Valerie S. Mason
Chair

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The City of New York
Community Board 8 Manhattan

July 21, 2025

Honorable Sarah Carroll, Chair
NYC Landmarks Preservation Commission
Municipal Building
One Center Street, 9th Floor
New York, New York 10007

RE: 1009 Fifth Avenue (Metropolitan Museum Historic District) – *Dennis Mele, R.A. of Midtown Preservation Architecture & Engineering, P.C.* – A Beaux Arts style building designed by Welch, Smith & Provot and constructed in 1899-1901. Application is for window replacement and modification to the elevator bulkhead at the west and reconstruction of the east bulkheads at the 5th, 6th, and 7th floor levels.

Dear Chair Carroll,

At the Full Board meeting of Community Board 8 Manhattan held on July 16, 2025, the Board approved the following resolution by a vote of 28 in favor, 12 opposed, 1 abstention, and 0 not voting for cause.

WHEREAS 1009 Fifth Avenue is a single-family townhouse at the southeast corner of Fifth Avenue and East 82nd Street; and

WHEREAS the building was originally part of a row of four built as a speculative development and originally purchased by Benjamin Duke, brother of James B. Duke. Owned by the descendants of the family until the early 2000's, it has been vacant for some years and was recently purchased for use as a single-family residence; and

WHEREAS the applicant proposes to replace the windows with new windows that replicate the original operation and configuration. change the windows from wood to metal-clad wood with the exception of the bay windows on the west and north facades, which will be replaced with wood windows and curved glass; and

WHEREAS the new windows will be painted a color to harmonize with the surrounding limestone as was common in the period of their installation; and

WHEREAS the applicant proposes to modify the elevator and mechanical penthouses so as to allow for accessibility at all levels in the case of the elevator penthouse; and

WHEREAS the new elevator penthouse will be approximately 2' taller than the existing, and extend further to the south, away from the street and visibility from the public way; and

WHEREAS the creation of a new accessible landing for access to the west mansard will require a walkway whose guardrail will be visible from the public way to the north from the plaza of the Metropolitan Museum of Art; and

WHEREAS the east penthouses will be consolidated and reduced in height and mass which will reduce their visibility from the eastern approach and will not be visible from the west or north; and

WHEREAS the new penthouses are proposed to be faced with stucco painted a light gray color; and

WHEREAS the wood windows are a character-defining element of the exuberant street facade; and

WHEREAS arguments as to maintenance issues carry little weight given the need to employ wood windows at the bays; and

WHEREAS the benefits of an accessible west mansard roof are outweighed by the visible walkway; and

THEREFORE, BE IT RESOLVED that this application is **DISAPPROVED as presented.**

Please advise us of any action taken on this matter.

Sincerely,

Valerie S. Mason *Anthony Cohn and David Helpern*

Valerie S. Mason
Chair

Anthony Cohn and David Helpern
Co-Chairs, Landmarks Committee

cc: Honorable Kathy Hochul, Governor of New York
Honorable Eric Adams, Mayor of the City of New York
Honorable Mark Levine, Manhattan Borough President
Honorable Jerry Nadler, 12th Congressional District Representative
Honorable Liz Krueger, NYS Senator, 28th Senatorial District
Honorable José M. Serrano, NYS Senator, 29th Senatorial District
Honorable Edward Gibbs, NYS Assembly Member 68th Assembly District
Honorable Alex Bores, NYS Assembly Member, 73rd Assembly District
Honorable Rebecca Seawright, NYS Assembly Member 76th Assembly District
Honorable Keith Powers, NYC Council Member, 4th Council District
Honorable Julie Menin, NYC Council Member, 5th Council District
Honorable Diana Ayala, NYC Council Member, 8th Council District