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THE CITY RECORD

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PUBLIC HEARINGS AND MEETINGS

See Also: Procurement; Agency Rules

CITY COUNCIL

■ PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN, that the Council has scheduled the following public hearings on the matters indicated below:

The Subcommittee on Zoning and Franchises will hold a public hearing on the following matters in the Council Chambers, City Hall, New York, NY 10007, commencing at 9:30 A.M. on Tuesday, August 14, 2018:

5 BEMENT AVENUE

STATEN ISLAND CB - 1

C 160401 ZMR

Application submitted by Pelton Place LLC, pursuant to Sections 197-c and 201 of the New York City Charter for an amendment to the Zoning Map, Section No. 21a, by establishing within an existing R3-1 District a C2-2 District bounded by Pelton Place, Elizabeth Avenue, a line perpendicular to the westerly streetline of Elizabeth Avenue distant 115 feet southerly (as measured along the streetline) from the point of intersection of the southerly streetline of Pelton Place and the westerly streetline of Elizabeth Avenue, Bement Avenue, and Richmond Terrace, as shown on a diagram (for illustrative purposes only) dated March 26, 2018, and subject to the conditions of CEQR Declaration E-441.

55-63 SUMMIT STREET

BROOKLYN CB - 6

C 170047 ZMK

Application submitted by PHD Summit LLC, pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 16a, changing from an M1-1 District to an R6B District property bounded by a line 200 feet northwesterly of Columbia Street, a line midway between Carroll Street and Summit Street, a line 100 feet northwesterly of Columbia Street and Summit Street, as shown on a diagram (for illustrative purposes only), dated February 26, 2018, and subject to the conditions of CEQR Declaration E-466.

55-63 SUMMIT STREET

BROOKLYN CB - 6

N 170046 ZRK

Application submitted by PHD Summit, LLC, pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, modifying Appendix F for the purpose of establishing a Mandatory Inclusionary Housing area.

Matter underlined is new, to be added;
Matter struck out is to be deleted;
Matter within # # is defined in Section 12-10;

indicates where unchanged text appears in the Zoning Resolution

APPENDIX F

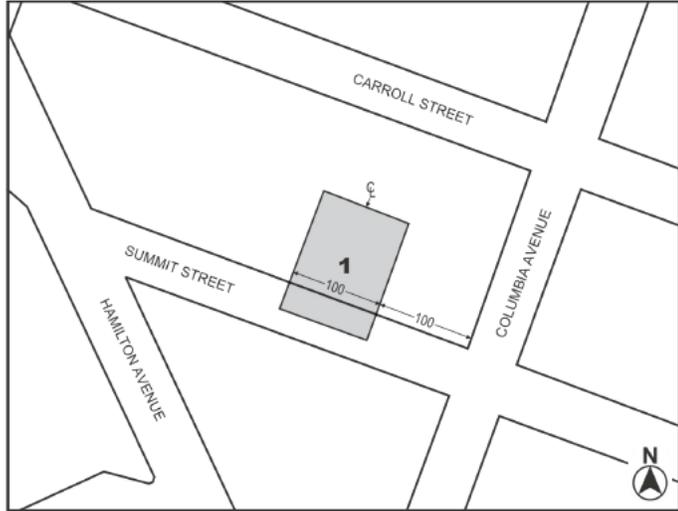
Inclusionary Housing Designated Areas and Mandatory Inclusionary Housing Areas

BROOKLYN

Brooklyn Community District 6

Map 2 – [date of adoption]

[PROPOSED MAP]



Mandatory Inclusionary Housing Program Area *see Section 23-154(d)(3)* Area 1 [date of adoption] — MIH Program Option 1 and Option 2

Portion of Community District 6, Brooklyn

205 PARK AVENUE REZONING

BROOKLYN CB - 2

C 170164 ZMK

Application submitted by 462 Lexington Avenue, LLC, pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 12d:

- changing from an M1-2 District to an R7D District property bounded by a line perpendicular to the westerly street line of Vanderbilt Avenue distant 85 feet northerly (as measured along the street line) from the point of intersection of the northern street line of Park Avenue (northerly portion) and the western street line of Vanderbilt Avenue, Vanderbilt Avenue, Park Avenue (southerly portion), and Clermont Avenue; and
- establishing within the proposed R7D District a C2-4 District bounded by a line perpendicular to the westerly street line of Vanderbilt Avenue distant 85 feet northerly (as measured along the street line) from the point of intersection of the northern street line of Park Avenue (northerly portion) and the western street line of Vanderbilt Avenue, Vanderbilt Avenue, Park Avenue (southerly portion), and Clermont Avenue;

as shown on a diagram (for illustrative purposes only) dated March 12, 2018, and subject to the conditions of CEQR Declaration E-464.

205 PARK AVENUE REZONING

BROOKLYN CB - 2

C 170165 ZRK

Application submitted by 462 Lexington Ave., LLC, pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, modifying Appendix F for the purpose of establishing a Mandatory Inclusionary Housing area.

APPENDIX F

Inclusionary Housing Designated Areas and Mandatory Inclusionary Housing Areas

BROOKLYN

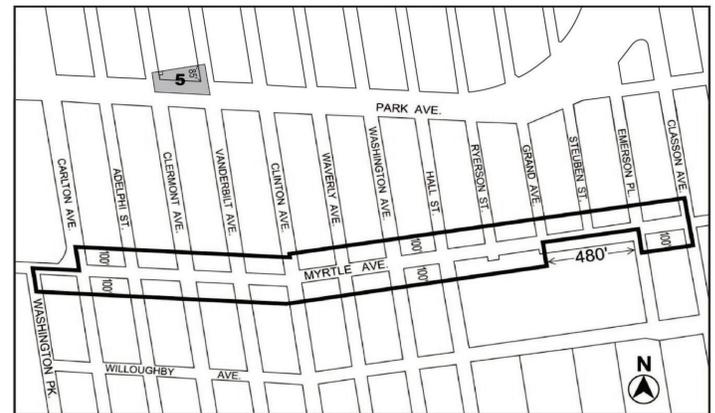
Brooklyn Community District 2

Map 1. (date of adoption)

[EXISTING MAP]



[PROPOSED MAP]



Inclusionary Housing Designated Area
Mandatory Inclusionary Housing Program Area *see Section 23-154(d)(3)*
Area 5 [date of adoption] — MIH Program Option 1 and Option 2

Portion of Community District 2, Brooklyn

80 FLATBUSH AVENUE REZONING

BROOKLYN CB - 2

C 180216 ZMK

Application submitted by New York City Educational Construction Fund and 80 Flatbush Avenue, LLC, pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 16c, changing from a C6-2 District to a C6-9 District property bounded by the southeasterly centerline prolongation of Schermerhorn Street, Flatbush Avenue, State Street and 3rd Avenue, as shown on a diagram (for illustrative purposes only) dated February 26th, 2018.

80 FLATBUSH AVENUE REZONING

BROOKLYN CB-2

N 180217 ZRK

Application submitted by the New York City Education Construction Fund and 80 Flatbush Avenue, LLC, pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, modifying Article VII, Chapter 4 (Special Permits by the City Planning Commission) relating to modifications of the special permit for school construction in the Special Downtown Brooklyn District, modifying Article X, Chapter 1 (Special Downtown Brooklyn District) and modifying Appendix F (Inclusionary Housing Designated Areas) for the purpose of establishing a Mandatory Inclusionary Housing area.

Matter underlined is new, to be added;
Matter ~~struck out~~ is to be deleted;
Matter within # # is defined in Section 12-10;
*** indicates where unchanged text appears in the Zoning Resolution

ARTICLE VII
ADMINISTRATION

Chapter 4
Special Permits by the City Planning Commission

* * *

74-75
Educational Construction Fund Projects

74-751 Educational Construction Fund in certain districts

In R5, R6, R7, R8, R9 or R10 Districts, in C1 or C2 Districts mapped within such #Residence Districts#, or in C1-6, C1-7, C1-8, C1-9, C2-6, C2-7, C2-8, C4, C5, C6 or C7 Districts, for combined #school# and #residences# including air rights over #schools# built on a #zoning lot# owned by the New York City Educational Construction Fund, the City Planning Commission may permit utilization of air rights; modify the requirements that open area be accessible to and usable by all persons occupying a #dwelling unit# or #rooming unit# on the #zoning lot# in order to qualify as #open space#; permit ownership, control of access and maintenance of portions of the #open space# to be vested in the New York City Educational Construction Fund or City agency successor in title; permit modification of #yard# regulations and height and setback regulations; permit the distribution of #lot coverage# without regard for #zoning lot lines# for a #zoning lot# containing the Co-op Tech High School in Manhattan Community District 11; authorize the total #floor area#, #open space#, #dwelling units# or #rooming units# permitted by the applicable district regulations on such site to be distributed without regard for district boundaries; and authorize an increase of 25 percent in the number of #dwelling units# or #rooming units# permissible under the applicable district regulations. For the purposes of this Section, a #zoning lot# owned by the New York City Educational Construction Fund may also include a tract of land under single fee ownership or alternate ownership arrangements according to the #zoning lot# definition in Section 12-10, when such tract of land includes a parcel which was the site of a public school listed in the following table.

Table with 2 columns: School, Community District. Row 1: P.S. 151, CD 8, Manhattan

The total number of #dwelling units# or #rooming units# and #residential floor area# shall not exceed that permissible for a #residential building# on the same #zoning lot#.

The distribution of #bulk# on the #zoning lot# shall permit adequate access of light and air to the surrounding #streets# and properties.

As further conditions for such modifications:

- (a) the #school# and the #residence# shall be #developed# as a unit in accordance with a plan approved by the Commission;
(b) at least 25 percent of the total #open space# required by the applicable district regulations, or such greater percentage as may be determined by the Commission to be the appropriate minimum percentage, shall be accessible exclusively to the occupants of such #residence# and under the direct control of its management;
(c) notwithstanding the provisions of Section 23-12 (Permitted Obstructions in Open Space), none of the required #open space# shall include driveways, private streets, open #accessory# off-street parking spaces or open #accessory# off-street loading berths; and
(d) the Commission shall find that:
(1) a substantial portion of the #open space# which is not accessible exclusively to the occupants of such #residence# will be accessible and usable by them on satisfactory terms part-time;
(2) playgrounds, if any, provided in conjunction with the #school# will be so designed and sited in relation to the #residence# as to minimize any adverse effects of noise; and
(3) all #open space# will be arranged in such a way as to minimize friction among those using #open space# of the #buildings or other structures# on the #zoning lot#.

The Commission shall give due consideration to the landscape design of the #open space# areas. The Commission shall also give due consideration to the relationship of the #development# to the #open space# needs of the surrounding area and may require the provision of a greater amount of total #open space# than the minimum amount required by the applicable district regulation where appropriate for the purpose of achieving the #open space# objectives of the #Residence District# regulations.

The Commission may prescribe other appropriate conditions and safeguards to enhance the character of the surrounding area.

74-752

Educational Construction Fund projects in certain areas

In C6-9 Districts within the #Special Downtown Brooklyn District#, for #developments#, #enlargements# or #conversions# that include one or more #schools# on a tract of land owned by the New York City Educational Construction Fund, the City Planning Commission may permit the modifications set forth in Paragraph (a) of this Section. For the purposes of this Section, a tract of land owned by the New York City Educational Construction Fund may also include a tract of land under single fee ownership or alternate ownership arrangements according to the #zoning lot# definition in Section 12-10, when such tract of land includes a parcel which was the site of a public school.

(a) Modifications

The Commission may modify:

- (1) applicable ground floor #use# regulations;
(2) in a #Mandatory Inclusionary Housing area#, the affordable housing requirements of Paragraph (d) of Section 23-154 (Inclusionary Housing);
(3) other #bulk# regulations, except that the maximum permitted #floor area ratio# may not be increased; and
(4) #accessory# off-street parking and loading berth requirements.

(b) Findings

To grant a special permit, pursuant to this Section, the Commission shall find that:

- (1) such modifications will facilitate the construction of one or more #schools# on the #zoning lot#;
(2) such ground floor #use# modifications will improve the layout and design of the #school# or #schools#, shall not have an adverse effect on the #uses# located within any portion of the #zoning lot# and will not impair the essential character of the surrounding area;
(3) such modifications to the affordable housing requirements in a #Mandatory Inclusionary Housing area# will facilitate significant public infrastructure or public facilities, including one or more #schools#, addressing needs that are not created by the proposed #development#, #enlargement# or #conversion#;
(4) such #bulk# modifications will result in a better site plan for the #school# or #schools# and will have minimal adverse effects on the surrounding area;
(5) such parking and loading modifications will improve the layout and design of the school and will not create serious traffic congestion or unduly inhibit vehicular or pedestrian movement and will not impair or adversely affect the development of the surrounding area.

The Commission may prescribe additional conditions and safeguards to minimize adverse effects on the character of the surrounding area.

* * *

ARTICLE X
SPECIAL PURPOSE DISTRICTS

Chapter 1
Special Downtown Brooklyn District

* * *

101-05 Applicability of Special Permits by the Board of Standards and Appeals

Within the #Special Downtown Brooklyn District#, Section 73-68 (Height and Setback and Yard Modifications) shall not be applicable.

* * *

101-21
Special Floor Area and Lot Coverage Regulations

R7-1 C6-1 C6-4.5 C6-6 C6-9

* * *

(e) In C6-9 Districts

In C6-9 Districts, the maximum permitted #floor area ratio# for #commercial# or #community facility uses# shall be 18.0, and the maximum #residential floor area ratio# shall be 12.0. No #floor area# bonuses shall be permitted.

* * *

101-22
Special Height and Setback Regulations

The height of all #buildings or other structures# shall be measured from the #base plane#. The provisions of Section 101-221 (Permitted Obstructions) shall apply to all #buildings# within the #Special Downtown Brooklyn District#.

In R7-1, C5-4, C6-1, and C6-4 and C6-9 Districts, except C6-1A Districts, the underlying height and setback regulations shall not apply. In lieu thereof, all #buildings or other structures# shall comply with the provisions of Section 101-222 (Standard height and setback regulations) or, as an option where applicable, Section 101-223 (Tower regulations). #Buildings or other structures# within the Flatbush Avenue Extension and Schermerhorn Street Height Limitation Areas shall comply with the provisions of Section 101-30 (SPECIAL PROVISIONS WITHIN HEIGHT LIMITATION AREAS). However, the underlying height and setback regulations shall apply to any #Quality Housing building#, except that Quality Housing height and setback regulations shall not be applicable within any R7-1 District mapped within a C2-4 District.

* * *

101-222

Standard Height and Setback Regulations

C2-4/R7-1 C6-1 C6-4.5 C6-6 C6-9

* * *

MAXIMUM BASE HEIGHTS AND MAXIMUM BUILDING HEIGHTS IN C2-4/R7-1, C6-1, C6-4.5, AND C6-6 AND C6-9 DISTRICTS

Maximum Base Height Maximum #building# Height

Beyond 100 feet Within 100 feet Beyond 100 feet Within 100 feet of a #wide of a #wide of a #wide of a #wide

Table with 5 columns: District, street#, street#, street#, street#. Rows include C2-4/R7-1, C6-1, and C6-4.5 C6-6 C6-9.

* * *

101-223

Tower regulations

C5-4 C6-1 C6-4 C6-6 C6-9

* * *

(d) Maximum #building# height

In C6-1 Districts, the maximum height of a #building or other structure# shall be 495 feet. No height limit shall apply within a C5-4, C6-4, or C6-6 or C6-9 District.

* * *

APPENDIX F

Inclusionary Housing Designated Areas and Mandatory Inclusionary Housing Areas

* * *

BROOKLYN

* * *

Brooklyn Community District 2

* * *

Map 8 - [date of adoption]



Mandatory Inclusionary Housing Area (MIHA) - see Section 23-154(d)(3) Area 5 - [date of adoption] - MIH Program Option 1 and Option 2

Portion of Community District 2, Brooklyn

* * *

80 FLATBUSH AVENUE REZONING

BROOKLYN CB - 2

C 180218 ZSK

Application submitted by New York City Educational Construction Fund and 80 Flatbush Avenue, LLC, pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit, pursuant to Sections 74-752* of the Zoning Resolution to modify:

- 1. the use regulations of Section 101-11 (Special Ground Floor Use Regulations);
2. the affordable housing requirements of Section 23-154 (Inclusionary Housing) and Section 23-90 (Inclusionary Housing);
3. the bulk requirements of Section 101-223* (Tower Regulations) and Section 101-41 (Special Street Wall Location Regulations);
4. the requirements of Section 101-50 (Off-Street Parking and Off-Street Loading Regulations) and Section 25-23 (Requirements Where Group Parking Facilities Are Provided) to waive all required accessory parking; and
5. the requirements of Section 36-62 (Required Accessory Off-street Loading Berths) to waive one required loading berth;

in connection with a proposed mixed-use development, on property located at 80 Flatbush Avenue (Block 174, Lots 1, 9, 13, 18, 23 & 24), in a C6-9** District, within the Special Downtown Brooklyn District.

*Note: A zoning text amendment is proposed to create a new Section 74-752 and to change Section 101-223 of the Zoning Resolution under a concurrent related application (N 180217 ZRK).

**Note: This site is proposed to be rezoned by changing a C6-2 District to C6-9 District under a concurrent related application for a Zoning Map change (C 180216 ZMK).

The Subcommittee on Landmarks, Public Siting and Maritime Uses will hold a public hearing on the following matters in the Committee Room, City Hall, New York, NY 10007, commencing at 12:00 P.M. on Tuesday, August 14, 2018:

CENTRAL HARLEM - WEST 130TH-132ND STREETS HISTORIC DISTRICT

MANHATTAN CB - 10

20185492 HKM (N 180372 HKM)

The proposed designation by the Landmarks Preservation Commission [DL-507/LP-2607], pursuant to Section 3020 of the New York City Charter of the landmark designation of the Central Harlem-West 130th-132nd Streets Historic District.

