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May 29, 2020

Chair Sarah Carroll,
New York City Landmarks Preservation Commission
David N. Dinkins Municipal Building
1 Centre Street, 9th Floor North
New York, NY 10007

Re: 44-54 Ninth Avenue & 351-355 West 14th Street

Dear Chair Carroll:

Save Chelsea opposes this project because we do not accept façadism as preservation.

The project's architect told Community Board 4's Chelsea Land Use Committee that LPC had agreed at staff level to treat the proposed office tower as a separate building from the historic rowhouses. This, apparently, exempts it from LPC's usual denial of publicly visible rowhouse additions. Such an impactful approval should never have been made without public input. It created resignation in the community that LPC would approve *some* version of a tower and that opposing it outright, as we do, would mean losing an opportunity to call for scaling it back.

The project description provided to CB4 for this project states that "the proposed work includes full restoration of the exterior of the existing historic buildings." That simply is not true. When CB4 asked how much of the historic rowhouses' actual exterior fabric would remain, the project's architect conceded that the entire building site would be excavated, with only the houses' shored-up street façades left standing around the dig's perimeter.

The Gansevoort Market Historic District Designation Report notes that all of these buildings are "rare surviving examples of 1840s pitched-roof Manhattan town houses," and yet their roofs will be replaced with simulacra rather than restored. The west wall of 355 West 14th Street, which prominently rises into public view above the lower roofs on Ninth Avenue provides a full-profile view of the roof pitches cited in the report, but this wall too would be replaced with an imitation. LPC typically prioritizes preservation of publicly visible building elements. These roofs and end wall are not merely *visible*; the designation report notes how *prominently* sited they are. They now overlook a public plaza with seating.

Such replacement is not restoration of any recognized kind. That is not just our opinion. It is the Federal Government's. The Secretary of the Interior's four Standards for the Treatment of Historic Properties are self-described as *common-sense* historic preservation principles. They are:

- Preservation, defined as repair of historic materials and features “rather than extensive replacement and new construction.”
- Rehabilitation, which allows a *compatible* use through repair, alterations, and additions, *not bulldozing all but the street façade* to make way for the new construction demanded by an *incompatible* use.
- Restoration, which brings a building back to its appearance at a given time by selectively altering *past* additions or removals. It applies to this project's removal of dormers, *not the entire original roofs and buildings beneath them*.
- Reconstruction, which replaces already-lost elements. It does not include *destroying historic elements in order to replace them*, as proposed here.

Although proposals like this defy Federal preservation standards, they've become business as usual in New York City where the Landmarks Preservation Commission too often adopts the view of developers and architects that preserving merely a façade amounts to preserving an entire building, that to destroy 98% of a building is to “preserve” it. We ask the Commission not to accept “destroy” and “restore” as interchangeable terms.

We acknowledge that the Commission has no purview over interiors, but why does it so readily surrender its control over full building exteriors? In doing so, it *encourages* destructive projects like this proposal. If LPC only protects publicly visible parts of a building, doesn't that *codify* façadism, shrinking the protected part of historic districts to the thin crust passing tourists see?

Anthony Wood's *Preserving New York: Winning the Right to Protect a City's Landmarks* documents the history behind the Landmarks Law and the creation of the Landmarks Preservation Commission. Wood wrote:

Preservation's history . . . provides essential perspective and context too often absent from preservation today. Preservation's past reveals at least one positive tradition that offers hope that New York City can meet future challenges—citizen advocacy. If the law's history teaches us anything, it is the essential role the citizen advocate played in securing New York's right to protect its landmarks. Landmarks preservation depends on political will, and that begins with citizen advocacy.

Throughout the book's 400 pages, Ada Louise Huxtable, Albert Bard, and other preservation pioneers speak of protecting sites, structures, or buildings—never of preserving façades alone. We can't imagine that early citizen preservationists walked Greenwich Village and Brooklyn Heights thinking “what great buildings—there should be a law to protect their façades.” Citizens fighting for new historic districts today would be horribly disappointed if their efforts resulted in protecting only the street faces of buildings. People naturally want to know that the physical substance surrounding them in historic districts is authentic, that they are looking at real history,

not a replica. That is just human nature and should not need explaining to the Commission. It is the “common sense” our national standards claim as their authority.

LPC may think that severing a building from its face strikes a balance between the concerns of preservationists and developers, but doing so destroys the meaning of the façade and compromises the entire purpose of preservation. King Solomon didn't really intend to cut a disputed baby in half. His threat to do so was meant to make its true mother step forward so he could turn it over to her. We hope you recognize who is fighting for complete landmarks today.

