

February 8, 2024

Hon. Sarah Carroll, Chair
NYC Landmarks Preservation Commission
1 Centre Street, 9th Floor
New York, NY 10007

EXECUTIVE DIRECTOR
Andrew Berman

BOARD OF TRUSTEES

PRESIDENT
Trevor Stewart

VICE PRESIDENTS
Jessica Davis
William Abrams

SECRETARY
Allan G. Sperling

TREASURER
Adrienne Ward

PRESIDENT EMERITUS
Arthur Levin

TRUSTEES
Mary Ann Arisman
Tom Birchard
Blaine Birchby
Richard Blodgett
David Hottenroth
Anita Isola
Jeanne Krier
John Lamb
Justine Leguizamo
Leslie Mason
Ruth McCoy
Yukie Ohta
Katherine Schoonover
Marilyn Sobel
Judith Stonehill
Linda Yowell
F. Anthony Zunino

**232 EAST 11TH STREET
NEW YORK NY 10003
212-475-9585
VILLAGEPRESERVATION.ORG**

**Re: Illegal work conducted at 105-107 Bank Street, Greenwich Village
Historic District**

Dear Chair Carroll:

On January 11, 2024, Village Preservation was alerted by a neighbor that the rear facades at 105-107 Bank Street had been demolished in their entirety (see Figure 1 below). This work on these 1846 row houses located within the Greenwich Village Historic District, the former residence of John Lennon and Yoko Ono, among other significant figures, was conducted in direct violation of Certificate of Appropriateness 23-04506, issued on March 30, 2023, which clearly indicates that the top floor of both rear facades was to remain. In fact, when this project was first presented at a Public Hearing on June 7, 2022, the applicants had proposed full demolition of the rear facades, but LPC Commissioners requested that they return with a revised proposal that included retention of the top floors – which they did, and received approval for, at the Public Meeting of September 13, 2023.



Figure 1: Rear of 105-107 Bank Street post-full facade demolition, January 2024

We reported this blatant violation of the permitted scope to the LPC Enforcement Department on January 11th, and John Weiss responded on January 17th, indicating that LPC was “investigating the situation,” and had “been in contact with the applicant and DOB.” A full two weeks later, on February 1st, Mr. Weiss reached out to us again via email, to let us know that “after the work on 105-107 Bank Street began, engineers conducted a closer examination of the masonry than was possible prior to the public hearing and determined that remaining walls at the top floors were in very poor condition and needed

to be rebuilt.” He went on to state that “LPC Rules allow rear facades to be taken down and reconstructed if it is established to be infeasible to maintain them due to structural or other issues.”

We are aware of this clause in the Rules, but are under the impression that it pertains to entire existing historic facades that are found to be structurally unsound and therefore a danger to the rest of the building and/or pose a public safety risk. This rule is *not* meant to enable applicants to demolish a portion of a wall in order to modernize the building, and subsequently determine that the rest of the wall needs to come down. The moment a structural issue was identified, the work should have halted, and the applicants should have been required to return to a public hearing to propose a revised scope in light of this new information.

Even if one is to accept the claim that the top floors were discovered to be in such poor condition that they needed to be taken down mid-construction, shouldn't an amendment to the Certificate of Appropriateness, citing the applicable LPC Rule(s), be issued to approve this new scope? No such permits have been filed. This appears to violate the transparent public process and formal review required for changes to work that was approved at a hearing. This is not a retroactive process: demolition work should not have moved forward until the proper review was conducted. Bracing was installed several months prior to the incident, while the interior and approved rear facade demolition was taking place. Whatever structural issues may have been discovered, the walls were clearly temporarily stable enough with the bracing in place, and did not pose an immediate risk of collapse. There is no reason for the work to have proceeded without following the correct procedures.

Further, the claim in Mr. Weiss' email that engineers "conducted a closer examination" and worked with LPC staff to determine the extent of deterioration of these walls before their demolition is suspect. If prior communication with LPC staff had occurred, why did it take the LPC three weeks, and an intervening investigation with the applicant and DOB, to arrive at this conclusion? The LPC Preservation Department should have been able to readily provide documentation showing that demolition of the top floors of these rear facades had already been reviewed and was structurally necessary. We have also been told by neighbors that representatives of the developer and builder on site told them that they intended to demolish the entire rear facade from the beginning, and it is clear from the previous applications filed (and rejected by LPC) that this was their desire.

Finally, as stated in the “Reconstruction of Facades” subsection of the LPC Rules (Title 63 of the Rules of the City of New York, Section 2-11(e)(1)): “...the applicant must provide a structural conditions report from a licensed professional engineer, an assessment of the existing materials and potential for unit masonry and other features to be salvaged and re-used, and fully-dimensioned survey drawings of the façade.” We are skeptical that a fully-dimensioned survey drawing and structural conditions report were conducted prior to the seemingly hasty demolition of these facades, and ask that the LPC furnish these required documents.

The troubling result at 105-107 Bank Street is emblematic of a broader trend that we have seen of late in our neighborhoods. The demolition of three-quarters of the original walls should not have been approved by the Commission until and unless it was proven that the top floors would remain structurally sound. Any requisite investigative probes should have been conducted prior to the issuance of the Certificate of Appropriateness. While the historic fabric of these important buildings has now been irretrievably lost, it is imperative that the reconstruction not only be closely monitored for accuracy, but that the owner be penalized with a Notice of Violation for their disregard of proper procedures. Letting this illegal work go without ramifications would set a dangerous precedent for potential future projects in Greenwich Village and throughout New York City.

Sincerely,



Andrew Berman
Executive Director

CC: Lisa Kersavage, LPC Executive Director
Mark A. Silberman, LPC General Counsel
John Weiss, LPC Deputy Counsel
Lily Fan, LPC Director of Enforcement
Steven Thomson, LPC Director of Community and Intergovernmental Affairs
City Councilmember Erik Bottcher
Assemblymember Deborah Glick
Community Board 2, Manhattan
New York Landmarks Conservancy
Municipal Art Society
Historic Districts Council
Friends of the Upper East Side Historic Districts
Landmark West!
Save Gansevoort