CENTRAL HARLEM-WEST 130TH-132ND STREETS HISTORIC DISTRICT BOUNDARIES ARE AS FOLLOWS:

The Central Harlem - West 130th-132nd Streets Historic District consists of the property bounded by a line beginning on the southern curbline of West 130th Street at a point on a line extending northerly from the eastern property line of 102 West 130th Street, then extending southerly along the eastern property line of 102 West 130th, westerly along the southern property lines of 102 West 130th Street to 170 West 130th Street, then northerly along the western property line of 170 West 130th Street to the southern curbline of West 130th Street, then easterly along the southern curbline of West 130th Street to a point on a line extending southerly from the western property line of 147 West 130th Street, then northerly along the western property line of 147 West 130th Street, then westerly along the southern property lines of 148 West 131st Street to 156 West 131st Street, then northerly along the western property line of 156 West 131st Street to the southern curbline of West 131st Street, then easterly along the southern curbline of West 131st Street to a point on a line extending southerly from the western property line of 161-163 West 131st Street, then northerly along the western property line of 161-163 West 131st Street and along the western property line of 166 West 132nd Street to the northern curbline of West 132nd Street, then westerly along the northern curbline of West 132nd Street to a point on a line extending southerly from the western property line of 161 West 132nd Street, then northerly along the western property line of 161 West 132nd Street, then easterly along the northern property lines of 161 West 132nd Street to 103 West 132nd Street, then southerly along the eastern property line of 103 West 132nd Street, extending southerly across West 132nd Street and southerly along the eastern property lines of 102 West 132nd Street and 103 West 131st Street to the northern curbline of West 131st Street, then westerly along the northern curbline of West 131st Street to a point on a line extending northerly from the eastern property line of 104 West 131st Street, then southerly along the eastern property line of 103 West 130th Street to the southern curbline of West 130th Street, then easterly to the point of beginning.

**53RD (NOW 101ST STREET) PRECINCT POLICE STATION
QUEENS CB - 14 20185494 HIQ (N 180449 HIQ)**

The proposed designation by the Landmark Preservation Commission [DL-507/LP-2610], pursuant to Section 3020 of the New York City Charter of 53rd (now 101st) Precinct Police Station, located at 16-12 Mott Avenue (Tax Map Block 15557, Lot 4), as historic landmarks.

FIREHOUSE, ENGINE COMPANIES 264 & 328/LADDER COMPANY 134

QUEENS CB - 14 20185493 HIQ (N 180440 HIQ)

The proposed designation by the Landmark Preservation Commission [DL-507/LP-2609], pursuant to Section 3020 of the New York City Charter of Firehouse, Engine Companies 264 & 328/Ladder Company 134, located at 16-15 Central Avenue (Tax Map Block 15559, Lot 25 in part), as historic landmarks.

NYPD EVIDENCE STORAGE

BROOKLYN CB - 6 C 180256 PQQ

Application submitted by the New York City Police Department and the Department of Citywide Administrative Services, pursuant to Section 197-c of the New York City Charter, for the acquisition of property located at 700 Columbia Street (Block 612, Lot 250 and p/o Lot 205) for continued use as a vehicular evidence storage facility.

NYPD BOMB SQUAD HEADQUARTERS

MANHATTAN CB - 3 C 180296 PCM

Application submitted by the New York City Police Department and the Department of Citywide Administrative Services, pursuant to Section 197-c of the New York City Charter, for the site selection and acquisition of property, located at 241 West 26th Street (Block 776, Lot 12) for use as the NYPD Bomb Squad Headquarters.

The Subcommittee on Planning, Dispositions and Concessions will hold a public hearing on the following matters in the Committee Room, City Hall, New York, NY 10007, commencing at 2:00 P.M. on Tuesday, August 14, 2018:

THIRD PARTY TRANSFER PROGRAM, IN REM ACTION NO. 56

QUEENS CB - 14 20185472 HAQ

Application submitted by the New York City Department of Housing Preservation and Development, pursuant to Section 577 of Article XI of the Private Housing Finance Law for approval of a new real property tax exemption, for property subject to a final judgment of foreclosure in the Third Party Transfer Program, Queens, In Rem Action No. 56, located in the Borough of Queens, Community District 14, Council District 31.

THIRD PARTY TRANSFER PROGRAM, IN REM ACTION NO. 56

QUEENS CBs - 2, 14 20185473 HAQ

Application submitted by the New York City Department of Housing Preservation and Development, pursuant to Article 16 of the General Municipal Law requesting the approval of a new urban development area project and the exemption from real property taxes, pursuant to Section 694 of the General Municipal Law and Section 577 of Article XI of the Private Housing Financing Law, for properties subject to a final judgment of foreclosure in the Third Party Transfer Program, Queens, In Rem Action No. 56, located in the Borough of Queens, Community Districts 2 and 14, Council Districts 26 and 31.

THIRD PARTY TRANSFER PROGRAM, IN REM ACTION NO. 53

BROOKLYN CBs - 1, 3, 16 20185474 HAK

Application submitted by the New York City Department of Housing Preservation and Development, pursuant to Section 577 of Article XI of the Private Housing Finance Law for approval of a new real property tax exemption, for properties subject to a final judgment of foreclosure in the Third Party Transfer Program, Brooklyn, In Rem Action No. 53, located in the Borough of Brooklyn, Community Districts 1, 3, and 16, Council Districts 34, 36, and 37.

THIRD PARTY TRANSFER PROGRAM, IN REM ACTION NO. 53

BROOKLYN CBs - 1, 3-5, 7, 8, 13-17 20185475 HAK

Application submitted by the New York City Department of Housing Preservation and Development, pursuant to Article 16 of the General Municipal Law requesting the approval of a new urban development area project and the exemption from real property taxes, pursuant to Section 694 of the General Municipal Law and Section 577 of Article XI of the Private Housing Financing Law, for properties subject to a final judgment of foreclosure in the Third Party Transfer Program, Brooklyn, In Rem Action No. 53, located in the Borough of Brooklyn, Community Districts 1, 3, 4, 5, 7, 8, 13, 14, 15, 16, and 17, Council Districts 34, 35, 36, 37, 38, 40, 41, 42, and 47.

THIRD PARTY TRANSFER PROGRAM, IN REM ACTION NO. 52

BRONX CBs - 2-4, 7 20185476 HAX

Application submitted by the New York City Department of Housing Preservation and Development, pursuant to Section 577 of Article XI of the Private Housing Finance Law for approval of a new real property tax exemption, for properties subject to a final judgment of foreclosure in the Third Party Transfer Program, Bronx, In Rem Action No. 52, located in the Borough of the Bronx, Community Districts 2, 3, 4, and 7, Council Districts 14, 16, and 17.

THIRD PARTY TRANSFER PROGRAM, IN REM ACTION NO. 52

BRONX CBs - 1-7, 9, 12 20185477 HAX

Application submitted by the New York City Department of Housing Preservation and Development, pursuant to Article 16 of the General Municipal Law requesting the approval of a new urban development area project and the exemption from real property taxes, pursuant to Section 694 of the General Municipal Law and Section 577 of Article XI of the Private Housing Financing Law, for properties subject to a final judgment of foreclosure in the Third Party Transfer Program, Bronx, In Rem Action No. 52, located in the Borough of the Bronx, Community Districts 1, 2, 3, 4, 5, 6, 7, 9, and 12, Council Districts 8, 11, 12, 14, 15, 16, and 17.

TRIPLE HDFC, HPO, FY19

MANHATTAN CB - 11 20195011 HAM

Application submitted by the New York City Department of Housing Preservation and Development, pursuant to Section 577 of Article XI of the Private Housing Finance Law for approval of a new real property tax exemption for property, located at Block 1655, Lot 15; Block 1708, Lot 48; Block 1795, Lot 24; and termination of the prior exemption, Community District 11, Borough of Manhattan, Council District 8.

638-640 RIVERSIDE DRIVE/TMN209G2 - ARTICLE XI

MANHATTAN CB - 9 20195013 HAM

Application submitted by the New York City Department of Housing Preservation and Development, pursuant to Section 577 of Article XI of the Private Housing Finance Law for approval of a new real property tax exemption for property, located at Block 2088, Lot 74, and termination of the prior exemption, Community District 9, Borough of Manhattan, Council District 7.

642-644 RIVERSIDE DRIVE/TMN209G - ARTICLE XI

MANHATTAN CB - 9 20195014 HAM

Application submitted by the New York City Department of Housing Preservation and Development, pursuant to Section 577 of Article XI of the Private Housing Finance Law for approval of a new real property tax exemption for property, located at Block 2088, Lot 114, and termination of the prior exemption, Community District 9, Borough of Manhattan, Council District 7.

NUEVA ERA APARTMENTS - ARTICLE XI

MANHATTAN CB - 12 20195015 HAM

Application submitted by the New York City Department of Housing Preservation and Development, pursuant to Section 577 of Article XI of the Private Housing Finance Law for approval of a new real property tax exemption for property, located at Block 2152, Lots 36 and 38, and termination of the prior exemption, Community District 12, Borough of Manhattan, Council District 10.

DESHLER APARTMENTS - ARTICLE XI

MANHATTAN CB - 10 20195016 HAM

Application submitted by the New York City Department of Housing Preservation and Development, pursuant to Section 577 of Article XI of the Private Housing Finance Law for approval of a new real property tax exemption for property, located at Block 1823, Lots 58 and 61, and termination of the prior exemption, Community District 10, Borough of Manhattan, Council District 9.

Accessibility questions: Land Use Division- (212) 482-5154, by: Friday, August 10, 2018, 3:00 P.M.



a8-14

CITY PLANNING COMMISSION

■ PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN that resolutions have been adopted by the City Planning Commission, scheduling a public hearing on the following matters to be held at NYC City Planning Commission Hearing Room, Lower Concourse, 120 Broadway, New York, NY, on

Wednesday, August 22, 2018 at 10:00 A.M.

**BOROUGH OF THE BRONX
No. 1**

DOHMH MOBILE FOOD VENDOR INSPECTION FACILITY

CD 9 C 180460 PCX
IN THE MATTER OF an application submitted by the Department of Health and Mental Hygiene and the Department of Citywide Administrative Services, pursuant to Section 197-c of the New York City Charter, for the site selection and acquisition of property, located at 1235 Zerega Avenue (Block 3831, Lot 40) for a mobile food vendor inspection facility.

**BOROUGH OF BROOKLYN
Nos. 2 & 3
3901 9TH AVENUE REZONING
No. 2**

CD 12 C 180186 ZMK
IN THE MATTER OF an application submitted by 39 Group Inc, pursuant to Sections 197-c and 201 of the New York City Charter for an amendment to the Zoning Map, Section No. 22c:

1. changing from an M1-2 District to an R7A District property bounded by 39th Street, New Utrecht Avenue, a line midway between 39th Street and 40th Street, and 9th Avenue; and
2. establishing within the proposed R7A District a C2-4 District bounded by 39th Street, New Utrecht Avenue, a line midway between 39th Street and 40th Street, and 9th Avenue;

as shown on a diagram (for illustrative purposes only) dated May 7, 2018, and subject to the conditions of CEQR Declaration E-479.

No. 3

CD 12 N 180187 ZRK
IN THE MATTER OF an application submitted by 39 Group Inc, pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, modifying Appendix F for the purpose of establishing a Mandatory Inclusionary Housing area.

Matter underlined is new, to be added;
Matter ~~struck out~~ is to be deleted;
Matter within # # is defined in Section 12-10;
* * * indicates where unchanged text appears in the Zoning Resolution

**APPENDIX F
Inclusionary Housing Designated Areas and Mandatory Inclusionary Housing Areas**

BROOKLYN

Brooklyn Community District 12

Map 1 - [date of adoption]

[PROPOSED MAP]



Portion of Community District 12, Brooklyn

* * *

**No. 4
FRIENDS OF CROWN HEIGHTS 16**

CD 8 C 160363 PQQ

IN THE MATTER OF an application submitted by the Administration for Children's Services and the Department of Citywide Administrative Services, pursuant to Section 197-c of the New York City Charter, for the acquisition of property, located at 963 Park Place (Block 1235, Lot 58) for continued use as a child care facility.

**BOROUGH OF QUEENS
Nos. 5 & 6
VARIETY BOYS AND GIRLS CLUB REZONING
No. 5**

CD 1 C 180085 ZMQ
IN THE MATTER OF an application submitted by Variety Boys and Girls Club of Queens, pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 9a, by:

1. changing from an R6B District to an R7X District property bounded by 30th Road, a line 200 feet southeasterly of 21st Street, 30th Drive, and a line 100 feet southeasterly of 21st Street; and
2. changing from an R7A District to an R7X District property bounded 30th Road, a line 100 feet southeasterly of 21st Street, 30th Drive, and 21st Street;

as shown on a diagram (for illustrative purposes only) dated May 7, 2018 and subject to the conditions of CEQR Declaration E-478.

Resolution for adoption scheduling August 22, 2018 for a public hearing.

No. 6

CD 1 N 180086 ZRQ
IN THE MATTER OF an application submitted by Walter Sanchez/ Variety Boys and Girls Club of Queens, Inc., pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, modifying APPENDIX F for the purpose of establishing a Mandatory Inclusionary Housing area.

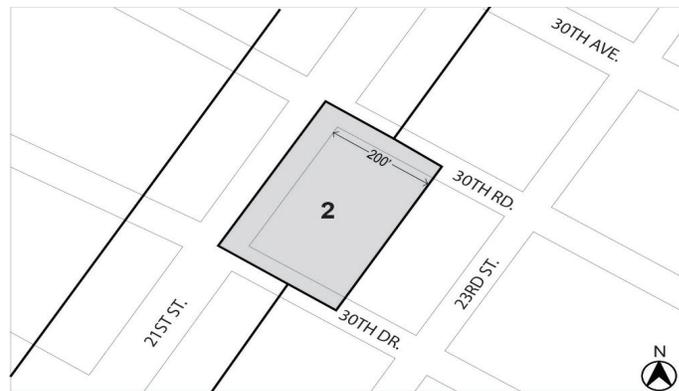
Matter underlined is new, to be added;
Matter ~~struck out~~ is to be deleted;
Matter within # # is defined in Section 12-10;
* * * indicates where unchanged text appears in the Zoning Resolution

**APPENDIX F
Inclusionary Housing Designated Areas and Mandatory Inclusionary Housing Areas**

QUEENS

Queens Community District 1

Map 4 - [date of adoption]



□ Inclusionary Housing designated area
■ Mandatory Inclusionary Housing Program Area see Section 23-154(d)(3)
Area 2 — [date of adoption], MIH Program Option 2

Portion of Community District 1, Queens

* * *

**Nos. 7 & 8
11-14 35TH AVENUE REZONING
No. 7**

CD 1 C 180211 ZMQ
IN THE MATTER OF an application submitted by Ravi Management, LLC, pursuant to Sections 197-c and 201 of the New York City Charter

for an amendment to the Zoning Map, Section No. 9a:

1. changing from an R5 District to an R6A District property bounded by 35th Avenue, 12th Street, 36th Avenue, and a line midway between 11th Street and 12th Street; and
2. establishing within the proposed R6A District a C1-3 District bounded by 35th Avenue, 12th Street, 36th Avenue, and a line midway between 11th Street and 12th Street;

as shown on a diagram (for illustrative purposes only) dated May 7, 2018, and subject to the conditions of CEQR Declaration E-480.

No. 8

CD 1 **N 180212 ZRQ**
IN THE MATTER OF an application submitted by Ravi Management, LLC, pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, modifying APPENDIX F for the purpose of establishing a Mandatory Inclusionary Housing area.

Matter underlined is new, to be added;
 Matter ~~struck out~~ is to be deleted;
 Matter within # # is defined in Section 12-10;
 * * * indicates where unchanged text appears in the Zoning Resolution

* * *

APPENDIX F

Inclusionary Housing Designated Areas and Mandatory Inclusionary Housing Areas

* * *

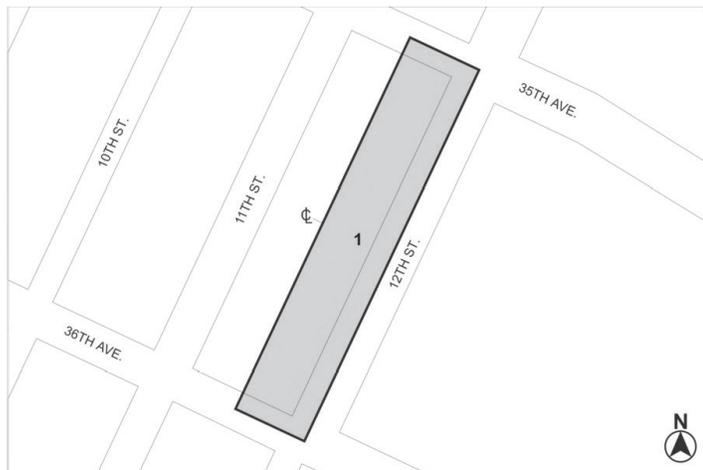
Queens

* * *

Queens Community District 1

* * *

Map 4 – [date of adoption]



■ Mandatory Inclusionary Housing Area (see Section 23-154(d)(3))
 Area 1 — [date of adoption] — MIH Program Option 1 and Option 2

Portion of Community District 1, Queens

Nos. 9 & 10

ST. MICHAEL'S PARK ELIMINATION

No. 9

CD 1 **C 180174 ZMQ**
IN THE MATTER OF an application submitted by NYC Department of Parks and Recreation, pursuant to Sections 197-c and 201 of the New York City Charter for the amendment of the Zoning Map, Section Nos. 9c and 9d, by establishing within a former park* (St. Michael's Park) an R4 District bounded by the northwesterly boundary lines of a former park (St. Michael's Park), the southerly street line of Astoria Boulevard South, the northwesterly street line of Brooklyn Queens Expressway, and the northerly street line of 30th Avenue, as shown on a diagram (for illustrative purposes only) dated June 11, 2018.

