



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

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

March 28, 2024

Andrew Berman
Village Preservation
232 East 11th Street
New York, NY 10003

Re: 14, 16, and 18 Gay Street and 16, 18, and 20 Christopher Street, Greenwich Village Historic District

Dear Mr. Berman:

We are writing in response to your recent letter to Mayor Adams and Commissioners Oddo of the Department of Buildings (DOB) and Carroll of the Landmarks Preservation Commission (LPC) regarding the six historic buildings at 14, 16, and 18 Gay Street and 16, 18, and 20 Christopher Street. For well over a year, DOB and LPC have been closely coordinating and working together to address the issues surrounding these buildings.

The circumstances that necessitated the demolition of 14 Gay Street circa November 2022 are regrettable from not only a preservation standpoint but also as matters of public and worker safety. As a result of the unfortunate and dangerous circumstances, the city has taken action against the responsible parties. The DOB issued violations to the owner's contractor for failure to follow approved drawings and causing a hazardous condition. The LPC is exploring additional actions against the contractor with the City's Law Department.

Prior to the unfortunate demolition of 14 Gay Street, DOB had ordered the owner to retain the necessary design and construction professionals to evaluate the building and comprehensively repair it. In fact, DOB had been doing so repeatedly since February 2020, before Lionel Nazarian's entities acquired the properties. DOB first became aware of an unstable bulging condition at the front brick masonry wall of 14 Gay Street via a 311 complaint. DOB ordered the immediate installation of shoring and bracing to prevent a collapse of the front wall of 14 Gay Street as well as ordered the owner to evaluate the entire building and comprehensively repair it. LPC and DOB permits were issued in 2020 and 2021 for this work.

At the same time, DOB observed that the other five properties in the portfolio – those being 16 and 18 Gay Street and 16, 18, and 20 Christopher Street – were also in disrepair and consequently issued orders to the owner to evaluate and repair each of them. Additional orders for immediate intervention were issued where structural conditions necessitated such intervention. Furthermore, intra- and cross-agency inspections with HPD were coordinated at each of the properties to highlight housing maintenance concerns.

When ownership changed in 2022, DOB reissued its orders to the new owner and continued to demand the owner's compliance. The prior and current owner's remiss in their compliance is well documented by multiple violations and summonses for failure to comply with the DOB's orders.

Over the past 15 months, structural engineers and other staff from DOB, LPC, and ownership have made multiple site visits to each these buildings, over 30 permits have been issued, structural stabilization has been installed where needed, the owner has been ordered to repair the buildings along a timeframe as recommended by an independent structural engineer, and permanent repairs are now actively underway. This information was shared with you at a February 12th meeting you attended with DOB, LPC, and Council Member Erik Bottcher's staff members.

Fifteen months ago, at the wood-framed 16 Gay Street, extensive shoring and bracing was installed to stabilize the building because of damage caused by illegal work by a contractor. As you know, the contractor removed foundation walls at 14 and 16 Gay Street contrary to DOB- and LPC-issued permits. This failure by the contractor to follow the approved plans destabilized 16 Gay Street and put it at grave risk of collapse. The stabilization was performed in coordination with the demolition of 14 Gay Street next door – which unfortunately could not be similarly stabilized due to the risks posed by its then-destabilized brick masonry walls – as part of an effort to safeguard the building and hopefully abate any need to demolish it. We were pleased for the community when those efforts proved successful. Once 16 Gay Street was temporarily stabilized, new foundation walls were built to replace those that were removed and the now-exposed wood-frame wall was repaired and protected from weather. Additional repairs are still required, and the owner has been ordered to retain the necessary design and construction professionals to determine the extent of necessary repairs and perform such repairs along the timeline recommended by the owner's structural engineer.

The building at 18 Gay Street requires permanent structural repairs. The DOB has ordered the owner to retain the necessary design and construction professionals to determine the extent of the necessary repairs and perform them along the timeline recommended by the owner's structural engineer. In July 2020, DOB identified a structural instability at the 3rd floor framing level and ordered that the owner immediately intervene and stabilize the condition via shoring. That shoring remains in place and is being accounted for by the owner's structural engineer in both their evaluation and proposed repairs.

