Valerie S. Mason
Chair

Will Brightbill
District Manager

505 Park Avenue, Suite 620
New York, N.Y. 10022-1106
(212) 758-4340
(212) 758-4616 (Fax)
www.cb8m.com – Website
info@cb8m.com – E-Mail

The City of New York
Community Board 8 Manhattan
Landmarks Committee
Monday, July 14, 2025 – 6:30 PM
This meeting was conducted via Zoom.

PLEASE NOTE: When evaluating Applications for Certificates of Appropriateness, the Landmarks Committee of Community Board 8 Manhattan ONLY considers the appropriateness of the proposal to the architecture of the building and, in the case of a building within a Historic District, the appropriateness of the proposal to the character of that Historic District. All testimony should be related to such appropriateness. The Committee recommends a Resolution to the full Community Board, which votes on a Resolution to be sent to the Landmarks Preservation Commission. These Resolutions are advisory; the decision of the Landmarks Preservation Commission is binding.

Applicants and members of the public who are interested in the issues addressed are invited, but not required, to attend the **Full Board meeting on Wednesday, July 16, 2025**. They may testify for up to two minutes in the Public Session, which they must sign up for no later than 6:45PM. Members of the Board will discuss the items in executive session; if a member of the public wishes a comment made or a question asked at this time, he or she must ask a Board Member to do it.

MINUTES:

Board Members Present: Elizabeth Ashby, Alida Camp, Sarah Chu, Anthony Cohn, David Helpern, John McClement, Jane Parshall, and Marco Tamayo.

Approximate Number of Public Attendees: 45

Resolutions for Approval:
Item 1: 78 East 79th Street
Item 2: 1009 Fifth Avenue
Item 3: 945 Madison Avenue
Item 4: 118 East 95th Street

Item 1: 78 East 79th Street (Upper East Side Historic District) – *Charles Huang, RA, RAND Engineering & Architecture, DPC* **–** A Queen Anne style building designed by Anson Squires and constructed in 1882. Application is for the installation of a painted metal fence/gate/planter/garbage enclosure at the 78 East 79th Street building areaway.

WHEREAS 78 East 79th Street no longer has a stoop; and

WHEREAS the applicant desires an entryway that is in scale with the house; and

WHEREAS the applicant wants an enclosed garbage area at the front of the house; and

WHEREAS the house is set back 6'-5" from the north property line; and

WHEREAS the lot is 17'-0" wide; and

WHEREAS the areaway will be set by the east and north property lines and by the wall that extends the length of the stoop of 76 East 79th Street to the west; and

WHEREAS the areaway will be defined by a combination planter/fence/screen to the north and east; and

WHEREAS the metal fence is inspired by the ironwork on the balcony and the ground floor windows; and

WHEREAS the gate in the metal fence will be at the western end of the fence, opposite the main entrance door; and

WHEREAS the fence and gate will be made of picket spears like the window guard spears; and

WHEREAS the fence varies in height from 2'-9 1/2 " to 3'-0" in relation to the slope of the concrete paving; and

WHEREAS the planter runs from east to west behind the fence; and

WHEREAS the planter is 1'-5 1/2" deep; and

WHEREAS the garbage bin will be in the southeast corner of the areaway; and

WHEREAS the planter/screen/fence assembly on the eastern side of the new areaway will hide the garbage bin; and

WHEREAS a short metal fence extends up from the low stone wall at 76 East 79th Street; and

WHEREAS the height of the planter at 78 East 79th Street aligns with the top of the low stone wall at 76 East 79th Street; and

WHEREAS the height of the fence at 78 East 79th Street aligns with the top of the metal fence on the low stone wall; and

WHEREAS the planter/fence/gate/screen assembly will be bolted into the concrete paving and will be removable for repairs of the metalwork and/or repairs of the concrete paving; and

WHEREAS the planter/fence/gate/screen assembly extends the language of the metal on the house; and

WHEREAS the planter/fence/gate/screen assembly creates a transition from the public way to the entrance door of the house that is related both to 78 and 76 East 79th Street; and

WHEREAS the proposed areaway defined by the proposed planter/fence/gate/screen assembly is contextual and appropriate within the historic district;

THEREFORE, BE IT RESOLVED that this application is **APPROVED AS PRESENTED**.

Board Members in Favor: 7-0-0-0 (Ashby, Camp, Cohn, Helpern, McClement, Parshall, Tamayo)

Item 2: 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.

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.**

Board Members in Favor: 8-0-0-0 (Ashby, Camp, Chu, Cohn, Helpern, McClement, Parshall, Tamayo)

Item 3: 945 Madison Avenue: Former Whitney Museum (Upper East Side Historic District) – *PBDW Architects* **–** A Modern style building designed by Marcel Breuer and constructed in 1966. Application is for the creation of new egress lighting, planters and signage at the secondary entry on Madison Avenue, and for a new eating area in the Sculpture Garden.

This application is separated into two parts: Part A – The alterations to the secondary entrance on Madison Avenue, and Part B – The Sculpture Garden restoration.