*Note: a park (St. Michael's Park) is proposed to be demapped under a concurrent related application (C 180175 MMQ) for changes to the City Map.

No. 10

CD 1 **C 180175 MMQ**
IN THE MATTER OF an application submitted by the Department of Parks and Recreation, pursuant to Sections 197-c and 199 of the New

York City Charter for an amendment to the City Map involving:

- the elimination of parkland within the area bounded by the Grand Central Parkway, 49th Street, 30th Avenue and the Brooklyn Queens Expressway; and
- the adjustment of grades and block dimensions necessitated thereby;

including authorization for any acquisition or disposition of real property related thereto, in accordance with Map No. 5027 dated June 7, 2018 and signed by the Borough President.

BOROUGH OF STATEN ISLAND

Nos. 11 & 12

SOUTH SHORE OF STATEN ISLAND COASTAL RISK MANAGEMENT PHASE II

No. 11

CD 1, 2, 3 **C 180302 PSR**
IN THE MATTER OF an application submitted by the Department of Parks and Recreation and the Department of Citywide Administrative Services, pursuant to Section 197-c of the New York City Charter, for the site selection of approximately 13.2 acres of property (Block 4160, Lots 11, 13, 16, 18, 20, 23, 26, 37, 339, 341, 349, 352, 355, 358; Block 4782, Lot 40; Block 4791, Lots 50, 51, 52, 53, 54, 55, 56, 57, 58, 61, 71, 73, 82, 84, 85, 87, 90; Block 4792, Lots 201, 204, 206, 208, 209, 210; Block 4793, Lots 70, 72, 74, 75, 76, 77; Block 4802, Lots 11, 18, 19; Block 4803, Lot 18), as well as eight sections of street bed located in the area generally bounded by Miller Field to the north, Lower New York Bay to the east, Great Kills Park to the south, and Hylan Boulevard to the west to facilitate the construction of storm surge protection measures, including levees, seawalls and internal drainage areas, in Oakwood Beach and New Dorp Beach.

No. 12

CDs 1, 2, 3 **C 180303 MMR**
IN THE MATTER OF an application submitted by the Department of Parks and Recreation, the Department of Citywide Administrative Services and the Department of Transportation, pursuant to Sections 197-c and 199 of the New York City Charter, and Section 5-430 *et seq.* of the New York City Administrative Code for an amendment to the City Map involving:

- the elimination, discontinuance and closing of Emmet Avenue between Hylan Boulevard and a point 250 feet from Delwit Avenue and between Cedar Grove Avenue and Great Kills Lane; and
- the elimination, discontinuance and closing of Pendale Street between Emmet Avenue and a point 88 feet northeast of Emmet Avenue; and
- the elimination, discontinuance and closing of Bach Street south of Emmet Avenue; and
- the elimination, discontinuance and closing of Great Kills Lane between Emmet Avenue and Cedar Grove Avenue; and
- the elimination, discontinuance and closing of Delwit Avenue between Cedar Grove Avenue and a point 140 feet north of Cedar Grove Avenue; and
- the elimination, discontinuance and closing of Cedar Grove Avenue between Emmet Avenue and Ebbitts Street; and
- the elimination, discontinuance and closing of Adga Street between Roma Avenue and Cedar Grove Avenue; and
- the elimination, discontinuance and closing of New Dorp Lane between Cedar Grove Avenue and the U.S. Bulkhead line; and
- the elimination of Juno Avenue north of Cedar Grove Avenue; and
- the elimination of Todd Place north off Cedar Grove Avenue; and
- the extinguishment of several record streets; and
- the adjustment of grades and block dimensions necessitated thereby;

including authorization for any acquisition or disposition of real property related thereto, in accordance with Map No. 4253 dated May 4, 2018 and signed by the Borough President.

YVETTE V. GRUEL, Calendar Officer
 City Planning Commission
 120 Broadway, 31st Floor, New York, NY 10271
 Telephone (212) 720-3370



DESIGN COMMISSION

MEETING

Agenda

Monday, August 13, 2018

The Committee Meeting is scheduled to begin at 10:10 A.M.

Public Meeting

11:50 A.M. Consent Items

- 26679: Construction of a prototypical planted median, Grand Concourse Boulevard, Phase IV, from East 175th Street to East Fordham Road, Bronx. (Final) (CC 14 & 15, CB 5) DDC/DOT
- 26686: Reconstruction of a retaining wall, installation of rooftop heat cables, and adjacent site work, Riverdale Library, 5540 Mosholu Avenue, Bronx. (Preliminary and Final) (CC 11, CB 8) DDC/NYPL
- 26703: Construction of a segment of the Bronx River Greenway, Shoelace Park, between 211th Street, 229th Street, Bronx Boulevard, and the Bronx River, Bronx. (Final) (CC 12, CB 12) DPR
- 26706: Preservation and adaptive reuse of the West 69th Street Transfer Bridge, Phase II, Riverside South Park, West 69th Street at the Hudson River, Manhattan. (Final) (CC 6, CB 7) DPR
- 26716: Construction of a parking garage, Building 399, Sands Street between Navy Street, Third Street, and Chauncey Avenue, Brooklyn Navy Yard Industrial Park, 63 Flushing Avenue, Brooklyn. (Final) (CC 33, CB 2) BNYDC
- 26717: Installation of windows and mechanical equipment, Building 22, 3rd Street, McDonough Avenue, 4th Street, and Warrington Avenue, Brooklyn. (Preliminary and Final) (CC 33, CB 2) BNYDC
- 26718: Installation of *The Phoenix Ladder* by Shellyne Rodriguez as part of the construction of a prototypical planted median, Grand Concourse Boulevard, Phase IV, Grand Concourse Service Road, Morris Avenue, and Henwood Place, Bronx. (Conceptual) (CC 14 & 15, CB 5) DCLA%/DDC/DOT
- 26719: Installation of *Para Roberto* by Melissa Calderon, Roberto Clemente Plaza, Third Avenue, East 147th Street, East 149th Street, and Willis Avenue, Bronx. (Preliminary) (CC 8, CB 1) DCLA%/DDC/DOT
- 26720: Conservation of the *Brownsville War Memorial* by Charles C. Rumsey, Zion Triangle Plaza, Legion Street, East New York Avenue and Pitkin Avenue, Brooklyn. (Preliminary) (CC 14 & 15, CB 16) DDC/DOT/DPR
- 26721: Conservation of *Peter Cooper* (1894) by Augustus Saint-Gaudens, Cooper Square between East Sixth Street and East Seventh Street, Manhattan. (Final) (CC 2, CB 3) DDC/DOT/DPR
- 26722: Stabilization of the West Branch Auxiliary Dam, West Branch Reservoir, US Route 6 and Drewville Road, Town of Carmel, Putnam County. (Preliminary) DEP
- 26723: Construction of a water quality monitoring station, Croton Water Filtration Plant, 3701 Jerome Avenue, Bronx. (Preliminary and Final) (CC 11, CB 7) DEP
- 26724: Restoration of Stump Pond Stream, Nicholson Road, Town of East Fishkill, Dutchess County. (Preliminary and Final) DEP
- 26725: Construction of a water quality monitoring station, Shaft 7, Sedgwick Avenue and West 167th Street, Bronx. (Final) (CC 16, CB 4) DEP
- 26726: Construction of a water quality monitoring station, Shaft 3B, Mosholu Avenue and Jerome Avenue, Van Cortlandt Park, Bronx. (Preliminary and Final) (CC 11, CB 8) DEP/DPR
- 26727: Installation of a soccer sealcoat field, J.H.S. 123, James M. Kieran School, 1025 Morrison Avenue, Manhattan. (Preliminary and Final) (CC 18, CB 9) DOE
- 26728: Installation of prototypical signage, Tremont Health Center, 1826 Arthur Avenue, Bronx. (Final) (CC 17, CB 6) DOHMH
- 26729: Construction of a plaza and streetscape improvements at Long Island University, Fleet Street, Willoughby Street, and Ashland Place, Brooklyn. (Preliminary and Final) (CC 35, CB 2) DOT
- 26730: Installation of a fence and distinctive paving, 46 East 81st Street between Madison Avenue and Park Avenue, Manhattan. (Preliminary and Final) (CC 4, CB 8) DOT
- 26731: Installation of a prototypical neighborhood wayfinding (WalkNYC) sign, Broadway Junction, Van Sinderen Avenue between Fulton Street and Broadway, adjacent to Callahan-Kelly Park, Brooklyn. (Preliminary and Final) (CC 37, CB 5) DOT
- 26732: Installation of a prototypical neighborhood wayfinding (WalkNYC) sign, Peter Minuit Plaza and adjacent to Whitehall Ferry Terminal, Manhattan. (Preliminary and Final) (CC 1, CB 1) DOT
- 26733: Installation of a prototypical neighborhood wayfinding (WalkNYC) sign, Williamsburg Bridge Plaza, Havemeyer Street between Broadway and South 5th Street, Brooklyn. (Preliminary and Final) (CC 34, CB 1) DOT
- 26734: Conservation of the Dover Patrol Monument, John Paul Jones Park, Fourth Avenue and 101st Street, Brooklyn. (Preliminary) (CC 43, CB 10) DPR
- 26735: Construction of a prototypical comfort station, South Park, Freshkills Park, Arthur Kill Road, Woodrow Road, Arden Avenue, and the West Shore Expressway, Staten Island. (Preliminary) (CC 50 & 51, CB 2) DPR
- 26736: Construction of a path and adjacent site work, Salt Marsh Nature Center, Avenue U, East 33rd Street to Burnett Street, Marine Park. (Preliminary and Final) (CC 46, CB 18) DPR
- 26737: Construction of a prototypical comfort station and adjacent site work, Betsy Head Park, Blake Avenue, Bristol Street, Dumont Avenue, and Thomas S. Boyland Street, Brooklyn. (Preliminary and Final) (CC 41, CB 16) DPR
- 26738: Conservation of *Henry Ward Beecher* (1890) by John Quincy Adams Ward, Columbus Park, Cadman Plaza West and Johnson Street, Brooklyn. (Final) (CC 33, CB 2) DPR
- 26739: Construction of a football field and adjacent site work, College Point Park (College Point Field), Linden Place, 23rd Avenue, Ulmer Street and 26th Avenue, College Point, Queens. (Final) (CC 19, CB 7) DPR
- 26740: Rehabilitation of Lost Battalion Hall, 93-29 Queens Boulevard, Rego Park, Queens. (Final) (CC 29, CB 6) DPR
- 26741: Construction of the Edenwald YMCA facility and adjacent site work, 1250 East 229th Street at Schieffelin Place, Bronx. (Final) (CC 12, CB 12) EDC
- 26742: Installation of rooftop mechanical equipment, Engine Company 42, 1781 Monroe Avenue, Bronx. (Preliminary and Final) (CC 15, CB 5) FDNY
- 26743: Conservation of *Untitled* (1986) by Keith Haring, Woodhull Medical Center, 760 Broadway, Brooklyn. (Preliminary) (CC 34 & 36, CB 1, 3, & 4) HHC
- 26744: Installation of signage and doors (McDonald's), 395 Flatbush Avenue Extension between Fulton Street and Dekalb Avenue, Brooklyn. (Preliminary and Final) (CC 35, CB 2) HPD

Design Commission meetings are held in the Conference Room on the Third Floor of City Hall, unless otherwise indicated.

All attendees, including members of the public, are encouraged to arrive at least 45 minutes in advance of the estimated time; those who also plan to testify are encouraged to submit their testimony in writing in advance of the meeting date. Please note that all times are approximate and subject to change without notice.

Please note that items on the consent agenda are not presented. If members of the public wish to testify on a consent agenda item, they should contact the Design Commission immediately, so the project can be rescheduled for a formal presentation at the next appropriate public hearing, per standard procedure.

Do you need assistance to participate in the meeting? If you need a reasonable accommodation of a disability, such as a sign language interpreter, at the meeting, please inform the Public Design Commission, three business days (72 hours) in advance of the meeting. The Public Design Commission Conference Room is wheelchair accessible.

Per Local Law Int 0132-2010, public meetings are recorded on digital video and posted online.

Public Design Commission
City Hall, Third Floor
Phone: (212) 788-3071
Fax: (212) 788-3086
www.nyc.gov/designcommission
designcommission@cityhall.nyc.gov



TRANSPORTATION

■ PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN, pursuant to law, that the following proposed revocable consents, have been scheduled for a public hearing by the New York City Department of Transportation. The hearing will be held at 55 Water Street, 9th Floor, Room 945, commencing at 2:00 P.M., on Wednesday, August 29, 2018. Interested parties can obtain copies of proposed agreements or request sign-language interpreters (with at least seven days prior notice) at 55 Water Street, 9th Floor SW, New York, NY 10041, or by calling (212) 839-6550.

#1 IN THE MATTER OF a proposed revocable consent authorizing 1010 Park Avenue Condominium, to construct, maintain and use an ADA ramp on the south sidewalk of East 85th Street, between Park Avenue and Madison Avenue, in the Borough of Manhattan. The proposed revocable consent is for a term of ten years from Approval Date by the Mayor and provides among other terms and conditions for compensation payable to the City according to the following schedule: **R.P. # 2445**

From the Approval Date to June 30, 2019 - \$25/per annum

the maintenance of a security deposit in the sum of \$20,000 and the insurance shall be in the amount of Two Million Dollars (\$2,000,000) per occurrence for bodily injury and property damage, One Million Dollars (\$1,000,000) for personal and advertising injury, Two Million Dollars (\$2,000,000) aggregate, and Two Million Dollars (\$2,000,000) products/completed operations.

#2 IN THE MATTER OF a proposed revocable consent authorizing Adolfo Suaya Construction LLC, to construct, maintain and use a stoop and fenced-in area on the south sidewalk of Perry Street, between Seventh Avenue south and Greenwich Avenue, in the Borough of Manhattan. The proposed revocable consent is for a term of ten years from Approval Date by the Mayor and provides among other terms and conditions for compensation payable to the City according to the following schedule: **R.P. #2447**

From the Date of Approval by the Mayor to June 30, 2029 - \$25/per annum

the maintenance of a security deposit in the sum of \$5,000 and the insurance shall be in the amount of Two Million Dollars (\$2,000,000) per occurrence for bodily injury and property damage, One Million Dollars (\$1,000,000) for personal and advertising injury, Two Million Dollars (\$2,000,000) aggregate, and Two Million Dollars (\$2,000,000) products/completed operations.

#3 IN THE MATTER OF a proposed revocable consent authorizing Ahn Y. Lee-McKechine and Joseph R. McKechinie, Jr., to construct, maintain and use two retaining walls on the south sidewalk of 43rd Street, between 4th and 3rd Avenues, in the Borough of Brooklyn. The proposed revocable consent is for a term of ten years from Approval Date by the Mayor and provides among other terms and conditions for compensation payable to the City according to the following schedule: **R.P. # 2444**

From the Approval Date to June 30, 2019 - \$3,000/per annum

For the period July 1, 2019 to June 30, 2020 - \$3,053
 For the period July 1, 2020 to June 30, 2021 - \$3,106
 For the period July 1, 2021 to June 30, 2022 - \$3,159
 For the period July 1, 2022 to June 30, 2023 - \$3,212
 For the period July 1, 2023 to June 30, 2024 - \$3,265
 For the period July 1, 2024 to June 30, 2025 - \$3,318
 For the period July 1, 2025 to June 30, 2026 - \$3,371
 For the period July 1, 2026 to June 30, 2027 - \$3,424
 For the period July 1, 2027 to June 30, 2028 - \$3,477
 For the period July 1, 2028 to June 30, 2029 - \$3,530

the maintenance of a security deposit in the sum of \$5,000 and the insurance shall be in the amount of Two Million Dollars (\$2,000,000) per occurrence for bodily injury and property damage, One Million Dollars (\$1,000,000) for personal and advertising injury, Two Million Dollars (\$2,000,000) aggregate, and Two Million Dollars (\$2,000,000) products/completed operations.

#4 IN THE MATTER OF a proposed revocable consent authorizing Argus Community, Inc., to continue to maintain and use a stoop and a fenced-in area on the east sidewalk of St. Nicholas Avenue, north of 145th Street, in the Borough of Manhattan. The proposed revocable consent is for a term of ten years from July 1, 2018 to June 30, 2028 and provides among other terms and conditions for compensation payable to the City according to the following schedule: **R.P. #1656**

From July 1, 2018 to June 30, 2018 - \$25/per annum

the maintenance of a security deposit in the sum of \$1,000 and the insurance shall be in the amount of Two Million Dollars (\$2,000,000) per occurrence for bodily injury and property damage, One Million Dollars (\$1,000,000) for personal and advertising injury, Two Million

Dollars (\$2,000,000) aggregate, and Two Million Dollars (\$2,000,000) products/completed operations.

#5 IN THE MATTER OF a proposed revocable consent authorizing Clifton Joseph, to continue to maintain and use a fenced-in area on the south sidewalk of McKinley Avenue, west of Autumn Avenue, in the Borough of Brooklyn. The proposed revocable consent is for a term of ten years from July 1, 2018 to June 30, 2028 and provides among other terms and conditions for compensation payable to the City according to the following schedule: **R.P. #2032**

For the period July 1, 2018 to June 30, 2028 - \$100/per annum

the maintenance of a security deposit in the sum of \$1,500 and the insurance shall be in the amount of Two Million Dollars (\$2,000,000) per occurrence for bodily injury and property damage, One Million Dollars (\$1,000,000) for personal and advertising injury, Two Million Dollars (\$2,000,000) aggregate, and Two Million Dollars (\$2,000,000) products/completed operations.