The building at 16 Christopher Street has been shored but requires structural repairs. The DOB has ordered the owner to retain the necessary design and construction professionals to determine the extent of the necessary repairs and perform them along the timeline recommended by the owner's structural engineer. In October 2021, DOB identified a structural instability at the 1st floor framing level and ordered that the owner immediately intervene and stabilize the condition via shoring. That shoring remains in place and is being accounted for by the owner's structural engineer in both their evaluation and proposed repairs.

At 18 and 20 Christopher Street, extensive repairs are actively underway, as was explained at the meeting held on February 12, 2024. The owners of 18 and 20 Christopher Street have been issued multiple permits, initially for temporary shoring and bracing and then for permanent repairs, by DOB and LPC. Photographs showing work actively underway – installation of new floors, repointing of brick walls and temporary shoring – were shown at the meeting including, for example, the photograph below showing new floor joists and pointing of brick walls at 20 Christopher Street.



You expressed concern about the dormers at 18 and 20 Christopher Street. In October 2023, an expert structural engineering firm retained by the LPC determined that due to prior careless repairs, water infiltration and fire damage, both dormers were very damaged and many individual elements required replacement. Currently, there are no ongoing leaks. As such, the owner's applicants determined that the dormers should be reconstructed. Reconstruction will be carefully specified and undertaken to match the historic dormers under the close scrutiny of LPC staff. If you would like written material regarding the condition of the dormers, submit a Records Access Request to the LPC for such material. Directions on how to file such a request are on the LPC website.

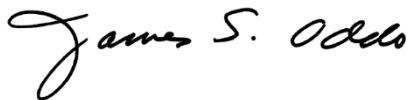
Regarding enforcement for what happened at 14 Gay Street to date, DOB has issued violations with potential fines totaling \$56,562. Such violations include but are not limited to:

- Failure to obtain a temporary construction permit (ECB #: 39518884Y Issued: 07/07/2023)
- Work nonconforming to approved construction documents (ECB #: 39508868P Issued: 11/07/2022)
- Failure to safeguard all persons and property affected by construction operations (ECB#: 39509190P Issued: 11/07/2022)
- Failure to maintain adequate housekeeping per section requirements (ECB#: 35473646R Issued: 07/07/2020)
- Failure to maintain building in a code-compliant manner (ECB#: 35453840M Issued: 02/03/2020)

As discussed above, the DOB has ordered the owner of each building to retain the necessary design and construction professionals and comprehensively repair each building. The timeframes by which the DOB determines that the repairs must be field by, commenced by, and completed by have been based on the recommendations of the owner's structural engineer that the DOB ordered the owner to retain. As discussed above and at the meeting of February 12, 2024, work at 18 and 20 Christopher Street is currently under way. Work at 16 Christopher Street, 18 Gay Street, and 16 Gay Street will follow in that order. Please recall that temporary stabilization has already been installed and remains in place where necessary. The owners are now methodically making permanent repairs based on the conditions of these buildings.

Thank you for your interest in the safety of these buildings, their occupants, and their preservation, as well as the preservation of the Greenwich Village Historic District and landmarked properties throughout the city.

Sincerely,

A handwritten signature in black ink that reads "James S. Oddo". The script is fluid and cursive, with the first name being more prominent.

James S. Oddo, Commissioner
NYC Department of Buildings

A handwritten signature in black ink that reads "Sarah Carroll". The script is elegant and cursive, with the last name being more prominent.

Sarah Carroll, Chair
NYC Landmarks Preservation Commission

cc:

Mayor Eric Adams

City Council Member Erik Bottcher

Assemblywoman Deborah Glick

Community Board 2, Manhattan

New York Landmarks Conservancy

Municipal Art Society

Historic Districts Council

Landmarks West!

Friends of the Upper East Side Historic Districts

Save Harlem Now!