PART A – The Secondary Entrance

WHEREAS 945 Madison Avenue, the former Whitney Museum, now owned by Sotheby's, is a recently-designated Individual and partial Interior Landmark within the Upper East Side Historic District; and

WHEREAS the applicant proposes alterations to the secondary entrance which must be code compliant for egress requirements; and

WHEREAS the applicant proposes additional lighting at the steps, in planters on the walkway and mounted on the party wall to the south and on the museum building itself establishing a maintained light level of two footcandles; and

WHEREAS the applicant proposes to add signage both at the party wall (self illuminated) and above the doors at the secondary entrance; and

WHEREAS the planters add an element to the building design not heretofore present nor contemplated by the original architect; and

WHEREAS the introduction of illuminated signage – or any signage, for that matter - on the party wall violates the wall's function as a "hard stop" to the museum building although at an early stage, Breuer contemplated non-illuminated boards mounted on the wall; and

WHEREAS Breuer abandoned the idea during the design process; and

WHEREAS new technologies exist to provide lighting at the floor of the secondary entranceway without esthetic damage to the original intent; and

WHEREAS the applicant did not provide any detail as to the fixture specifications;

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

Board Members in Favor: 5-1-0-0 (Cohn, Helpern, McClement, Parshall, Tamayo)
Board Members Opposed: (Ashby)

PART B – The Sculpture Garden

WHEREAS 945 Madison Avenue, the former Whitney Museum, now owned by Sotheby's, is a recently-designated Individual and partial Interior Landmark within the Upper East Side Historic District; and

WHEREAS the applicant proposes alterations to the sunken garden for use as outdoor dining and an overall building lighting scheme; and

WHEREAS the applicant proposes the removal of a secondary planter on the wall along Madison Avenue added after 2012; and

WHEREAS the applicant proposes a loosely geometric arrangement of movable tables and chairs for dining along with bronze sculpture pedestals; and

WHEREAS the applicant proposes only one "fixed" element, a bar at the south end of the garden attached to the granite wall at multiple points; and

WHEREAS the trees in planters will be trimmed so as to maintain their relationship to the surrounding wall – some peeking above, some remaining below street level; and

WHEREAS the applicant proposes to restore the bluestone paving throughout, the secondary egress stair to the north and the low planter at the Madison Avenue wall; and

WHEREAS the proposed lighting scheme for the building as a whole represents a faithful, if colorful, recreation of the architect's original intent; and

THEREFORE, BE IT RESOLVED that PART B of this application is **APPROVED as presented.**

Board Members in Favor: 6-0-0-0 (Ashby, Cohn, Helpern, McClement, Parshall, Tamayo)

Item 4: 118 East 95th Street (Expanded Carnegie Hill Historic District) – *Christopher (Kit) Middleton* **–** A Queen Anne style building designed by C. Abbott French & Co. and constructed in 1887-88. Application is for the creation of a new cellar level for a new laundry room, storage room, and mechanical room, as well as for excavation and a new foundation.

WHEREAS the applicant seeks to excavate to create a cellar level with new laundry room, storage room, and mechanical room; and

WHEREAS this project will not include any changes to the exterior of the building; and

WHEREAS all the houses in this neighborhood are built on solid New York Schist; and

WHEREAS none of the houses have cellars because of the challenges of removing Manhattan Schist; and

WHEREAS John V. Dinan Associates, Inc. prepared an interior and exterior report for the existing conditions of 118 East 95th Street; and

WHEREAS John V. Dinan Associates prepared 21 reports for the exteriors of neighboring buildings; and

WHEREAS it became evident that interiors of neighboring buildings were not included in the reports as there was no access to the buildings; and

WHEREAS the neighbors stated that there were no requests for access for interior survey reports; and

WHEREAS the neighbors stated that there were no notices of the pending project except for the notice of the CB8M Landmarks Committee meeting; and

WHEREAS the applicant did not consult with the community, an important part of the approval process; and

WHEREAS, the architect and builder of 118 East 95th Street did not intend for this house to have a cellar because of the bedrock; and

WHEREAS the architects and builders for the neighboring houses did not intend that these houses were to have cellars because of the bedrock; and

WHEREAS the proposed ground floor plan creates open space at the north end while accommodating a new bathroom and new smaller mechanical closet; and

WHEREAS the proposed cellar plan accommodates a new laundry, additional mechanical space, and new storage space; and

WHEREAS the proposed cellar is divided about equally between the usable space and the circulation space; and

WHEREAS the proposed cellar is not used efficiently; and

WHEREAS the applicant did not demonstrate that there was no other space within the house to accommodate the proposed uses for the cellar; and

WHEREAS it can be inappropriate to add a floor above the roof of a building whose design did not anticipate an enlargement or cannot accommodate an enlargement visually; and

WHEREAS it can be inappropriate to add a floor below the ground floor due to the risk to the building and to the surrounding buildings of damage due to the vibration from the excavation; and

WHEREAS 118 East 95th Street was designed without a cellar due to bedrock up to the surface of the site; and

WHEREAS the bedrock precluded creating a cellar when the house was built; and

WHEREAS the proposed excavation today of the bedrock poses extreme hazards for 118 East 95th Street and surrounding buildings; and

WHEREAS the design process ignored the community; and

WHEREAS the design process appears to have discounted possibilities within the current floors to accommodate the proposed uses for the cellar, including space gained at the northern end of the ground floor; and

WHEREAS the design of the original architect should be respected; and

WHREAS the period in which the house was built should be acknowledged in not changing a fundamental aspect of the design; and

WHEREAS the proposed excavation to create a cellar is not contextual and appropriate within the historic district; and

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

Board Members in Favor: 7-0-0-0 (Ashby, Camp, Cohn, Helpern, McClement, Parshall, Tamayo)

Items 5&6: Old Business/New Business

There being no further business, the meeting was adjourned at 8:44 PM.

Anthony Cohn and David Helpern, Co-Chairs