#6 IN THE MATTER OF a proposed revocable consent authorizing Crescent 110 Equities LLC, to construct, maintain and use tree pit light receptacles, together with electrical sockets and electrical conduits under the east sidewalk of Frederick Douglass Circle and, under the south sidewalk of West 111th Street, in the Borough of Manhattan. The proposed revocable consent is for a term of ten years from approval Date by the Mayor and provides among other terms and conditions for compensation payable to the City according to the following schedule: **R.P. #2449**

From the Approval Date to June 30, 2019 - \$4,030/per annum

For the period July 1, 2019 to June 30, 2020 - \$4,101
 For the period July 1, 2020 to June 30, 2021 - \$4,172
 For the period July 1, 2021 to June 30, 2022 - \$4,243
 For the period July 1, 2022 to June 30, 2023 - \$4,314
 For the period July 1, 2023 to June 30, 2024 - \$4,385
 For the period July 1, 2024 to June 30, 2025 - \$4,456
 For the period July 1, 2025 to June 30, 2026 - \$4,527
 For the period July 1, 2026 to June 30, 2027 - \$4,598
 For the period July 1, 2027 to June 30, 2028 - \$4,669
 For the period July 1, 2028 to June 30, 2029 - \$4,740

the maintenance of a security deposit in the sum of \$5,000 and the insurance shall be in the amount of Two Million Dollars (\$2,000,000) per occurrence for bodily injury and property damage, One Million Dollars (\$1,000,000) for personal and advertising injury, Two Million Dollars (\$2,000,000) aggregate, and Two Million Dollars (\$2,000,000) products/completed operations.

#7 IN THE MATTER OF a proposed revocable consent authorizing DJI Land II LLC, to construct, maintain and use fenced-in planted areas with steps, and a snowmelt system on and under the north sidewalk of East 80th Street, between Madison Avenue and Park Avenue, in the Borough of Manhattan. The proposed revocable consent is for a term of ten years from Approval Date by the Mayor and provides among other terms and conditions for compensation payable to the City according to the following schedule: **R.P. #2446**

From the Approval Date to June 30, 2019 - \$1,734/per annum

For the period July 1, 2019 to June 30, 2020 - \$1,765
 For the period July 1, 2020 to June 30, 2021 - \$1,796
 For the period July 1, 2021 to June 30, 2022 - \$1,827
 For the period July 1, 2022 to June 30, 2023 - \$1,858
 For the period July 1, 2023 to June 30, 2024 - \$1,889
 For the period July 1, 2024 to June 30, 2025 - \$1,920
 For the period July 1, 2025 to June 30, 2026 - \$1,951
 For the period July 1, 2026 to June 30, 2027 - \$1,982
 For the period July 1, 2027 to June 30, 2028 - \$2,013
 For the period July 1, 2028 to June 30, 2029 - \$2,044

the maintenance of a security deposit in the sum of \$10,000 and the insurance shall be in the amount of Two Million Dollars (\$2,000,000) per occurrence for bodily injury and property damage, One Million Dollars (\$1,000,000) for personal and advertising injury, Two Million Dollars (\$2,000,000) aggregate, and Two Million Dollars (\$2,000,000) products/completed operations.

#8 IN THE MATTER OF a proposed revocable consent authorizing Federal Reserve Bank of New York, to continue to maintain and use bollards and guard booth; the bollards are located along Liberty, Williams, Nassau Streets and Maiden Lane, the guard booth is located at, Louise Nevelson Plaza, in the Borough of Manhattan. The proposed revocable consent is for a term of ten years from July 1, 2018 to June 30, 2028 and provides among other terms and conditions for compensation payable to the City according to the following schedule: **R.P. #1632**

For the period July 1, 2018 to June 30, 2019 - \$23,857
 For the period July 1, 2019 to June 30, 2020 - \$23,927
 For the period July 1, 2020 to June 30, 2021 - \$23,997
 For the period July 1, 2021 to June 30, 2022 - \$24,067
 For the period July 1, 2022 to June 30, 2023 - \$24,137
 For the period July 1, 2023 to June 30, 2024 - \$24,207
 For the period July 1, 2024 to June 30, 2025 - \$24,277

For the period July 1, 2025 to June 30, 2026 - \$24,347
 For the period July 1, 2026 to June 30, 2027 - \$24,417
 For the period July 1, 2027 to June 30, 2028 - \$24,487

the maintenance of a security deposit in the sum of \$100,000 and the insurance shall be in the amount of Two Million Dollars (\$2,000,000) per occurrence for bodily injury and property damage, One Million Dollars (\$1,000,000) for personal and advertising injury, Two Million Dollars (\$2,000,000) aggregate, and Two Million Dollars (\$2,000,000) products/completed operations.

#9 IN THE MATTER OF a proposed revocable consent authorizing the Gabrielli Brookville LLC, to continue to maintain and use a force main, together with manholes under, across and along Rockaway Boulevard and under and along 182nd Street, in the Borough of Queens. The proposed revocable consent is for a term of ten years from July 1, 2018 to June 30, 2028 and provides among other terms and conditions for compensation payable to the City according to the following schedule: **R.P. #2012**

For the period July 1, 2018 to June 30, 2019 - \$4,281
 For the period July 1, 2019 to June 30, 2020 - \$4,356
 For the period July 1, 2020 to June 30, 2021 - \$4,431
 For the period July 1, 2021 to June 30, 2022 - \$4,506
 For the period July 1, 2022 to June 30, 2023 - \$4,581
 For the period July 1, 2023 to June 30, 2024 - \$4,656
 For the period July 1, 2024 to June 30, 2025 - \$4,731
 For the period July 1, 2025 to June 30, 2026 - \$4,806
 For the period July 1, 2026 to June 30, 2027 - \$4,881
 For the period July 1, 2027 to June 30, 2028 - \$4,956

the maintenance of a security deposit in the sum of \$8,500 and the insurance shall be in the amount of Two Million Dollars (\$2,000,000) per occurrence for bodily injury and property damage, One Million Dollars (\$1,000,000) for personal and advertising injury, Two Million Dollars (\$2,000,000) aggregate, and Two Million Dollars (\$2,000,000) products/completed operations.

#10 IN THE MATTER OF a proposed revocable consent authorizing Hearst Communications, Inc., to construct, maintain and use the accessibility ramp on the east sidewalk of Ninth Avenue between West 54th and West 55th Streets, in the Borough of Manhattan. The proposed revocable consent is for a term of ten years from Approval Date by the Mayor and provides among other terms and conditions for compensation payable to the City according to the following schedule: **R.P. #2448**

From the Approval Date to June 30, 2029 - \$25/per annum

the maintenance of a security deposit in the sum of \$5,000 and the insurance shall be in the amount of Two Million Dollars (\$2,000,000) per occurrence for bodily injury and property damage, One Million Dollars (\$1,000,000) for personal and advertising injury, Two Million Dollars (\$2,000,000) aggregate, and Two Million Dollars (\$2,000,000) products/completed operations.

#11 IN THE MATTER OF a proposed revocable consent authorizing Uri Aminov and Ludmila Aminov, to continue to maintain and use a walled-in planted areas on the east sidewalk of Kent Street, north of 80th Drive, in the Borough of Queens. The proposed revocable consent is for a term of ten years from July 1, 2018 to June 30, 2028 and provides among other terms and conditions for compensation payable to the City according to the following schedule: **R.P. #2023**

From July 1, 2018 to June 30, 2018 - \$644/per annum

the maintenance of a security deposit in the sum of \$1,500 and the insurance shall be in the amount of Two Million Dollars (\$2,000,000) per occurrence for bodily injury and property damage, One Million Dollars (\$1,000,000) for personal and advertising injury, Two Million Dollars (\$2,000,000) aggregate, and Two Million Dollars (\$2,000,000) products/completed operations.

#12 IN THE MATTER OF a proposed revocable consent authorizing The Minister, Elders & Deacons of the Reformed Protestant Dutch Church of the City of New York, to continue to maintain and use steps on the east sidewalk of Second Avenue, between East 6th and East 7th Streets, in the Borough of Manhattan. The proposed revocable consent is for a term of ten years from July 1, 2018 to June 30, 2028 and provides among other terms and conditions for compensation payable to the City according to the following schedule: **R.P. #2022**

For the period July 1, 2018 to June 30, 2019 - \$219
 For the period July 1, 2019 to June 30, 2020 - \$223
 For the period July 1, 2020 to June 30, 2021 - \$227
 For the period July 1, 2021 to June 30, 2022 - \$231
 For the period July 1, 2022 to June 30, 2023 - \$235
 For the period July 1, 2023 to June 30, 2024 - \$239
 For the period July 1, 2024 to June 30, 2025 - \$243
 For the period July 1, 2025 to June 30, 2026 - \$247
 For the period July 1, 2026 to June 30, 2027 - \$251
 For the period July 1, 2027 to June 30, 2028 - \$255

the maintenance of a security deposit in the sum of \$1,000 and the insurance shall be in the amount of Two Million Dollars (\$2,000,000)

per occurrence for bodily injury and property damage, One Million Dollars (\$1,000,000) for personal and advertising injury, Two Million Dollars (\$2,000,000) aggregate, and Two Million Dollars (\$2,000,000) products/completed operations.

☛ a9-29

PROPERTY DISPOSITION

CITYWIDE ADMINISTRATIVE SERVICES

■ SALE

The City of New York in partnership with PropertyRoom.com posts vehicle and heavy machinery auctions online every week at: <https://www.propertyroom.com/s/nyc-fleet>

All auctions are open to the public and registration is free.

Vehicles can be viewed in person by appointment at: Kenben Industries Ltd., 1908 Shore Parkway, Brooklyn, NY 11214. Phone: (718) 802-0022

m30-s11

OFFICE OF CITYWIDE PROCUREMENT

■ NOTICE

The Department of Citywide Administrative Services, Office of Citywide Procurement is currently selling surplus assets on the internet. Visit <http://www.publicsurplus.com/sms/nycdcas.ny/browse/home>

To begin bidding, simply click on 'Register' on the home page.

There are no fees to register. Offerings may include but are not limited to: office supplies/equipment, furniture, building supplies, machine tools, HVAC/plumbing/electrical equipment, lab equipment, marine equipment, and more.

Public access to computer workstations and assistance with placing bids is available at the following locations:

- DCAS Central Storehouse, 66-26 Metropolitan Avenue, Middle Village, NY 11379
- DCAS, Office of Citywide Procurement, 1 Centre Street, 18th Floor, New York, NY 10007

j2-d31

HOUSING PRESERVATION AND DEVELOPMENT

■ PUBLIC HEARINGS

All Notices Regarding Housing Preservation and Development Dispositions of City-Owned Property, appear in the Public Hearing Section.

jy6-j7

POLICE

■ NOTICE

OWNERS ARE WANTED BY THE PROPERTY CLERK DIVISION OF THE NEW YORK CITY POLICE DEPARTMENT

The following list of properties is in the custody of the Property Clerk Division without claimants:

Motor vehicles, boats, bicycles, business machines, cameras, calculating machines, electrical and optical property, furniture, furs, handbags, hardware, jewelry, photographic equipment, radios, robes, sound systems, surgical and musical instruments, tools, wearing apparel, communications equipment, computers, and other miscellaneous articles.

Items are recovered, lost, abandoned property obtained from prisoners, emotionally disturbed, intoxicated and deceased persons; and property obtained from persons incapable of caring for themselves.

INQUIRIES

Inquiries relating to such property should be made in the Borough concerned, at the following office of the Property Clerk.

FOR MOTOR VEHICLES (All Boroughs):

- Springfield Gardens Auto Pound, 174-20 North Boundary Road, Queens, NY 11430, (718) 553-9555
- Erie Basin Auto Pound, 700 Columbia Street, Brooklyn, NY 11231, (718) 246-2030

FOR ALL OTHER PROPERTY

- Manhattan - 1 Police Plaza, New York, NY 10038, (646) 610-5906
- Brooklyn - 84th Precinct, 301 Gold Street, Brooklyn, NY 11201, (718) 875-6675
- Bronx Property Clerk - 215 East 161 Street, Bronx, NY 10451, (718) 590-2806
- Queens Property Clerk - 47-07 Pearson Place, Long Island City, NY 11101, (718) 433-2678
- Staten Island Property Clerk - 1 Edgewater Plaza, Staten Island, NY 10301, (718) 876-8484

j2-d31



“Compete To Win” More Contracts!

Thanks to a new City initiative - “Compete To Win” - the NYC Department of Small Business Services offers a new set of FREE services to help create more opportunities for minority and women-owned businesses to compete, connect and grow their business with the City. With NYC Construction Loan, Technical Assistance, NYC Construction Mentorship, Bond Readiness, and NYC Teaming services, the City will be able to help even more small businesses than before.

- Win More Contracts at nyc.gov/competetowin

“The City of New York is committed to achieving excellence in the design and construction of its capital program, and building on the tradition of innovation in architecture and engineering that has contributed to the City’s prestige as a global destination. The contracting opportunities for construction/construction services and construction-related services that appear in the individual agency listings below reflect that commitment to excellence.”

HHS ACCELERATOR

To respond to human services Requests for Proposals (RFPs), in accordance with Section 3-16 of the Procurement Policy Board Rules of the City of New York (“PPB Rules”), vendors must first complete and submit an electronic prequalification application using the City’s Health and Human Services (HHS) Accelerator System. The HHS Accelerator System is a web-based system maintained by the City of New York for use by its human services Agencies to manage procurement. The process removes redundancy by capturing information about boards, filings, policies, and general service experience centrally. As a result, specific proposals for funding are more focused on program design, scope, and budget.

Important information about the new method

- Prequalification applications are required every three years.
- Documents related to annual corporate filings must be submitted on an annual basis to remain eligible to compete.
- Prequalification applications will be reviewed to validate compliance with corporate filings, organizational capacity, and relevant service experience.
- Approved organizations will be eligible to compete and would submit electronic proposals through the system.

The Client and Community Service Catalog, which lists all Prequalification service categories and the NYC Procurement Roadmap, which lists all RFPs to be managed by HHS Accelerator

may be viewed at <http://www.nyc.gov/html/hhsaccelerator/html/roadmap/roadmap.shtml>. All current and prospective vendors should frequently review information listed on roadmap to take full advantage of upcoming opportunities for funding.

Participating NYC Agencies

HHS Accelerator, led by the Office of the Mayor, is governed by an Executive Steering Committee of Agency Heads who represent the following NYC Agencies:

- Administration for Children’s Services (ACS)
- Department for the Aging (DFTA)
- Department of Consumer Affairs (DCA)
- Department of Corrections (DOC)
- Department of Health and Mental Hygiene (DOHMH)
- Department of Homeless Services (DHS)
- Department of Probation (DOP)
- Department of Small Business Services (SBS)
- Department of Youth and Community Development (DYCD)
- Housing and Preservation Department (HPD)
- Human Resources Administration (HRA)
- Office of the Criminal Justice Coordinator (CJC)

To sign up for training on the new system, and for additional information about HHS Accelerator, including background materials, user guides and video tutorials, please visit www.nyc.gov/hhsaccelerator

AGING

CONTRACT PROCUREMENT AND SUPPORT SERVICES

■ AWARD

Human Services/Client Services

SENIOR SERVICES - BP/City Council Discretionary - PIN# 12518L0182001 - AMT: \$100,000.00 - TO: Korean American Senior Citizens Society of Greater NY Inc., 149-18 41st Avenue, Flushing, NY 11355.

City Council/Borough President discretionary - funds for this contract have been provided through a discretionary award, to enhance services to New York City’s older adults.

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CITYWIDE ADMINISTRATIVE SERVICES

OFFICE OF CITYWIDE PROCUREMENT

■ AWARD

Goods

HEAVY EQUIPMENT: BUCKET TRUCK- NYPD - Intergovernmental Purchase - Other - PIN# 8571900006 - AMT: \$127,717.00 - TO: Altec Industries Inc., 210 Inverness Center Drive, Birmingham, AL 35242.

OGS Contr PC66582

Suppliers wishing to be considered for a contract with the Office of General Services of New York State are advised to contact the Procurement Services Group, Corning Tower, Room 3711, Empire State Plaza, Albany, NY 12242 or by phone: (518) 474-6717.

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BLANKET PO FOR GRAPHIC ART SUPPLIES ON AN AS NEEDED BASIS. - Innovative Procurement - Other - PIN# 85619RQ0168 - AMT: \$40,000.00 - TO: GT Business Supplies LLC, 115-13 Linden Boulevard, South Ozone Park, NY 11420.

● **AUDIO EQUIPMENT** - Innovative Procurement - Other - PIN# 85619RQ0022 - AMT: \$50,000.00 - TO: Only the Best for Less, Inc., 95 West 95th Street, Suite 10c, New York, NY 10025.

M/WBE Innovative Procurement, for awards up to \$150k to certified MWBEs.

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Goods and Services

CRM DEVELOPMENT SERVICES FOR DCAS INVENTORY SYSTEM - Innovative Procurement - Other - PIN# 85619RQ0018 - AMT: \$139,000.00 - TO: Avenues International Inc., 4 Restrict Court, Princeton Junction, NJ 08550.

M/WBE Innovative Procurement, for awards up to \$150k to certified MWBEs.

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■ SOLICITATION

Goods

BRAND SPECIFIC OEM MACHINE TOOLS (DEP) - Competitive Sealed Bids - PIN# 8571800229 - Due 9-10-18 at 10:30 A.M.