The roofs of this project's historic rowhouses would be rebuilt with steel framing because their historic timber framing is incompatible with the non-combustible construction required for the office tower. The space now within the rowhouses would be open to the tower space, potentially as one big commercial area on the first floor and office space upstairs. The rowhouse rear walls would be demolished, with some of their bricks salvaged to sit on top of new steel beams framing large openings. The rowhouse party walls, a significant part of which are intact, would be completely removed. The second-floor platforms of the Ninth Avenue rowhouses would not be replaced; there would be new double-height spaces where the first and second floors currently exist. These rowhouses' continuous first-floor storefronts and second-floor windows would reveal what may be a single, sweeping commercial interior. This incongruous reality would be especially visible when lit from within at night. What remains of the rowhouses' original substance would be reduced to a hovering skirt, defying both structural logic and the historic, building-scale logic of individual rowhouse exteriors corresponding to individual interiors. The rowhouses would lose the very fundamentals of their building typology—their primary character-defining feature.

This proposal is remarkably similar to the Upper East Side Historic District development designed by Commissioner Bland's firm, Beyer Blinder Belle, which similarly gutted a corner of a city block and put a single building behind the façades of several rowhouses, jutting above them into public view. Both projects treat historic buildings as virtual teardowns. Beyer Blinder Belle's film on the website for 33 East 74th Street, also known as the Whitney Townhouses, provides a preview of the destruction that the proposal before us would incur. The film's camera pans across a vast construction pit ringed by shored-up, historic façades—a scene recalling the urban bomb craters of Europe after World War II. The Beyer Blinder Belle partner narrating the film states that the project will “give these buildings a second life and let them survive for another 100 years”—the very buildings shown to be demolished. The adjacent Robbins House, a 1901 building by notable architect Grosvener Atterbury, was gut renovated and marketed as the Atterbury Mansion—or “the old Attenbury Mansion” in the words of the BBB narrator who twice mispronounces the name he is helping milk for money. The so-called Atterbury Mansion was described as “restored to its original grandeur” and sold to a Russian billionaire for \$42 million.

Save Chelsea does not view that project as a precedent to follow—quite the opposite, and we are deeply concerned that Commissioner Bland is in no position to oppose another project that follows his firm's lead. We said as much in our 2018 letter to the Mayor calling for an accountable LPC, and specifically for Commissioner Bland's removal. Save Chelsea also noted that Bland led the Commission's discussion toward approving virtual demolition of the oldest

house in Chelsea, eliminating its historic side alley, and substituting a patch of fiber-cement siding for the wood siding that faces the alley, even though the still-original boards were singled out in the Chelsea Historic District Designation Report. We also noted that as a principal in one of New York's most celebrated preservation firms, Commissioner Bland must have known that the oldest house's claimed structural deficiency would never be reason to demolish a landmark even if true, and that structural repair is a standard component of restoration.

Former LPC general counsel Valerie Campbell stated in that hearing that the oldest house's new owner Ajoy Kapoor, the international real-estate developer she represented, did not buy the house as an investment property and intended to live there. But within two years the house was listed for sale at 145% of his purchase price without construction or even filing of the LPC-approved work. The rooftop mockup installed for LPC viewing has not been removed after four years. The house still stands, looking like it could for centuries more, apparently stripped of its landmark protection just for profit.

The oldest-house project was consistently and benignly described by LPC as a proposal to construct additions and excavate the rear yard. A neighbor who wrote to LPC in support of Kapoor's proposal was later shocked to learn that it called for demolition of the entire house apart from its street façade. If façadism is not shameful, why all the effort to cover it up?

When former Chair Srinivasan asked Valerie Campbell in the public hearing for the oldest house, "How much of the building will be retained?" she replied, "There is a significant amount of work that has to be done to the building," and at other times spoke of work needed to ensure the house's "preservation" or "longevity," even though the proposal clearly showed only the façade would remain. Campbell's conflation of building and façade echoes Beyer Blinder Belle's at the Whitney Townhouses, where the developer hired Campbell before hiring BBB.

A former LPC chair asked a Save Chelsea member how LPC could ever issue a permit to virtually demolish the oldest house in Chelsea. The question is one the Commission should never stop asking itself, especially when asked to accept façadism for preservation, destruction for restoration, as it now is for *nine more* early Chelsea rowhouses. Save Chelsea asks that you fully acknowledge in your discussion just how little history would actually be preserved. We call on you to deny this proposal.

Sincerely,



Laurence Frommer,
President, Save Chelsea

Cc: Mayor Bill de Blasio
City Council Speaker Corey Johnson
Manhattan Borough President Gale Brewer
Assembly Member Richard N. Gottfried
New York State Senator Brad Hoylman