATE: 10/27/2021	DOCKET #: 179204	COFA #: COFA 17-9757
ADDRESS: 40 EAST 66TH STREET-PH <u>HISTORIC DISTRICT</u> UPPER EAST SIDE		BOROUGH: MANHATTAN	BLOCK/LOT: 1459 / 1

Display This Permit While Work Is In Progress

ISSUED TO:

Barry Langer
The 40 East 66th Street Condominium
888 7th Avenue, 44th Floor
New York, NY 10019

**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 October 27, 2015, following the Public Meeting of the same date, voted to grant a Certificate of Appropriateness for the proposed work at the subject premises, as put forward in your application completed October 1, 2015, and as you were informed in Status Update Letter 17-8588 (LPC 17-5336), issued on November 5, 2015. This approval will expire on October 27, 2021.

The proposal, as approved, consists of altering penthouse window openings by removing existing windows and select areas of masonry, combining and enlarging openings, and installing new metal and glass window and door assemblies, all with a black finish and featuring brick soldier course lintels; installing new masonry infill at former window openings; and constructing two stair bulkheads with brick cladding at the penthouse roof. The proposal was shown on presentation slides labeled 1 through 8, dated October 15, 2015 and unlabeled presentation slides dated September 18, 2015, that included photographs, renderings, and existing and proposed elevations, plans, sections, and details, prepared by CBM Limited and Andrew Wilkinson Architects, 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 40 East 66th Street as a neo-Renaissance style apartment building designed by Rosario Candela and built in 1928-29; and that the building's style, scale, materials, and details are among the features that contribute to the special architectural and historic character of the Upper East Side Historic District. The Commission also noted that Permit for Minor Work 95-0622 (LPC 95-1987) was issued on

February 10, 1995, approving a master plan for building-wide window replacement; and that Authorization to Proceed 08-8403 (LPC 08-4088) was issued on March 3, 2008, approving window replacement at the penthouse pursuant to the master plan.

With regard to this proposal, the Commission found that the proposed alterations at the penthouse will not result in removal of any significant historic fabric; that the rooftop bulkhead and proposed alterations to the penthouse fenestration will only be partially visible from a long distance from select vantage points along East 66th Street and Madison Avenue; that because the existing windows are located on a setback facade and do not form part of a regular pattern of window installations that relate to the building below, the proposed enlarged and relocated window openings will not diminish the architectural character of the building; that elevator and stair bulkheads are a feature frequently found on the roofs of apartment building penthouses within the Upper East Side Historic District, and therefore the presence of visible bulkheads will be in keeping with the character and scale of this type of building; and that the work will not detract from the special architectural or historic character of the building or the 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 windows be modified in consultation with staff to accommodate multi-light configurations; 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 December 2, 2015, the Landmarks Preservation Commission received two sets of the required final drawings, labeled G-001.00, A-100.00, A-101.00, A-102.00, A-103.00, A-104.00, A-200.00, A-202.00, A-203.00, and A-300.00, all dated December 2, 2015, prepared by Andrew D. Wilkinson, R.A.; and undated drawings labeled P-001.00, P-101.00, P-102.00, P-201.00, M-001.00, M-002.00, M-003.00, M-101.00, M-102.00, M-501.00, and M-601.00, prepared by Anthony Rin III, P.E.. Accordingly, the staff of the Commission reviewed the submitted materials and found that the configuration of the windows has been modified to incorporate multi-light transoms, and that the proposal approved by the Commission has been maintained. Staff further found that the drawings show additional exterior work at the penthouse roof, including relocating one (1) existing HVAC mechanical unit, installing one (1) new HVAC mechanical unit and various vents at select locations, and demolishing a masonry chimney; enclosing a portion of the perimeter terrace at the light court; installing four (4) through-wall louvers at select locations at the penthouse light court facades; and interior alterations at the penthouse, including the demolition and construction of nonbearing partitions and finishes, as well as 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 2-19(e)(2), that the rooftop addition at the terrace consists of occupiable space; that the addition is no more than one story with a height of no more than eleven feet as measured from the roof of the structure on which such rooftop addition is to be constructed; that the addition does not result in any damage to, or demolition of, a significant architectural feature of the roof of the structure on which it is constructed; that the addition is not visible from a public thoroughfare; that it does not adversely affect significant architectural features of adjacent improvements; and that there is no outstanding objection for use or bulk listed on the objections sheet for such structure. The Commission further finds, in accordance with Section 2-19(e)(1), that the rooftop addition at the penthouse roof will consist solely of mechanical equipment; that the installation will not result in damage to or demolition of a significant architectural feature of the roof; that it will not be visible from any public thoroughfare; and that it will not adversely affect significant architectural features of adjacent improvements; and in accordance with Section 2-11(d)(3), that the installation will not be visible from any

public thoroughfare; that the grille will be set flush with the masonry wall; and that no decorative masonry or other significant architectural feature of the building will be affected by the installation. The Commission finally finds that the proposed brick will match the historic brick in terms of size, color, texture and bond pattern; that the existing joints will be raked by hand or by a method that will not cause damage to the surrounding brick; that the proposed mortar will match the historic mortar in terms of size, color, texture and tooling; that the removal of the masonry chimney will not result in damage to, or demolition of, a significant architectural feature of the roof of the building; and that the work will not detract from the special architectural or historical character of the building or the historic district. Based on these and the above findings, the drawings have been marked approved with a perforated seal, and Certificate of Appropriateness 17-9757 (LPC 17-9204) is being issued.

PLEASE NOTE: This permit is contingent upon the Commission's review and approval of installed sample mockups of brick 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 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:
Jason Jones, CBM Limited

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