A copy of the bid can be downloaded from The City Record Online at www.nyc.gov/cityrecord. Enrollment is free. Vendor may also request the bid by contacting Vendor Relations via email at dcasdmssbids@dcas.nyc.gov, by telephone at (212) 386-0044.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.
Citywide Administrative Services, 1 Centre Street, 18th Floor North, New York, NY 10007. Fiorella E. Leal (212) 386-0404; fleal@dcas.nyc.gov

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COMPTROLLER

■ SOLICITATION

Goods and Services

HEDGE FUND INVESTMENT CONSULTANT SERVICES

- Negotiated Acquisition - Other - PIN#015-198-226-00 ZQ - Due 8-21-18 at 2:00 P.M.

In accordance with Section 3-04(b)(2)(iii) of the New York City Procurement Policy Board Rules, the New York City's Comptroller's Office (the "Comptroller's Office"), acting on behalf of the New York City Police Pension Fund, Subchapter 2, the New York City Fire Department Pension Fund, Subchapter 2, and such other additional Systems and funds as may be designated in writing from time to time by the Comptroller with the concurrence of the Consultant (collectively, the "Systems") is seeking to extend the existing Hedge Fund Investment Consultant Agreement with Aksia LLC. ("Aksia") for one year, from January 1, 2019 to December 31, 2019. The purpose of this extension, is to ensure continuity of services and avoid any disruption in the hedge fund advisory services being provided while the Comptroller's Office completes the procurement of a new contract. Aksia, as a fiduciary, provides hedge fund investment advisory services inclusive of strategic advice, new investment identification and evaluation, activity reports, and portfolio monitoring.

The Comptroller's Agency Chief Contracting Officer ("ACCO") has determined (1) that there is a compelling need to extend the contract beyond the permissible cumulative twelve-month limit; (2) that the proposed term of the extension is the minimum necessary, to meet the need; and (3) that award of the contract is in best interest of the City of New York. The ACCO certifies, further, that Aksia's performance has been satisfactory or better throughout the term of the current contract.

This Notice of Intent will be available for download from the Comptroller's website at <http://comptroller.nyc.gov/> on or about August 6, 2018. To download the Notice of Intent, you must first register. Select "RFPs and Solicitations" then "Negotiated Acquisition for Hedge Fund Investment Consultant Services". Click on link provided to "Register."

Vendors that are interested in expressing interest in this procurement or in similar procurements in the future, may contact Aya Guriel, at aguriel@comptroller.nyc.gov. Expressions of Interest are due August 21, 2018, by 2:00 P.M. (ET).

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.
Comptroller, 1 Centre Street, Room 800, New York, NY 10007. Aya Guriel (212) 669-2756; aguriel@comptroller.nyc.gov

a6-10

EMERGENCY MANAGEMENT

■ INTENT TO AWARD

Goods and Services

HEATER MEALS EX PLUS - MEALS READY TO EAT (MRE) AND VENDOR MANAGED INVENTORY (VMI) SERVICES - Sole Source - Available only from a single source - PIN#017019S - Due 8-17-18 at 5:00 P.M.

New York City Emergency Management (NYCEM), intends to enter into a sole source agreement, with Luxfer Magtech, Inc. (Luxfer), for

the provision of Meals Ready to Eat (MRE) and Vendor Managed Inventory (VMI) services for NYCEM's field operations. Luxfer's product is proprietary under the HeaterMeals, HeaterMeals EX Plus, and Cafe2Go brand names. Luxfer specializes in the research, development, manufacturing, packaging and marketing of flame-less heating technology and food and beverage kits for military and commercial applications. Luxfer Magtech is the only manufacturer of the Heater Meal EX Plus MRE which meets our nutritional recommendations and has a shelf life longer than 5 years. Luxfer Magtech does not have authorized third party resellers and solely handles the VMI services; as such the sole source contract is required. Any vendor who is capable of providing these goods and services to NYCEM may express their interest in doing so in writing.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.
Emergency Management, 165 Cadman Plaza East, Brooklyn, NY 11201. Oliver Yorke Jr (347) 578-4674; Fax: (718) 246-6011; oyorke@oem.nyc.gov; asamuels@oem.nyc.gov

a8-14

HEALTH AND MENTAL HYGIENE

■ AWARD

Human Services/Client Services

MENTAL RETARDATION SERVICES FOR CHILDREN AND ADOLESCENTS - Required/Authorized Source - Other - PIN# 13MR003401R2X00 - AMT: \$551,484.00 - TO: Qsac Inc., 253 West 35th Street, New York, NY 10001.
● **MENTAL HEALTH SERVICES FOR ADULTS** - Required/Authorized Source - PIN# 16AZ002101R1X00 - AMT: \$1,161,249.00 - TO: Si Behavioral Network Inc., 4434 Amboy Road, Staten Island, NY 10312.

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FINANCE

■ INTENT TO AWARD

Goods and Services

ACCESS TO THE WEB-BASED ANALYTICS PLATFORM "CRIMSON HEXAGON" - Sole Source - Available only from a single source - PIN# 19AS010801R0X00 - Due 8-28-18 at 10:00 A.M.

Pursuant to Section of 3-05 of the Procurement Policy Board Rules, the NYC Department of Health and Mental Hygiene, intends to enter into Sole Source Negotiations with Crimson Hexagon Inc., to provide an ongoing and stable access to the web-based analytics platform, also called Crimson Hexagon ("the platform") to an unlimited number of DOHMH users. Components of the platform to be provided include 28 buzz/opinion monitors, 10 social account monitors, HelioSight (one account), Dashboards, and Reports throughout the duration of the contract. Access includes all data sources currently available in the platform, as well as any data sources added in the future. Crimson Hexagon, Inc., will also provide technical assistance support for the platform via two project leads, to be identified later from among DOHMH users. Crimson Hexagon, Inc., will also provide bundles (10 hours) of consulting services annually, for the duration of the contract. These services will be used to provide targeted, specific support for the platform as defined by the needs of DOHMH Crimson Hexagon users. The contract term will be from 11/1/2018 through 6/30/2021.

Organizations interested in future solicitations for these services are invited to submit written expressions of interest via email to ytsang@health.nyc.gov, by 10 calendar days after the last publication date.

Crimson Hexagon is the sole vendor that can provide a comprehensive, flexible, and customizable platform that fulfills DOHMH's broad requirements through access to billions of data points from social media, customizable analytics with AI-powered insights, and dedicated IT support and a Customer Success Manager.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.
Health and Mental Hygiene, 42-09 28th Street, 17th Floor, WS-17-85, Long Island City, NY 11101. Yau Cheung Tsang (347) 396-6661; Fax: (347) 396-6758; ytsang@health.nyc.gov

a8-14

HOUSING AUTHORITY

SUPPLY MANAGEMENT

■ SOLICITATION

Goods and Services

SMD INSTALLATION OF VINYL COMPOSITION FLOOR TILE IN PUBLIC SPACE AREAS - VARIOUS DYCD LOCATIONS IN THE BOROUGH OF BRONX, BROOKLYN AND MANHATTAN - Competitive Sealed Bids - Due 8-30-18

PIN# 67406 - Bronx Developments - Due at 10:00 A.M.
 PIN# 67407 - Brooklyn Developments - Due at 10:05 A.M.
 PIN# 67408 - Manhattan Developments - Due at 10:10 A.M.

The work shall consist of furnishing all labor, materials, equipment and all other incidental items necessary and required to perform the following work: Installation of vinyl-composition floor tile over existing floor tile. Installation of vinyl-composition floor tile over the existing properly prepared concrete floor. The removal and replacement of existing, or missing vinyl cove base molding. *ALL MATERIALS SHALL BE NON-ASBESTOS FORMULATED*

Interested firms are invited to obtain a copy on NYCHA's website. To conduct a search for the RFQ number; vendors are instructed to open the link: <http://www1.nyc.gov/site/nycha/business/isupplier-vendor-registration.page>. Once on that page, please make a selection from the first three links highlighted in red: New suppliers for those who have never registered with iSupplier, current NYCHA suppliers and vendors for those who have supplied goods or services to NYCHA in the past but never requested a login ID for iSupplier, and Login for registered suppliers if you already have an iSupplier ID and password. Once you are logged into iSupplier, select "Sourcing Supplier," then "Sourcing" followed by "Sourcing Homepage" and then reference the applicable RFQ PIN/solicitation number.

Suppliers electing to obtain a non-electronic paper document will be subject to a \$25 non-refundable fee; payable to NYCHA by USPS-Money Order/Certified Check only for each set of RFQ documents requested. Remit payment to NYCHA Finance Department, at 90 Church Street, 6th Floor; obtain receipt and present it to the Supply Management Procurement Group; RFQ package will be generated at the time of request.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.

Housing Authority, 90 Church Street, 6th Floor, New York, NY 10007. Mimose Julien (212) 306-8141; Fax: (212) 306-5109; mimose.julien@nycha.nyc.gov

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Services (other than human services)

SMD INSPECTION OF FIRE STANDPIPE AND SPRINKLER SYSTEMS-VARIOUS DEVELOPMENTS WITHIN THE FIVE (5) BOROUGH OF NYC - Competitive Sealed Bids - Due 8-30-18

PIN# 67394 - Brooklyn East Developments - Due at 10:00 A.M.
 PIN# 67395 - Brooklyn South and West Developments - Due at 10:05 A.M.
 PIN# 67396 - Bronx North Developments - Due at 10:10 A.M.
 PIN# 67397 - Bronx South Developments - Due at 10:15 A.M.
 PIN# 67398 - Manhattan North Developments - Due at 10:20 A.M.
 PIN# 67399 - Manhattan South Developments - Due at 10:25 A.M.
 PIN# 67400 - Queens and Staten Island Developments - Due at 10:30 A.M.

Inspection of Fire Standpipe and Sprinkler Systems, for various Developments, located in the five (5) boroughs of New York City. Perform periodic inspections and tests of fire standpipe systems as required by NYC Administrative Code Title 29 of the NYC Fire Prevention Code (Fire Prevention Code) Section 905. Chapter 37 of Title 3 of the Rules of the City of New York (RCNY) and any future amendments or revisions thereto, and as specified herein or as otherwise required by law.

Interested firms are invited to obtain a copy on NYCHA's website. To conduct a search for the RFQ number; vendors are instructed to open the link: <http://www1.nyc.gov/site/nycha/business/isupplier-vendor-registration.page>. Once on that page, please make a selection from the first three links highlighted in red: New suppliers for those who have never registered with iSupplier, current NYCHA suppliers and vendors for those who have supplied goods or services to NYCHA in the past but never requested a login ID for iSupplier, and Login for registered suppliers if you already have an iSupplier ID and password. Once you are logged into iSupplier, select "Sourcing Supplier," then "Sourcing" followed by "Sourcing Homepage" and then reference the applicable RFQ PIN/solicitation number.

Suppliers electing to obtain a non-electronic paper document will be subject to a \$25 non-refundable fee; payable to NYCHA by USPS-Money Order/Certified Check only for each set of RFQ documents requested. Remit payment to NYCHA Finance Department, at 90 Church Street, 6th Floor; obtain receipt and present it to the Supply Management Procurement Group; RFQ package will be generated at the time of request.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.

Housing Authority, 90 Church Street, 6th Floor, New York, NY 10007. Erneste Pierre-Louis (212) 306-3609; Fax: (212) 306-5109; erneste.pierre-louis@nycha.nyc.gov

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HOUSING PRESERVATION AND DEVELOPMENT

TECHNOLOGY AND STRATEGIC DEVELOPMENT

■ AWARD

Human Services/Client Services

CC/UC SYSTEM SOFTWARE - Innovative Procurement - Specifications cannot be made sufficiently definite - PIN# 80620190011662 - AMT: \$98,828.96 - TO: Derive Technologies LLC, 110 William Street, 14th Floor, New York, NY 10038.

Call Center System.

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HUMAN RESOURCES ADMINISTRATION

■ AWARD

Goods

PURCHASE OF OCTOPUS DEPLOY SOFTWARE DATA CENTER EDITION - Other - PIN# 18MSEMI33201 - AMT: \$20,095.00 - TO: Avi Consulting Inc., 130 West 15th Street, Apt. PH- G, New York, NY 10011. Contract Term: 8/1/2018 - 7/31/2019

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Services (other than human services)

SUPPORT SERVICES FOR INTRANET QUORUM (IQ) ENTERPRISE SOFTWARE LICENSES - Intergovernmental Purchase - Available only from a single source - PIN# 09618G0026001 - AMT: \$248,880.00 - TO: Leidos Digital Solutions Inc., 2700 Prosperity Avenue, Fairfax, VA 22031. Term: 11/1/2018 - 10/31/2021

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NYC & COMPANY

LICENSING

■ SOLICITATION

Goods and Services

MANUFACTURE, SALE AND DISTRIBUTION OF PRODUCTS BEARING THE CITY'S INTELLECTUAL PROPERTY - Request for Proposals - PIN#NYCCO-2018-011 - Due 9-11-18 at 4:00 P.M.

In accordance with Section 1-13 of the Rules of the Franchise and Concession Review Committee ("FCRC"), NYC and Company Inc., on behalf of the NYC Department of Small Business Services ("SBS"), intends to issue a significant Request for Proposals ("RFP") for licensing rights or the right to act as licensing agent for the manufacture, sale and distribution of products bearing the City's intellectual property, specifically the rights to use City trademarks commercially in Canada.

There will be a recommended Pre-Proposal Conference, on August 23rd, 2018, at 1:00 P.M. EST. We will be meeting at NYC and Company's offices, located at 810 Seventh Avenue, 3rd Floor, New York, NY 10019. If you are considering responding to this RFP, please make every effort to attend this recommended Pre-Proposal Conference. In the case that you are not able to attend the Pre-Proposal Conference in person, please feel free to join the Pre-Proposal Conference via Skype. For all of the details concerning access to the conference via Skype, please contact Christina Rowley.

This RFP is also available for download on NYC and Company's website. To download the RFP, visit www.nycgo.com/licensing-rfp and click on the International RFP link. Once you have filled in your information, click on the "download" link that appears. Hard copies of the RFP can be obtained, at no cost, between the hours of 9:00 A.M. and 4:00 P.M., excluding weekends and holidays at the NYC and Company's office.

TELECOMMUNICATION DEVICE FOR THE DEAF (TDD) (212) 504-4115.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above. NYC & Company, 810 7th Avenue, 3rd Floor, New York, NY 10019. Christina Rowley (212) 484-5437; crowley@nycgo.com

a8-21

NYC HEALTH + HOSPITALS

SOLICITATION

Services (other than human services)

ACCOUNTS RECEIVABLE PARTNERSHIPS - Request for Proposals - PIN# 038-0025 - Due 8-31-18 at 3:00 P.M.

NYC Health plus Hospitals wishes to engage in new Accounts Receivable Partnerships for four distinct populations. Vendors responding to this RFC may choose to respond to one or more scopes of work. NYC Health plus Hospitals may select one or more vendors to provide each of the services described below. Ramp-up time for vendors awarded work as a result of this RFC is expected to occur on a staggered schedule at NYC Health plus Hospitals' discretion (timeliness subject to change).

Starting October 2018, NYC Health plus Hospitals will begin converting all facilities to Epic Financial. All facilities will be transitioned to Epic's Electronic Medical Record (EMMER) and Financial products by end of 2019. We anticipate this transition will be reflected in Vendors' pricing models as automation of the AR Partner processes will increase.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.

NYC Health + Hospitals, 160 Water Street, Floor 13, New York, NY 10038. Mitchell Jacobs (646) 458-8661; jacobsm1@nychhc.org

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PARKS AND RECREATION

VENDOR LIST

Construction Related Services

PREQUALIFIED VENDOR LIST: GENERAL CONSTRUCTION, NON-COMPLEX GENERAL CONSTRUCTION SITE WORK ASSOCIATED WITH NEW YORK CITY DEPARTMENT OF PARKS AND RECREATION ("DPR" AND/OR "PARKS") PARKS AND PLAYGROUNDS CONSTRUCTION AND RECONSTRUCTION PROJECTS.

DPR is seeking to evaluate and pre-qualify a list of general contractors (a "PQL") exclusively to conduct non-complex general construction site work involving the construction and reconstruction of DPR parks and playgrounds projects not exceeding \$3 million per contract ("General Construction").

By establishing contractor's qualification and experience in advance, DPR will have a pool of competent contractors from which it can draw to promptly and effectively reconstruct and construct its parks, playgrounds, beaches, gardens and green-streets. DPR will select contractors from the General Construction PQL for non-complex general construction site work of up to \$3,000,000.00 per contract, through the use of a Competitive Sealed Bid solicited from the PQL generated from this RFQ.

The vendors selected for inclusion in the General Construction PQL will be invited to participate in the NYC Construction Mentorship. NYC Construction Mentorship focuses on increasing the use of small NYC contracts, and winning larger contracts with larger values. Firms participating in NYC Construction Mentorship will have the opportunity to take management classes and receive on-the-job training provided by a construction management firm.

DPR will only consider applications for this General Construction PQL from contractors who meet any one of the following criteria:

- 1) The submitting entity must be a Certified Minority/Woman Business enterprise (M/WBE)*;
2) The submitting entity must be a registered joint venture or have a valid legal agreement as a joint venture, with at least one of the entities in the joint venture being a certified M/WBE*;
3) The submitting entity must indicate a commitment to sub-contract no less than 50 percent of any awarded job to a certified M/WBE for every work order awarded.

* Firms that are in the process of becoming a New York City-Certified M/WBE, may submit a PQL application and submit a M/WBE Acknowledgement Letter, which states the Department of Small Business Services has begun the Certification process.

Application documents may also be obtained online at: http://a856-internet.nyc.gov/nycvendronline/home.asap.; or http://www.nycgovparks.org/opportunities/business.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above. Parks and Recreation, Olmsted Center Annex, Flushing Meadows-Corona Park, Flushing, NY 11368. Alicia H. Williams (718) 760-6925; Fax: (718) 760-6885; dmwbe.capital@parks.nyc.gov

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AWARD

Goods

VARIOUS HOUSEHOLD SUPPLIES AND LAUNDRY CHEMICALS - Innovative Procurement - Available only from a single source - PIN# 203931846 - AMT: \$37,000.00 - TO: Westbrook Marketing LLC, 3199 Albany Post Road, Suite 236, Buchanan, NY 10511.

