



March 7, 2024

Hon. Eric Adams
Mayor, City of New York
City Hall
New York, NY 10007

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Hon. James S. Oddo
Commissioner, NYC Department of Buildings
280 Broadway
New York, NY 10007

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

Re: Pending Construction at 27 East 4th Street, adjacent to the Merchant's House Museum, Manhattan

Dear Mayor Adams, Commissioner Oddo, and Chair Carroll,

I am writing to you to express Village Preservation's strong concerns regarding the demolition, excavation, and new construction approved by the NYC Landmarks Preservation Commission (LPC) for 27 East 4th Street, adjacent to the historic Merchant's House Museum, at the Public Hearing of December 12, 2023. We are very worried and have several questions about the safety and parameters of the proposed work, and the possible severe damage and resulting loss of integrity that it could cause to the Merchant's House.

The Merchant's House Museum is a locally and nationally recognized landmark, designated as a New York City Individual and Interior Landmark and within the NoHo Historic District Extension, listed on the New York State and National Registers of Historic Places, and a National Historic Landmark. At nearly 200 years old, it is the only early nineteenth-century New York City home that is so thoroughly preserved at both the interior and exterior.

Time and again, we have seen construction work next door to older buildings result in their serious damage and, too often, their destruction. Beyond even the usual significant concerns of structural integrity and potential damage to exterior facade details, this 200-year-old house features delicate, ornate plaster elements at the designated interior that are extremely fragile. The Museum's holdings contain many such architectural assets that may not be able to withstand the proposed excavation and construction work.

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

This is a unique situation. The Merchant's House Museum is a public institution on City-owned land, an important cultural asset, and a national treasure. Thousands of New Yorkers benefit from its educational programs and the living history lessons it provides each year. Any work that would force the museum's closure, damage its interior finishings or exterior walls, or threaten the integrity of the structure would hurt the public first and foremost, and undermine the investment of millions of public dollars in this historic educational institution over the years.

Village Preservation was encouraged that the LPC only approved the adjacent proposal with more strict stipulations than have been utilized in the past, including additional monitoring at a lower vibration threshold, consultation with a verified plaster expert prior to commencement of work, and consistent reporting once work begins. While this heretofore atypical degree of required scrutiny and oversight is heartening, we want to be very clear that we will be watching this project closely as it unfolds, and that stipulating such measures alone cannot ensure the safety of the Museum.

Village Preservation has several requests regarding the approval that is specified in the attached Status Update Letter (LPC-21-03229) of February 29, 2024, and questions about next steps:

- We ask that LPC provide Village Preservation and the Merchant's House Museum with the additional documentation that is required to be furnished by the applicant prior to the issuance of the permit, including: the extensive monitoring and remediation program that must be devised for the adjacent Merchant's House Museum in consultation with a plaster expert, including confirmation of the appropriate standard for vibration tolerance; a survey of the existing plaster conditions; a stabilization plan; and a remedial plan to address any physical damage at the Merchant's House caused by the approved work.
- We request Village Preservation's inclusion in the list of parties that are to be notified in real time of any breach of the vibration threshold.
- We seek assurance that, if the approved standard for vibration tolerance is exceeded while demolition, excavation, or construction are underway at 27 East 4th Street, work will be immediately halted to assess how best to move forward while preserving the Merchant's House.
- We also seek clarity regarding the provision that the applicant must set aside a "remedial fund or equivalent financial instrument, to support plaster repairs at the Merchant's House Museum for any physical damage caused by the approved work." What degree of damage, specifically, will trigger the use of this fund? Who will determine how much money is held, or released if needed? What measures will be in place to guarantee that the developer will comply with any damage claims?
- How will these detailed terms of the approval be monitored by the LPC and other city agencies for compliance? Will unannounced on-site inspections take place to ensure the safety of work and full conformance to all agreements? Will city agencies revoke permits if work is found to be out of compliance?

The extra measures set forth in the LPC approval must be scrupulously adhered to in order to achieve their intended goal – to protect the Merchant's House Museum. This is an incredibly delicate situation,

and one wrong step could irreparably harm this invaluable piece of history. There needs to be strict oversight and enforcement of the parameters that were set by LPC during the approval process to protect this irreplaceable historic public asset.

The Landmarks Preservation Commission was created to safeguard and preserve buildings such as the Merchant's House, which is an interior landmark, individual landmark, and located within a historic district. Places and public institutions like the Merchant's House Museum are rare and precious. We must do everything possible to protect them and make sure that City-approved work does not destroy or damage our invaluable resources.

For all these reasons, we urge the Landmarks Preservation Commission, Department of Buildings, and all city agencies to work together to ensure the Merchant's House is kept safe and not damaged by any construction next door, and that we, the Museum, and the public are kept well-informed as this project progresses.

Sincerely,



Andrew Berman
Executive Director

CC: Margaret Halsey Gardiner, Executive Director, Merchant's House Museum
NYC Department of Parks and Recreation
Council Member Carlina Rivera
Manhattan Community Board 2
New York Landmarks Conservancy
Historic Districts Council



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



February 29, 2024

ISSUED TO:

Gary Spindler
Park-It Management
250 West 26th Street
New York, NY 10001

Re: **STATUS UPDATE LETTER**

LPC-21-03229
SUL-21-03229
27 EAST 4TH STREET

NoHo Historic District Extension
MANHATTAN
Block/Lot: 544 / 72

NOT ORIGINAL
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This letter is to inform you that at the Public Meeting of December 12, 2023, following the Public Hearing and Public Meeting of January 12, 2021, and the Public Meeting of February 2, 2021, the Landmarks Preservation Commission voted to approve a proposal to demolish the existing building and construct a new building at the subject premises, as put forward in your application completed on December 17, 2020. The approval will expire on December 12, 2029.

However, in voting to approve this proposal, the Commission stipulated that, prior to issuance of the permit, an extensive monitoring and remediation program must be devised for the adjacent Merchant's House Museum, in consultation with a plaster expert, including confirmation of the appropriate standard for vibration tolerance; a survey of the existing plaster conditions; a stabilization plan; and a remedial plan to address any physical damage at the Merchant's House caused by the approved work; that LPC and interested parties will be notified in real time of any breach of the vibration threshold, and notice of any breach of the optical threshold monitoring within 12 hours; that, based on consultation with LPC staff and the plaster expert and the plaster survey, the applicant shall put in place prior to the issuance of the permit a remedial fund or equivalent financial instrument, to support plaster repairs at the Merchant's House Museum for any physical damage caused by the approved work at 27 East 4th Street; and that the applicant shall provide LPC staff weekly status reports once excavation begins until the exterior of the building is completed, and staff and LPC's consulting engineer will make site visits during the foundation work at 27 East 4th Street, in consultation with staff. No work may begin until a Certificate of Appropriateness has been issued. Upon

Page 1

Issued: 02/29/24

DOCKET #: LPC-21-03229

receipt, review and approval of the signed and sealed, final Department of Buildings filing drawings for the approved work, incorporating the required changes, a Certificate of Appropriateness will be issued.

Please note that all drawings, including amendments which are to be filed at the Department of Buildings, must be approved by the Landmarks Preservation Commission.

Thank you for your cooperation.

Marie Guarino

Please Note: THIS IS NOT A PERMIT

cc: Edith Bellinghausen, Deputy Director; George Schieferdecker, BKSK Architects, LLP