



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



# PERMIT

## CERTIFICATE OF APPROPRIATENESS

<b>ISSUE DATE:</b> 02/23/18	<b>EXPIRATION DATE:</b> 11/14/2023	<b>DOCKET #:</b> LPC-19-21624	<b>COFA</b> COFA-19-21624
<b>ADDRESS:</b> 34 KING STREET		<b>BOROUGH:</b> Manhattan	<b>BLOCK/LOT:</b> 519 / 22
Charlton-King-Vandam Historic District			

**Display This Permit While Work Is In Progress**

ISSUED TO:

**David Berger**  
**34 King Street**  
**New York, NY 10014**



Pursuant to Section 25-307 of the Administrative Code of the City of New York, the Landmarks Preservation Commission, at the Public Meeting of November 14, 2017, following the Public Hearing of the same date, voted to approve in part a proposal to legalize work performed in non-compliance with Landmarks Preservation Commission permits, as put forth in your application completed on October 19, 2017, and as you were notified in Status Update Letter 19-13866 (LPC 19-13866) issued on November 28, 2017.

The work approved consists of the installation of an air intake vent, enclosed in Ipe wood, measuring 1'-8" in height, in the westernmost corner of the areaway. The work not approved consists of the legalization of the rooftop bulkhead as constructed. The proposal was shown in a digital presentation, titled "34 King Street: Amendment to CofA" dated November 14, 2017 and prepared by The Turret Collaborative, including ten (10) slides, consisting of photographs, drawings, photomontages, all presented as components of the application and presented at the Public Hearing and Public Meeting. The proposal as originally presented included the installation of cornice flashing to obscure the as-built bulkhead.

In reviewing this proposal, the Commission noted that the Charlton King Historic District Designation Report describes 34 King Street as a Greek Revival style house built in 1840; and that the building's style, scale, materials, and details, are among the features that contribute to the special architectural and historic

character of the historic district. The Commission further noted that Notice of Violation 17-0340 was issued for "construction of rooftop bulkhead and installation of mechanical equipment in noncompliance with CofA 15-5959 (LPC 15-0478 issued 04/01/2014) and MISC 16-5928 (LPC 16-5310 issued 12/12/14);" Notice of Violation 17-0341 issued for "facade work in noncompliance with CofA 15-5959 (LPC 15-0478 issued 04/01/2014) and MISC 16-5928 (LPC 16-5310 issued 12/12/14);" Notice of Violation 17-0342 was issued for "removal of areaway fence without permit(s);" and Certificate of Appropriateness 15-5959 was issued on April 1, 2014, approving the construction of a rooftop bulkhead; construction of a three story rear yard addition with a setback at the third floor; and reconstructing the top floor of the existing rear façade.

With regard to the presence of the air intake enclosure in the areaway, the Commission found that the installation of the fresh air intake enclosure will not damage or remove any architectural fabric from the building's façade or areaway; that the enclosure, clad in Ipe wood, will be of a simple design and neutral finish and will not call undue attention to the installation; that the proposed size of the enclosure will not detract from the overall areaway spacing and configuration, will be partially concealed by the areaway fence or walls, and will not exceed the areaway fencing in height. Based on these findings, the Commission determined the work to be appropriate to the building and the historic district and voted to approve it, with the stipulation that that the height of the air intake enclosure be reduced to match the top edge of the areaway coping. With regards to the bulkhead and cornice flashing, the Commission required that the height of the northern elevation of the bulkhead be reduced so that it becomes minimally visible and does not exceed the visibility which the Commission previously approved; and that the cornice flashing be eliminated from the proposal.

The Commission authorized the issuance of a Certificate of Appropriateness upon receipt, review and approval of two or more sets of signed and sealed Department of Building filing drawings showing the approved design, and incorporating the required changes. Subsequently, on February 1, 2018, the Commission received drawings labeled A-203.03, A-600.03, A-700.03, dated as received February 1, 2018, prepared by Wayne Turrett, RA; M-101 dated February 12, 2018, prepared by Michael Tobias, PE; and emails, visibility studies, and photomontage dated January 8, 2018 and prepared by Simeon Siegel, The Turrett Collaborative. Accordingly, staff reviewed these materials and found that that the cornice flashing has been eliminated from the proposal, and noted that these materials include the following corrective work: the removal of the stucco cladding and interior structural beam at the northern elevation of the existing bulkhead, and rebuilding with a chamfered profile, measuring 2'-3" in width and 1'-1" in height; and removal of the existing junction box on the northern elevation of the bulkhead, relocating to a non-visible location closer to the roof, and painting the conduit and junction box light grey to match the surrounding stucco. With regard to this corrective work, staff found that the height of the northern elevation of the bulkhead has been reduced sufficiently so that it will be minimally visible and does not exceed the visibility which the Commission previously approved. With regard to the air intake enclosure, staff received and reviewed a letter dated November 22, 2017, prepared by Michael Tobias, P.E., and found that the air-intake is required to remain at the proposed height of approximately 1'-8", due to engineering calculations, as lowering it would allow the vent to be blocked by snow and prevent the sub-grade boiler operation. Based on these and the above findings, the drawings have been marked approved with a perforated seal, and Certificate of Appropriateness 19-21624 is being issued.

PLEASE NOTE: Notice of Violation 17-0340 remains in effect until the corrective work approved under this permit has been completed and inspected for compliance. **THIS PERMIT CONTAINS A COMPLIANCE DATE OF JUNE 14, 2018.** Notice of Violation 17-0341 and Notice of Violation 17-0342 remain in effect and are not addressed by this permit. Failure to complete the corrective work by this date or resolve these matters may result in the issuance of a Notice of Violation (NOV) originating from the Environmental Control Board in accordance with Title 63 of the Rules of the City of New York, Section 7-02 (c). Second NOV's require a court appearance and a civil fine may be imposed. Once the corrective work

is completed in compliance with this permit, promptly submit a written request for a Notice of Compliance from the building owner, along with a photograph documenting the finished work, to the Commission.

This permit is issued on the basis of the building and site conditions described in the application and disclosed during the review process. By accepting this permit, the applicant agrees to notify the Commission if the actual building or site conditions vary or if original or historic building fabric is discovered. The Commission reserves the right to amend or revoke this permit, upon written notice to the applicant, in the event that the actual building or site conditions are materially different from those described in the application or disclosed during the review process.

All approved drawings are marked approved by the Commission with a perforated seal indicating the date of the approval. The work is limited to what is contained in the perforated document. Other work or amendments to this filing must be reviewed and approved separately. The applicant is hereby put on notice that performing or maintaining any work not explicitly authorized by this permit may make the applicant liable for criminal and/or civil penalties, including imprisonment and fine. This letter constitutes the permit; a copy must be prominently displayed at the site while work is in progress. Please direct inquiries to Karina Bishop.

Meenakshi Srinivasan  
Chair

**PLEASE NOTE: PERFORATED DRAWINGS AND A COPY OF THIS PERMIT HAVE BEEN SENT TO:**  
Wayne Turrett, The Turrett Collaborative

**cc:** Caroline Kane Levy, Deputy Director; Wayne Turrett, The Turrett Collaborative; John Weiss, Deputy Counsel/LPC; Peter C. Neger, Morgan, Lewis & Bockius LLP