Innovation Procurement process, using award method 72.

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CONTRACTS

SOLICITATION

Construction / Construction Services

RECONSTRUCTION OF THE PALM HOUSE - Competitive Sealed Bids - PIN# Q015-117M - Due 9-6-18 at 10:30 A.M.

At the Forest Park Greenhouse, located between Woodhaven Boulevard, Myrtle Avenue, Forest Park Drive and 88th Lane in Forest Park, Borough of Queens. Pin# 84618B0199.

Pre-Bid Meeting: Monday, August 20, 2018, Time: 11:30 A.M., Location: Olmsted Center Annex Bid Room.

This procurement is subject to participation goals for MBEs and/or WBEs, as required by Local Law 1 of 2013.

Contract Under Project Labor Agreement.

Bidders are hereby advised that this contract is subject to the Project Labor Agreement (PLA) Covering Specified Renovation and Rehabilitation of City-Owned Buildings and Structures entered into between the City and the Building and Construction Trades Council of Greater New York ("BCTC") affiliated local unions. Please refer to the bid documents for further information.

Bid Security: Bid Bond in the amount of 10 percent of Bid Amount or Bid Deposit in the amount of 5 percent of Bid Amount. The Cost Estimate Range is: \$1,000,000.00 to \$3,000,000.00.

To request the Plan Holder's List, please call the Blue Print Room, at (718) 760-6576.

To manage your vendor name and commodity codes on file with the City of New York, please go to New York City's Procurement and Sourcing Solutions Portal (PASSPort), at https://a858-login.nyc.gov/osp/a/t1/auth/saml2/sso. To manage or update your email, address or contact information, please go to New York City's Payee Informational Portal, at https://a127-pip.nyc.gov/webapp/PRDPCW/SelfService.

Bid documents are available for a fee of \$25.00 in the Blueprint Room, Room #64, Olmsted Center, from 8:00 A.M. to 3:00 P.M. The fee is payable by company check or money order to the City of New York, Parks and Recreation. A separate check/money order is required for each project. The company name, address and telephone number as well as the project contract number must appear on the check/money order. Bidders should ensure that the correct company name, address, telephone and fax numbers are submitted by your company/messenger service when picking up bid documents.

To manage your vendor name and commodity codes on file with the City of New York, please go to New York City's Procurement and Sourcing Solutions Portal (PASSPort), at <https://a858-login.nyc.gov/osp/a/t1/auth/saml2/sso>. To manage or update your email, address or contact information, please go to New York City's Payee Informational Portal, at <https://a127-pip.nyc.gov/webapp/PRDPCW/SelfService>.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.

Parks and Recreation, Olmsted Center, Room 64, Flushing Meadows - Corona Park, Flushing, NY 11368. Kylie Murphy (718) 760-6855; kylie.murphy@parks.nyc.gov

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POLICE

CONTRACT ADMINISTRATION

■ AWARD

Goods

DVD-R 4.7 GB GOLD W/NYPD LOGO - Innovative Procurement - Other - PIN# 93850007 - AMT: \$36,471.00 - TO: BYR Inc., 262 Hewes Street, Brooklyn, NY 11211.

Special Innovative Procurement Method, for M/WBE micropurchase.

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SANITATION

AGENCY CHIEF CONTRACTING OFFICE

■ AWARD

Goods

GENERAL MOTOR REPLACEMENT PARTS - Innovative Procurement - Other - PIN# 20195090176 - AMT: \$100,000.00 - TO: Kal-Bro Inc., 114-14 14 Road, College Point, NY 11356.

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TRANSPORTATION

TRAFFIC

■ AWARD

Services (other than human services)

MANAGEMENT AND OPERATION OF BAYRIDGE MUNICIPAL PARKING GARAGE - Renewal - PIN# 84115BKTR871 - AMT: \$1,629,965.89 - TO: Parking Systems Plus Inc., 28 Fourth Street, Valley Stream, NY 11581.

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CONTRACT AWARD HEARINGS

NOTE: LOCATION(S) ARE ACCESSIBLE TO INDIVIDUALS USING WHEELCHAIRS OR OTHER MOBILITY DEVICES. FOR FURTHER INFORMATION ON ACCESSIBILITY OR TO MAKE A REQUEST FOR ACCOMMODATIONS, SUCH AS SIGN LANGUAGE INTERPRETATION SERVICES, PLEASE CONTACT THE MAYOR'S OFFICE OF CONTRACT SERVICES (MOCS) VIA E-MAIL AT DISABILITYAFFAIRS@MOCS.NYC.GOV OR VIA PHONE AT (212) 788-0010. ANY PERSON REQUIRING REASONABLE ACCOMMODATION FOR THE PUBLIC HEARING SHOULD CONTACT MOCS AT LEAST THREE (3) BUSINESS DAYS IN ADVANCE OF THE HEARING TO ENSURE AVAILABILITY.



ADMINISTRATION FOR CHILDREN'S SERVICES

■ NOTICE

NOTICE IS HEREBY GIVEN that a Public Hearing, will be held at the Administration for Children's Services, 150 William Street, 9th Floor-Room 9-C1, Borough of Manhattan, on Thursday, August 23, 2018, commencing at 10:00 A.M. on the following:

IN THE MATTER OF ten (10) proposed contracts between the Administration for Children's Services of the City of New York and the contractors listed below, for the provision of Community Partnership Program. The term of the contract will be from January 2, 2019 to December 31, 2021, with one 3-year renewal option from January 1, 2022 to December 31, 2024.

Contractor/Address	EPIN	Amount
Bridge Builders Community Partnership Inc. 156 West 164th Street, Bronx, NY 10452	06818I0006001	\$1,050,000.00
Coalition for Hispanic Family Services 315 Wyckoff Avenue, Brooklyn, NY 11237	06818I0006002	\$1,050,000.00
Community Mediation Services, Inc 89-64 163rd Street, Jamaica, NY 11432	06818I0006003	\$1,050,000.00
Good Shepherd Services 305 Seventh Avenue, New York, NY 10001	06818I0006004	\$1,050,000.00
Hunts Point Alliance for Children 1231 Lafayette Avenue, Bronx, NY 10474	06818I0006005	\$1,050,000.00
Jewish Child Care Association of New York 1231 Lafayette Avenue, 858 East 29th Street, Brooklyn, NY 11210	06818I0006006	\$2,100,000.00
Little Flower Children's & Family Services of New York 2450 North Wading River Road, Wading River, NY 11792	06818I0006007	\$1,050,000.00
New York Foundling Hospital 590 Avenue of the Americas New York, NY 10011	06818I0006009	\$1,050,000.00
Sheltering Arms Children and Family Services Inc. 305 7th Avenue, 4th Floor New York, NY 10001	06818I0006008	\$1,050,000.00
Union Settlement Association Inc. 237 East 104th Street, New York, NY 10029	06818I0006010	\$1,050,000.00

The proposed contractors have been selected by means of the HHS Accelerator Method, pursuant to Section 3-16 of the Procurement Policy Board Rules.

A copy of the draft scope of services/specifications is available for inspection at the New York City Administration for Children's Services, Office of Procurement, 150 William Street, 9th Floor, Borough of Manhattan, on business days from August 9, 2018 through August 23, 2018, exclusive of holidays, between the hours of 10:00 A.M. and 4:00 P.M. Please contact Onajite Edah of Child and Family Well-Being contracts, at (212) 341-3641 to arrange a visitation.

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HEALTH AND MENTAL HYGIENE

■ PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN that a Contract Public Hearing will be held on Friday, August 24, 2018, at 42-09 28th Street, 17th Floor, Queens, NY, 11101, commencing at 10:00 A.M. on the following:

IN THE MATTER OF a proposed contract between the Department of Health and Mental Hygiene and Project Renewal, Inc., located at 200 Varick Street, New York, NY 10014, to establish an OMH Forensic Case Management Team in order to provide 3-12 month post-release transitional case management for individuals with serious mental illness returning to New York City from NYS prisons. The term of this contract shall be from 7/1/2018 to 6/30/2027. The contract amount will be \$2,376,000.00. PIN # 19AZ011001ROX00; E-PIN: # 81619R0001

The proposed contractor was selected by means of Required/Authorized Source, pursuant to Section 1-02(d)(2) of the Procurement Policy Board Rules.

A draft copy of the proposed contract is available for public inspection at the New York City Department of Health and Mental Hygiene, Office of the Agency Chief Contracting Officer, 42-09 28th Street – 17th Floor, Long Island City, NY 11101, from August 10, 2018 to August 24, 2018 excluding Saturdays, Sundays and Holidays, between the hours of 10:00 AM and 4:00 PM.

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AGENCY RULES

ADMINISTRATIVE TRIALS AND HEARINGS

■ NOTICE

Notice of Public Hearing and Opportunity to Comment on Proposed Rule

What are we proposing? The Office of Administrative Trials and Hearings (OATH) proposes to amend Sections 6-23 and 6-25 of subchapter F of Chapter 6 of Title 48 of the rules of the City of New York, concerning registered representatives and misconduct.

When and where is the hearing? OATH will hold a public hearing on the proposed rule. The public hearing will take place from **2:30 P.M. through 3:30 P.M. on Thursday, September 13, 2018**. The hearing will be in the OATH Conference Room, located at 66 John Street, 10th Floor, New York, NY 10038.

How do I comment on the proposed rules? Anyone can comment on the proposed rule by:

- **Website.** You can submit comments to OATH through the NYC rules website at <http://rules.cityofnewyork.us/>.
- **Email.** You can email written comments to Rules_Oath@oath.nyc.gov.
- **Mail.** You can mail written comments to OATH, Attention: Simone Salloum, Senior Counsel, 100 Church Street, 12th Floor, New York, NY 10007.
- **Fax.** You can fax written comments to OATH, Attention: Simone Salloum, Senior Counsel, at (646) 500-5742.
- **Hearing.** You can speak at the hearing. Anyone who wants to comment on the proposed rule at the public hearing must sign up to speak. You can sign up before the hearing by calling OATH at (212) 436-0708, or you can also sign up in the hearing room before the hearing begins on **September 13, 2018**. You can speak for up to three (3) minutes.

Is there a deadline to submit written comments? You may submit written comments up to **5:00 P.M., on September 13, 2018**.

What if I need assistance to participate in the hearing? You must tell us if you need a reasonable accommodation of a disability at the Hearing. You must tell us if you need a sign language interpreter. You can tell us by mail at the address given above. You may also tell us by telephone at (212) 436-0708. Advance notice is requested to allow sufficient time to arrange the accommodation. Please tell us by **September 6, 2018**.

This location has the following accessibility option(s) available: Wheelchair Accessible.

Can I review the comments made on the proposed rule? You can review the comments that have been submitted online by visiting the NYC rules website at <http://rules.cityofnewyork.us/>. A few days after the hearing, a transcript of the hearing and copies of the written comments will be available to the public at OATH, 66 John Street, 10th Floor, New York, NY 10038.

What authorizes OATH to make this rule? Section 1049(2)(a) of the New York City charter (“charter”) authorizes OATH to make this proposed rule. This proposed rule was included in OATH’s regulatory agenda for this fiscal year.

Where can I find OATH’s rules? OATH’s rules are in Title 48 of the rules of the City of New York.

What laws govern the rulemaking process? OATH must meet the requirements of Section 1043(b) of the charter when creating or changing rules. This notice is made according to the requirements of Sections 1043(b) and 1049(2)(a) of the charter.

Statement of Basis and Purpose of Proposed Rule

The Office of Administrative Trials and Hearings (“OATH”) proposes to amend Sections 6-23 and 6-25 of subchapter F of Chapter 6 of Title 48 of the rules of the City of New York, concerning registered representatives and misconduct. To address the problem of registered representatives appearing on behalf of respondents without proper authorization and without knowledge of the alleged violations in the summonses, OATH proposes the following amendments to Section 6-23 which:

- Define a representative as an individual, not an attorney admitted to practice in New York State, who is authorized by a Respondent to appear on behalf of the Respondent;
- Require registered representatives to register every two years and clarify that the representative must submit proof of identity to register;
- Remove the statement concerning the consequences of failing to register as it is unnecessary since registration is a condition to appearing on behalf of a respondent;
- Create an affirmative obligation on the representative to accurately represent his or her qualifications or services;
- Clarify that the obligation of a registered representative to exercise due diligence includes demonstrating knowledge of the facts and subject matter of the summonses, complying with adjournment and rescheduled hearing dates, and ensuring that oral and written statements and documents submitted to the Tribunal are correct;
- Require that registered representatives act in the Respondent’s best interest and avoid any conflicts that would impair the representative’s ability to do so; and
- Require the submission of an “Authorization for Registered Representative to Appear” form.

To update and clarify types of misconduct and patterns of misconduct—particularly those involving dishonesty and integrity—currently reflected in registered representative activities (e.g., misrepresenting themselves as an attorney, providing false information, and soliciting on Tribunal premises), OATH proposes the following amendments to Section 6-25 which:

- Clarify the existing types of misconduct, by using consistent terminology;
- Prohibit making a statement to the Tribunal that a person knows or reasonably should have known to be false, fraudulent, or misleading;
- Prohibit solicitation of parties in the public spaces of buildings within which Tribunal premises are located, or on the premises of any City agency or governmental subdivision that issues summonses returnable to the Tribunal;
- Create a rebuttable presumption that the exchange of money at the Tribunal is evidence of solicitation;
- Prohibit targeted solicitation concerning a summons returnable to the Tribunal;
- Prohibit requesting lists of names and addresses from the Tribunal for the purpose of solicitation or fundraising;
- Prohibit the misrepresentation of a person as an attorney or government employee if that person is neither;
- Prohibit any conduct or course of conduct that demonstrates a lack of honesty and integrity in the representation of parties before the Tribunal, or any other tribunal or court.
- Remove former paragraph (1) of subdivision (b) concerning ex parte communications (communications between a party and a hearing officer about the merits of a case without all parties present), and move former paragraph (2) of subdivision (b), concerning communicating with a Hearing Officer to influence a decision, to paragraph 5 of subdivision (a).
- Subject respondents and witnesses, in addition to attorney and representatives, to penalties for misconduct; and

- Subject attorneys, in addition to representatives, to summary suspension or bar.

This proposal was included in OATH's Fiscal Year 2018 and 2019 Regulatory Agendas.

New material is underlined.
[Deleted material is in brackets.]

Section 1. Section 6-23 of subchapter F of Chapter 6 of Title 48 of the rules of the City of New York is amended to read as follows:

- (a) “Representative” means an individual, not an attorney admitted to practice in New York State, who is authorized by a Respondent to appear at or before the Tribunal on behalf of the Respondent.
- (b) Requirements. A representative, other than a family member or an attorney admitted to practice in New York State, who [represents] appears on behalf of two or more Respondents before the Tribunal within a calendar year must:
- [(a)] (1) Be at least [eighteen (18)] years of age;
- [(b)] (2) Register with the Tribunal by completing and submitting a form [provided] prescribed by the Tribunal. [The form must include proof] The representative must also submit proof of identity acceptable to the Tribunal [that identifies the representative,] and [must also include] any other information that the Tribunal may require. Registration must be renewed [annually.] biennially (every two years) [Failure to register with the Tribunal may result in the Tribunal declining registration in the future];
- [(c)] (3) Notify the Tribunal within [ten (10)] business days of any change in the information required on the registration form;
- [(d)] (4) [Not misrepresent] Accurately represent his or her [qualifications and services] services and qualifications. [so as to mislead people into believing the representative is] A representative must not hold him or herself out to be an attorney at law or a governmental employee if the representative is [not] neither. A representative who is not an attorney admitted to practice in New York State must refer to him or herself as “representative” when appearing before the Tribunal;
- [(e)] (5) Exercise due diligence in:
- (A) learning and observing Tribunal rules; [and]
- (B) preparing and submitting paperwork on behalf of Respondents; [and]
- (C) demonstrating knowledge of the facts and subject matter of the summons;
- (D) complying with adjournment and rescheduled hearing dates;
- (E) ensuring that oral and written statements or documents submitted to the Tribunal are correct. A registered representative who knows or has reason to believe that a Respondent has made a factual error in or omission from a document submitted at the hearing must advise the Respondent promptly of such error or omission. A registered representative must urge the Respondent to correct the error and promptly submit corrected information. If the Respondent refuses to do so, the registered representative must withdraw from representation for the summons(es) where continued representation would be a violation under § 6-25 of this chapter;
- (6) Act in the Respondent’s best interest and act according to any lawful instructions from the Respondent; and
- (7) Avoid conflicts that would impair the representative’s ability to act in the Respondent’s best interest.
- (c) In order to appear on behalf of a Respondent, a registered representative must provide an Authorization for Registered Representative to Appear form, including the notarized power of attorney located on the back of the form, prior to the hearing. The representative’s authorization form must contain Respondent’s original signature for a representative to appear at an in-person hearing.
- [(f) Be] (d) Discipline. A representative will be subject to discipline, including but not limited to suspension or [revocation of the representative’s right to appear] bar from appearing before the Tribunal, for failing to follow the provisions of this [subdivision] Section,

§ 6-25, and any other rules of the Tribunal. A list of representatives whose registration has been suspended [,revoked,] or who have been barred from appearing may be made public.

§ 2. Section 6-25 of subchapter F of Chapter 6 of Title 48 of the rules of the City of New York is amended to read as follows:

- (a) Prohibited Conduct. A party, witness, representative or attorney must not engage in misconduct, such as:
- (1) Engage in abusive, disorderly or delaying behavior, a breach of the peace or any other disturbance which directly or indirectly tends to disrupt, obstruct or interrupt the proceedings [at] or operations of the Tribunal;
- (2) Engage in any disruptive [verbal] conduct[, action] or [gesture] communication that a reasonable person would believe to be intimidating or that shows contempt or disrespect for the proceedings [or that a reasonable person would believe to be intimidating] or operations of the Tribunal;
- (3) [Willfully disregard] Disregard the authority of the Hearing Officer or other Tribunal employee or contractor. This may include refusing to comply with [the Hearing Officer’s] directions or behaving in a disorderly, delaying or obstructionist manner;
- (4) Leave a hearing in progress without the permission of the Hearing Officer;
- (5) Attempt to influence or offer [or agree to attempt] to influence any Hearing Officer or other Tribunal employee [of the Tribunal] or contractor by the use of threats, accusations, duress [or], coercion, [a] promise of advantage, or [the bestowing] giving or [offer of] offering any gift, favor or thing of value;
- (6) Attempt to influence a decision by initiating communication with a Hearing Officer before or after a hearing;
- [(6)] (7) Enter any non-public area [other than a public waiting area] unless accompanied or authorized by a Tribunal employee or contractor. Upon conclusion of a hearing, a party, witness, representative or attorney must promptly exit non-public areas;
- [(7)] (8) Request any Tribunal [clerical staff] employee or contractor to perform tasks that are illegal, unreasonable or outside the scope of the employee[s] or contractor’s job duties;
- [(8)] (9) Operate without express authorization any Tribunal computer terminal or other equipment at any time unless [given express authorization or] the equipment has been designated for use by the public;
- [(9)] (10) Make a statement. [Submit] submit a document, or present testimony or other evidence to the Tribunal [which] that he or she knows, or reasonably should have known, to be false, fraudulent or misleading;
- [(10)] (11) Induce or encourage anyone to make a false statement to the Tribunal;
- [(11)] (12) [Solicit clients or cause the solicitation of client] Solicit a party or cause the solicitation of a party by another person on Tribunal premises, the public spaces of buildings within which Tribunal premises are located, or the premises of any City agency or other governmental subdivision that issues summonses returnable to the Tribunal. The exchange of money in any area of the Tribunal will create a rebuttable presumption of solicitation;
- (13) Solicit a party by any form of communication that references a summons issued to that party that is returnable to the Tribunal. This does not include a communication made in response to a specific request of a prospective client;
- (14) Request from the Tribunal a list of names and addresses for the purpose of solicitation or fundraising.
- (15) Hold him or herself out to be an attorney at law or a governmental employee if the representative is neither. A representative who is not an attorney admitted to practice in New York State must refer to him or herself as a “representative” when appearing before the Tribunal;
- [(12)] (16) Make or cause to be made [a stenographic,] an electronic, audio, audio-visual or other verbatim or photographic reproduction of any [hearing or other]

proceeding, whether such [hearing or other] proceeding is conducted in person, by telephone, or other remote method[s], except upon [application] request to the Hearing Officer [.] This does not include copies of documents submitted to the Tribunal during a hearing including written or electronic statements and exhibits. Except as otherwise provided by law, such application must be addressed to the Hearing Officer[,], who may grant or deny the [application or grant it] request in full [.] or in part, or upon such conditions as the Hearing Officer deems necessary to preserve the decorum of the proceedings and to protect the interests of the parties, witnesses and any other concerned persons[.]; or

(17) Any conduct or course of conduct that demonstrates a lack of honesty and integrity in the representation of parties before this or any other tribunal or court. This includes making false, misleading, or inappropriate statements to parties.

(b) [Prohibited Communication

- (1) All parties must be present when communications with Tribunal personnel, including a Hearing Officer, occur, except as necessary for case processing and unless otherwise permitted by these rules, on consent or in an emergency.
- (2) All persons are prohibited from initiating communication with a Hearing Officer or other employee before or after a hearing or before or after a decision on motion, in order to attempt to influence the outcome of a hearing or decision on motion.

(c) Penalties for Misconduct

- (1) Failure to abide by [these] the rules of conduct contained in this Section, § 6-23, or any other rules of the Tribunal constitutes misconduct. The Chief Administrative Law Judge or his or her designee may, for good cause, suspend or bar from appearing before the Tribunal an attorney [or], representative, Respondent, or witness who fails to abide by these rules. The suspension may be either for a specified period of time or indefinitely until the attorney [or], representative, Respondent, or witness, demonstrates to the satisfaction of the Chief Administrative Law Judge or his or her designee that the basis for the suspension no longer exists. A list of representatives, parties, witnesses, or attorneys who have been suspended or barred from appearing at the Tribunal may be made public.
- (2) [However, the] The Chief Administrative Law Judge or his or her designee may not act until after the attorney [or], representative, Respondent, or witness is given notice and a reasonable opportunity to appear before the Chief Administrative Law Judge or his or her designee to rebut the claims against him or her. The Chief Administrative Law Judge or his or her designee, depending upon the nature of the conduct, will determine whether said appearance will be in person or by a remote method.

[This section in no way limits the powers of a Hearing Officer as set out in § 6-13 of this chapter.]

(3) As provided in § 6-13(c), any party, witness, or other person who violates these rules may be required to leave the Tribunal premises.

[(d) Discipline on Other Grounds] (c) Summary Suspension or Bar

- (1) Notwithstanding the provisions of subdivision [(c)] (b) of this section, the Chief Administrative Law Judge may summarily suspend or bar a representative or attorney upon a determination that the representative or attorney: (A) lacks honesty and integrity and that the lack of honesty and integrity will adversely affect his or her practice before the Tribunal; or (B) has engaged in egregious disruptive behavior at the Tribunal.
- (2) Any action pursuant to this subdivision will be on notice to the representative or attorney. After the summary suspension or bar, the representative or attorney will be given an opportunity to be heard in a proceeding prescribed by the Chief Administrative Law Judge or his or her designee. Factors to be considered in determining whether a representative or attorney lacks honesty and integrity include, but are not limited to, considering whether the representative or attorney has made false[,], or misleading [or inappropriate]

statements to parties or Tribunal [staff] employees or contractors.

[(e)] (d) Judicial Review. The decision of the Chief Administrative Law Judge or his or her designee under subdivision (b) or (c) [or (d)] of this section constitutes a final determination. Judicial review of the [decision] determination may be sought pursuant to Article 78 of the New York Civil Practice Law and Rules.

NEW YORK CITY LAW DEPARTMENT
DIVISION OF LEGAL COUNSEL
100 CHURCH STREET
NEW YORK, NY 10007
(212) 356-4028

CERTIFICATION PURSUANT TO
CHARTER §1043(d)

RULE TITLE: Registered Representatives Appearing before OATH

REFERENCE NUMBER: 2018 RG 099

RULEMAKING AGENCY: Office of Administrative Trials and Hearings

I certify that this office has reviewed the above-referenced proposed rule as required by Section 1043(d) of the New York City Charter, and that the above-referenced proposed rule:

- (i) is drafted so as to accomplish the purpose of the authorizing provisions of law;
- (ii) is not in conflict with other applicable rules;
- (iii) to the extent practicable and appropriate, is narrowly drawn to achieve its stated purpose; and
- (iv) to the extent practicable and appropriate, contains a statement of basis and purpose that provides a clear explanation of the rule and the requirements imposed by the rule.

/s/ STEVEN GOULDEN
Acting Corporation Counsel

Date: August 6, 2018

NEW YORK CITY MAYOR'S OFFICE OF OPERATIONS
253 BROADWAY, 10th FLOOR
NEW YORK, NY 10007
(212) 788-1400

CERTIFICATION/ANALYSIS
PURSUANT TO CHARTER SECTION 1043(d)

RULE TITLE: Registered Representatives Appearing before OATH

REFERENCE NUMBER: OATH-83

RULEMAKING AGENCY: Office of Administrative Trials and Hearings

I certify that this office has analyzed the proposed rule referenced above as required by Section 1043(d) of the New York City Charter, and that the proposed rule referenced above:

- (i) Is understandable and written in plain language for the discrete regulated community or communities;
- (ii) Minimizes compliance costs for the discrete regulated community or communities consistent with achieving the stated purpose of the rule; and
- (iii) There are no cure periods or mechanisms in the proposed rule. If a representative fails to timely register, they must simply re-register before being able to appear on behalf of a respondent. Cure periods are not necessary for representatives who have engaged in misconduct.

/s/ Francisco X. Navarro
Mayor's Office of Operations

August 6, 2018
Date

Accessibility questions: OATH Rules (212) 436-0708, by: Thursday, September 6, 2018, 5:00 P.M.



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LANDMARKS PRESERVATION COMMISSION

NOTICE

Notice of Public Hearing and Opportunity to Comment on Proposed Amendments to the Landmarks Preservation Commission Rules
What are we proposing? The Landmarks Preservation Commission

("LPC") is considering amending its rules, which are set forth in Title 63 of New York City's Rules.

When and where is the hearing? LPC will hold a public hearing, at which the public and interested parties are invited to submit comments and testimony on the proposed rule revisions, at 1:30 P.M. on October 16, 2018. This hearing will be held on the 9th Floor North at 1 Centre Street, New York, NY 10007.

How do I comment on the proposed rules? Anyone can comment on the proposed rules by:

- o **Mail.** You can mail written comments to LPC, Municipal Building, One Centre Street, 9th Floor North, New York, NY 10007.
- o **Email.** You can email written comments to LPC at nycrules@lpc.nyc.gov
- o **Fax.** You can fax written comments to LPC at (212) 669-7797.
- o **Website.** You can submit comments to LPC through the NYC rules website at www.nyc.gov/nycrules.
- o **By speaking at the hearing.** Anyone who wants to comment on the proposed rule revisions at the public hearing must sign up to speak. You can sign up before the hearing by calling (212) 669-7817. You can also sign up in the hearing room before the session begins on October 16, 2018. You can speak for up to three minutes.

Is there a deadline to submit written comments? Yes, you must submit written comments by October 16, 2018.

What if I need assistance to participate in the hearing?

You must tell LPC if you need a reasonable accommodation of a disability at the Hearing. You must tell us if you need a sign language interpreter. You can tell us by mail at the address given above. You may also tell us by telephone at (212) 669-7817. Advance notice is requested to allow sufficient time to arrange the accommodation. Please tell us by August 8, 2018. The building where the hearing will be held is fully accessible.

Can I review the comments made on the proposed rules? A few days after the hearing, a videotape or audio tape of the hearing and copies of the written comments will be available to the public at LPC.

What authorizes LPC to make this rule? Section 25-319 of the Administrative Code and §1043 of the City Charter authorize LPC to make these proposed rule revisions. This proposed set of rule revisions was included in LPC's regulatory agenda for this Fiscal Year.

Where can I find LPC's rules? LPC's rules are found in Title 63 of the Rules of the City of New York.

What laws govern the rulemaking process? LPC must meet the requirements of Section 1043 of the City Charter when creating or changing rules. This notice is made according to the requirements of Section 1043(b) of the City Charter.

Statement of Basis and Purpose of Proposed Rules

Introduction

The Landmarks Preservation Commission ("LPC" or "Commission") is proposing both new rules and amendments to existing rules in Chapters 2, 5, 7 and 11 of Title 63. Most of the proposed changes are in Chapter 2. Many of the sections in Chapter 2 would be re-arranged and renumbered; some of the existing rules would also be combined. Existing Chapter 3 of Title 63, concerning work on windows in designated buildings, would be amended and re-codified to be part of Chapter 2. Finally, additional amendments are proposed for Chapters 5, 7 and 11.

The Commission previously held a public hearing on a version of this rulemaking on March 27, 2018. Based on the comments received in connection with that hearing, changes have been made to the proposal that are reflected in this proposed set of rule revisions. A document that compares this proposed rulemaking with the earlier proposal, and shows the changes that have been made, will be made available on the Commission's website.

Summary of the Revised Text

The revised text reflects many changes and adjustments to the proposed rule in response to public testimony and further review. The most significant changes, which were discussed at the public meeting of May 29, 2018 are the following:

- **Restoration.** The revised text more accurately reflects the existing preference for replacement in-kind and the use of historic materials for repair and replacement. Use of substitute materials is further restricted.
- **Additions.** The revised text eliminates proposed amendments that would have granted the staff additional authority to approve minimally visible occupiable rooftop additions, certain types of rear yard additions; and allowed staff to approve both a rooftop addition and a rear yard addition no taller than two stories in certain instances. As a result of the revisions, the staff's authority to approve additions is generally unchanged from what it is currently, with a few exceptions.
- **Cast iron vault lights.** The revised text eliminates a provision of the proposed new Sidewalk Rule that would have authorized staff to permanently remove cast iron vault lights that were deteriorated beyond repair. The revision means only the full Commission can approve the permanent removal of existing deteriorated cast iron vault lights.
- **Windows.** The revised text removes proposed amendments that would have authorized the staff to approve different window configurations for replacement windows on visible secondary facades in certain situations. The revisions mean the current rules remain unchanged in this respect.
- **Elimination of reference to "no-style" buildings.** The revised text eliminates references in the proposed rules to "no-style" and "noncontributing buildings".

Goals of the Proposed Rulemaking

This proposed rulemaking has the following goals:

- (1) to make the work of the Commission more transparent and efficient by authorizing the LPC Staff to approve a variety of work types that are consistently approved by the Commission utilizing established criteria;
- (2) to make the Commission more efficient by ensuring that applicants do not have to go through the more time-intensive Certificate of Appropriateness public hearing process for work types that are regularly approved by the Commission utilizing established criteria;
- (3) to bring the Commission's rules up to date with Commission approvals concerning compliance with a wide variety of other governmental codes and criteria, including barrier-free access, energy codes and resiliency mandates;
- (4) to amend existing rules, as well as add new ones, to reflect current and established practices of the Commission;
- (5) to reorganize the rules comprising Subchapter B of Chapter 2, including consolidation of some existing rules, to make them more intuitive and user-friendly; and
- (6) to ensure that the Commission has the capacity at future public hearings and meetings to review an increasing number of applications, by delegating to the LPC Staff the authority to approve work that is consistently approved by the Commission.

Summary of Proposed Changes to Title 63

Most of the proposed changes are found in Chapter 2. All of the proposed Sections § 2-11 through § 2-21 would be amended, in some cases sections are being consolidated, and all are being reorganized. To assist with the understanding of the proposed rule changes, the chart below sets forth the existing codification adjacent to the proposed codification, accompanied by general explanatory notes. A more detailed summary of the changes in each section and chapter follows this chart.

Existing Title 63	Notes	Proposed Revisions to Title 63	Notes
Chapter 2 (Alteration of Landmarks and Historic District Buildings)		Chapter 2 (Approval of Proposed Work on Designated Buildings and Structures)	Re-titled to reflect that it will cover some work on buildings in Scenic Landmarks and other structures
§2-04	Proposed amendments	§2-04 (Summonses – New Applications)	Proposed amendments
§2-06	Currently reserved	§2-06 (Temporary Approvals)	• Currently codified at §2-18 • Proposed amendments

§2-11 (Installation of Heating, Venting and Air-Conditioning Equipment)	To be repealed, amended and re-enacted as §2-21	§2-11 (Repair, Restoration, Replacement and Recreation of Building Facades, Materials, Surfaces, Features and Elements)	<ul style="list-style-type: none"> • Combination of existing §§2-14 (Sandstone Restoration/Replacement) and 2-17 (Restoration of Building Façade Features) • Proposed amendments
§2-12 (Awnings)	To be combined with storefront criteria	§2-12 (Storefronts and Commercial and Residential Awnings)	<ul style="list-style-type: none"> • Combines existing awning section with storefront criteria from existing §2-17 • Also includes canopies • Proposed amendments
§2-13 (Fire Escapes)	Amended and re-codified as §2-22	§2-13 (Signage)	<ul style="list-style-type: none"> • Currently codified as §2-20 (Bracket Signs) • Amended and re-titled as Signage
§2-14 (Sandstone Restoration/Replacement)	Combined with §2-17, amended and re-codified as §2-11	§2-14 (Windows and Doors)	<ul style="list-style-type: none"> • Windows currently in Chapter 3 • Includes existing §2-15 (New Window Openings) • Adding criteria for doors • Proposed amendments
§2-15 (New Window Openings)	Combined with Window rules and re-codified as §2-14	§2-15 (Additions: Rooftop and Rear Yard Additions)	<ul style="list-style-type: none"> • Combines existing §§ 2-16 and 2-19 • Proposed amendments
§2-16 (Rear Yard Additions)	Combined with §2-19 (Rooftop additions) and re-codified as §2-15	§2-16 (Excavation)	New section
§2-17 (Restoration of Building Façade Features)	Combined with §2-14 and re-codified as §2-11	§2-17 (Front Yards and Areaways)	New section
§2-18 (Temporary Installations)	Amended and re-codified as §2-06.	§2-18 (Barrier-Free Access)	New section
§2-19 (Rooftop Additions)	Combined with §2-16 (Rear Yard Additions) and re-codified as §2-15	§2-19 (Sidewalks)	New section
§2-20 (Bracket Signs)	Amended and re-codified as §2-12	§2-20 (Health, Safety and Utility Equipment)	New section
§2-21 (Public Pay Telephones and Public Communication Structures)	Re-codified as §2-23	§2-21 (Heating, Venting and Air-Conditioning)	<ul style="list-style-type: none"> • Currently codified as §2-11 • Repealed and re-enacted with amendments
§2-22	Currently reserved	§2-22 (Fire Escapes)	<ul style="list-style-type: none"> • Currently codified as §2-13 • Proposed amendments
§2-23	Currently reserved	§2-23 (Public Pay Telephones and Public Communication Structures)	<ul style="list-style-type: none"> • Currently codified as §2-21 • No amendments proposed
§§2-25 – 2-29	Currently Reserved	§§2-25 – 2-29	[Reserved]
§2-31 (Definitions)	Proposed amendments	§2-31 (Definitions)	Proposed amendments
§2-32 (Expedited Certificates of No Effect)	Proposed amendments	§2-32 (Expedited Certificates of No Effect)	Proposed amendments
§2-34 (Remedies for False Statements)	Proposed amendments	§2-34(Remedies for False Statements)	Proposed amendments
Chapter 3 (Repair and Replacement of Windows in Landmarks and Historic District Buildings)	Moved to Chapter 2 and re-codified as §2-14	[Reserved]	[Reserved]
Chapter 5 (Historic Preservation Grant Program)	Proposed amendments to various sections	Chapter 5 (Historic Preservation Grant Program)	Proposed amendments to §§ 5-01, 5-02, 5-03 and 5-04
Chapter 7 (Permit Expiration and Renewal)	Proposed amendments to various sections	Chapter 7 (Permit Duration, Renewal and Revocation)	<ul style="list-style-type: none"> • Re-titled • §7-05 repealed and §7-06 renumbered as §7-05 • Proposed amendments to §§ 7-02, 7-03, and 7-04
Chapter 11 (Administrative Enforcement)	Proposed amendments to various sections	Chapter 11 (Administrative Enforcement)	<ul style="list-style-type: none"> • Proposed amendments to §§ 11-01, 11-02, 11-03, 11-04, 11-05 and 11-06 • OATH Penalty Schedule added as Appendix A

Description of Proposed Changes

The following is a chapter-by-chapter, section-by-section description of the proposed changes. It is organized by chapter and followed by the section(s) being proposed for change.

With respect to Chapter 2, where most of the changes are being proposed, the following descriptions of the proposals are organized by proposed new section numbers. Each section identifies the most significant changes; whether the proposed change is to an

existing rule or is a new rule; describes how it has been renumbered; and whether it is a consolidation or combination of various rules.

A. Chapter 2: Approval of Proposed Work on Designated Buildings and Structures

Section 2-04: Summons – New Applications

This section sets forth the procedure for reviewing a new application for work when there already is a “Notice of Violation” on the property due to work being done either without a permit or

in noncompliance with a permit. It would be amended to remove references to "Notice of Violation" and replacing them with the term "Summons," the term recently adopted by the Office of Administrative Trials and Hearings.

Section 2-06: Temporary Approvals. This section is currently codified as § 2-18. Because this is more a permit type than a work type, it would be reorganized to be part of Subchapter A: Application Procedures.

Substantively, there are proposed amendments to extend the amount of time a temporary sign can be installed from 60 to 180 days; to codify the interpretation of the existing rule that a temporary approval may not be renewed; and to make explicit that the start of the time period for a temporary approval begins to run from issuance of the approval, unless otherwise stated in the approval.

Section 2-11: Repair, Restoration, Replacement and Recreation of Building Facades, Materials, Surfaces, Features and Elements. The current restoration rules are codified at §§ 2-14 and 2-17. Section 2-14 is limited to sandstone and brownstone repair. Section 2-17 concerns restoration of a building or building facade features based on physical, documentary or other evidence. They have been combined, re-codified as § 2-11, and amended. The proposed rule codifies criteria for repair, restoration and recreation for other materials, including other masonry, brick, stucco, cast iron, and terra cotta. In addition to providing criteria for specific repair, restoration and recreation, the proposed rule includes general requirements for restoration work, such as environmental conditions, probes and samples.

The proposed rule codifies the agency preference for replacement of materials in-kind to match the historic materials, but authorizes the use of substitute materials in certain instances depending on the material. For example:

- No substitute material may be used for brick and stucco.
- Replacement of wood siding must be in-kind on the primary facade except if building or fire codes prohibit it, in which case fiber-cement board can be used.
- Cast iron must be replaced in-kind or with a painted cast metal at the sixth story or below on the primary facade, and painted cast metal and other substitute materials can be used for discrete elements above the sixth floor.
- Terra cotta must be replaced in-kind at or below the sixth story, except that substitute materials may be used for coping elements and for other limited applications. Above the sixth story substitute materials can be used for projecting cornices and balconies with weight and/or attachment issues where use of in-kind materials has the potential to cause the loss of additional historic material.

In each case the substitute material could not be discernible and could not detract from the significant architectural features of the building or neighboring buildings. Except in limited situations, substitute materials may not be used for Individual Landmarks.

Finally, subdivision (e) would codify the Commission's practice of approving facade reconstructions on buildings in historic districts where a facade must be taken down due to severe structural issues and/or materials failures, as documented in a peer-reviewed structural conditions report. Historic facade material must be salvaged and re-used to the greatest extent feasible. This subdivision does not apply to Individual Landmarks.

Section 2-12: Storefronts and Commercial and Residential Awnings. Currently, the storefront rules and awning rules are codified at §§ 2-17 and 2-12, respectively. The proposed rules combine and re-codify these as § 2-12, with amendments. The proposed rules largely duplicate the existing rules, with certain modifications that codify existing Commission practices and policies. Of note are the following changes that LPC Staff could approve:

- New storefronts can incorporate display windows comprised of operable doors or operable windows over a fixed bulkhead, but there must also be mullions, piers, some fixed display windows or a combination of these elements to avoid creating the appearance of a void at the base of the building.
- Films with reversible grayscale treatments can be applied to the lower part of a display window to give privacy, and in a transom to cover up a dropped ceiling or security gate.
- New infill must be set back from the storefront surround to avoid concealing significant architectural features and in no instance less than four inches from the face of the storefront surround, unless conditions indicate otherwise.
- With respect to interior partitions, which must be set back at least 18 inches from the glass, the partitions cannot block more than 50 percent of the area of the display window and must have an interior quality finish that faces the street.
- New door openings and doors can be installed in an existing storefront and a new door opening and door can be installed through plain brick in the same facade in close proximity to the store, provided no historic storefront infill is affected.

- New infill can be installed at service entrances, such as those serving freight elevators or other utilitarian uses, and, if there is no historic fabric, a service entrance can be removed and replaced with a storefront entrance or display window.
- Awnings on most window types, except if the shape of the window opening would make the awning retracting, could have either retractable or fixed awnings.

Finally, there is a new section regarding LPC Staff approvals for sidewalk canopies for buildings that historically featured canopies, such as residential buildings, hotels and clubs. The proposed rule has a number of requirements, including that there is historic precedent for a canopy on the building or a building of its type; the installation would meet all requirements of the Zoning Resolution and the Department of Buildings ("DOB") and/or the Department of Transportation; installation of the canopy would not cause removal of or damage to any significant architectural feature; the canopy would recall historic canopy designs; and signage is limited to the address (numbers and lettering).

Section 2-13: Signage. The signage rules are currently codified at § 2-20. As amended, the rules are relocated and renumbered to follow sequentially the rules for storefronts and awnings. The proposed rules largely track the existing rules, with some changes, and expands the types of signs the LPC Staff can approve, including the following:

- Authorizes LPC Staff to approve signs routinely approved by the Commission, such as signs installed on channels and signs illuminated by halo lighting, menu boxes, plaques, and certain types of signage for below-grade storefronts. In considering an application for signage LPC Staff could not approve signage, or could require existing or approved signage to be removed or not installed, if it determines that the cumulative amount of proposed and existing signage will detract from the significant architectural features of the building.
- The maximum size of a neon sign in a display window is defined.
- With respect to bracket signs, the proposed rules would correct size and projection criteria in the current rules to reflect the criteria in the Zoning Resolution, and authorize LPC Staff to approve a bracket sign with an exterior light source that is integrated into the design of the bracket sign.

Section 2-14: Window and Door Repair and Replacement; Modified and New Window Openings. The current window repair and replacement rules, and the rules for new and modified window opening rules are codified in Chapter 3 and Chapter 2 § 2-15 respectively. These rules would be combined, provisions for repair and replacement of doors added, and, with other amendments, re-codified as § 2-14.

The current rules would be amended by adding provisions for restoring, altering and installing new doors, providing criteria for applied films to windows, and providing the LPC Staff with new authority to approve certain types of windows and window openings.

The current rules limit replacement of historic windows on Individual Landmarks and for special windows to situations where the windows are deteriorated beyond reasonable repair, based on a conditions report. The proposed rules would allow window replacement for non-special windows and windows in other buildings could be made as-of-right, for reasons such as operability, energy efficiency and sound attenuation.

The proposed rules include an amended definition of what constitutes a "Special Window" to reflect current Commission practices. Specifically, and consistent with the current rules for square headed one-over-one windows, square headed one-over-one windows with simple arched paneling (e.g., half-round, elliptical arch, quarter-round and pointed arch) are not considered "special" since they now can be replicated in a variety of materials. In addition, French doors are not included as special windows. Finally, windows in bay or oriel windows would not be considered special unless they otherwise meet the criteria for special windows, because "bays" and "oriels" are facade features not windows. Windows in bays or oriels might meet the definition of special because they have stained glass or have intricately carved mullions, but they would not be deemed special simply because they are part of a bay or oriel.

The proposed rules include changes to the windows that LPC Staff may approve for the primary facade, including:

- Approving a double hung window with a fixed upper sash.
- Approving installation of so-called "passive house" windows (fixed upper sash and inward tilting lower sash) provided the windows otherwise match the historic windows and all windows on the primary facade are changed at the same time.
- Approving a new window in an existing non-original window opening (e.g., a parlor floor door that has been changed to a window when the stoop was removed), provided the window matches or otherwise harmonizes with the configuration, details, materials and finish of the historic windows.

- Changing the operation of a pivot window to hinged.
- Approving replacement windows for arched headed sash in a different material if the historic windows were one-over-one.

The proposal would also amend the rules for modifying existing window openings and creating new window openings in nonvisible or minimally visible secondary facades. Except for the top floor, LPC Staff could approve enlarging windows, provided that at least 18 inches of masonry remains between the windows above and below; and could approve combining windows on the same floor, provided that at least one bay of windows is not combined and the modified window opening retains the outer masonry pier(s). With respect to rowhouses, the windows at the bottom two floors of a rear façade that is not visible or is only minimally visible could be combined, provided that the outer masonry piers are at least 24 inches wide if the window is the full width of the building, there is a spandrel or other horizontal element at least 12 inches wide that marks the location of the missing floor, and other elements, such as mullions or muntins, are utilized to break down the scale of the new window. At intersecting facades, such as rear “els”, enlarged and modified window openings could not wrap continuously around a corner. Finally, a modified or new window opening could not detract from any significant architectural feature of the building or adjacent buildings and, for enlarged openings, the window is subdivided to give the window scale and texture.

Section 2-15: Additions: Rooftop and Rear Yard Additions. Standards for attached rear yard and rooftop additions are found in §§ 2-16 and 2-18. These rules would be consolidated, amended and re-codified as § 2-15. Provisions for additions consisting of heating, venting and air-conditioning (“HVAC”) equipment, previously codified with rooftop additions, would be removed from this section and consolidated with the general provisions for approving HVAC work in § 2-21. The substantive provisions of the current rules for additions largely remain. Thus, rear yard additions could not be visible and rooftop additions of occupiable space could not be visible over a primary or secondary façade, with an exception for buildings over six stories, which could have a minimally visible addition over a secondary façade. Other modest changes are outlined below.

The definition of “minimally visible” would be amended to reflect criteria used by the Commission. First, slightly more visibility is allowed, the taller the building. The current definition allows up to 12 inches of visibility; this would be amended to allow 12 inches if the addition is less than 60 feet above the ground; 18 inches if the addition is between 60-80 feet, 24 inches if between 81 and 100 feet above the ground, and 36 inches if the addition is more than 100 feet above the ground. Furthermore, the visible portion of the addition could not span more than 50 percent of the length of the facade it is seen above, unless it is an open railing or other installation with a similarly open quality. In addition, the existing criterion that an addition not detract from any significant architectural features or call undue attention to itself would be clarified to provide that this determination should be made in relation to specific contextual factors, such as the distance it is seen, whether it is seen from limited vantage points or an oblique angle, or is visible in combination with other additions or structures. Rear yard additions could not be visible at all, with the exception of wood or metal decks.

Rooftop Additions

The current rules for rooftop additions limit LPC Staff approvals to one story with a maximum height of 11 feet, set back from the front and rear facades. This remains unchanged. The proposal is to clarify how to measure the height of the addition. The proposal would also allow an existing chimney or exhaust flue, which is required by code to be raised due to the construction of the addition, to be minimally visible. In addition, LPC Staff could approve a compliant addition that is not as-of-right for use, although it may not approve an addition that is not as-of-right for bulk.

The proposed rules have a few new provisions. The prohibition against visible occupiable additions over a secondary façade would have an exception for a minimally visible addition on top of a building in a historic district that is taller than 6 stories. This exception would not apply to Individual Landmarks. The proposed rules would also allow a nonvisible dormer addition on the rear of a pitched roof if the dormer does not span the entire width of the roof and meets other criteria.

For buildings within a historic district, the proposed rules have an exception to the existing rules that a non-occupiable addition, such as a stair bulkhead or railing, can be minimally visible over the primary and/or secondary façade(s): in limited circumstances LPC Staff could approve an elevator bulkhead adjacent to the primary façade that is more than minimally visible if that is where the existing elevator shaft is located, the elevator is not being extended to service a new floor, and the presence of an elevator bulkhead at the front façade is commonly found in the district. (Such districts are listed in the rule.)

Rear Yard Additions

The criteria for LPC Staff approval for a rear yard addition in the proposed rules are the same as the current rule: staff can approve a nonvisible rear yard addition if at least 51 percent of the other similar buildings in the block in the district have an addition, and the height and depth of the addition is based on the existing additions. The proposed rules have a few exceptions. First, LPC Staff would be permitted to approve a one-story addition in an enclosed central or side court that does not open to the rear yard. Second, the rule would codify the current criteria used by LPC Staff to approve a rear deck off the historic façade or the façade of an addition. Third, simple corbelled brickwork at the top of a wall or parapet would no longer be considered a significant feature and could be removed to accommodate an approved addition. Finally, additional design criteria for rear yard additions would be added to prohibit certain materials, such as exposed or painted concrete or concrete masonry units, vinyl siding and exterior insulated finish systems (EIFS).

Section 2-16: Excavation. These are new rules that would codify the Commission’s current standards and practices for approving excavations. With respect to application materials, the proposed rules would require an applicant to submit a conditions report on the building to assess the condition of its facades and foundations; a draft of the DOB Support of Excavation filing drawings; and a monitoring plan for buildings of five stories or less and built before 1900, where the building is constructed of wood or has stone, rubble or unreinforced foundations. Finally, the work would be designed and executed in compliance with DOB regulations under the supervision of a licensed professional engineer or registered architect.

Specifically, the proposed rules would allow LPC Staff to approve excavations:

- To lower an existing basement or cellar floor to create a usable floor to ceiling height not to exceed 10 feet from floor to ceiling.
- Relating to existing or new structural elements such as footings and foundations, and pits for elevators and escalators and other building infrastructure.
- For new, and repairs to existing, architectural elements such as stairwells, sunken terraces, in-ground pools or water features, provided the work does not affect significant architectural features of the building or adjacent building, and does not substantially eliminate the presence of a rear yard.
- Occurring underneath an existing or approved addition to a depth not to exceed the lowest story of the original building.

Section 2-17: Front, Side and Rear Yards. These are new rules that would codify existing Commission practice with respect to certain work within yards and areaways of Individual Landmarks and buildings in historic districts.

The proposal would recognize that historically yards and areaways have been places of change to address utilitarian and safety concerns, and changing attitudes towards planting and greening of the streetscape. With respect to alterations to areaways in front of rowhouses, townhouses and other types of attached buildings, the rules would allow LPC Staff to approve alterations to the paving, steps or planted areas in areaways, including bringing the areaway to sidewalk grade, and improving access to entrances underneath stoops. LPC Staff could also approve installing garbage enclosures, lampposts and basement or cellar access hatches.

The proposed rules would codify existing Commission practice with respect to walls and fences. They would allow the introduction of railings to the top of stoop walls and areaway walls, as well as the introduction of a masonry wall or fence to an areaway that is consistent with the style and type of work found on similar buildings. For example, if one particular building never had an areaway fence but such fences are common on buildings of a similar style and type on the street, LPC Staff could approve a fence that matched or recalled these other fences.

The Commission’s approach to approving walls and fences in the Jackson Heights and Sunnyside Gardens Historic Districts, in particular, would be delegated to LPC Staff. Specifically, with respect to the Sunnyside Gardens Historic District, fences would be limited to the rear yards and must be constructed of metal pickets and no taller than 36 inches. In the Jackson Heights Historic District the rules would differentiate between the large apartment buildings and the one- to two-family garden homes. LPC Staff would be able to approve a black picket fence around the areaway or side yard of an apartment building if the fence and its masonry curbing are no taller than 28 inches. Finally, for garden homes in Jackson Heights, LPC Staff could approve a low brick retaining wall no higher than 5 brick courses to separate the front lawn from the sidewalk, if the wall does not feature decorative brickwork or ironwork, does not return and run back to the house, and the design either matches the adjacent retaining wall or, if none exists, is compatible with other retaining walls on the block in terms of height and design.

For free-standing houses in other districts, LPC Staff could approve the installation of a fence in the side or rear yard behind the primary facades if the fence is not taller than 6 feet and is constructed of wood with the finished side facing away from the property. Finally,

for corner rowhouses, LPC Staff could approve a wood or metal 6-foot fence at the rear yard that has an open quality.

LPC Staff could also approve new driveways in districts where driveways are common features, provided that the driveway would not eliminate a significant architectural or landscape feature or significantly reduce the greenspace; the driveway would be proportional to the size of the yard and building; and the proposed location and design would be consistent with other driveways in the district.

Finally, the proposed rule would allow LPC Staff to approve an accessory ramp for loading or other service functions in an alley, side or rear yard of a large apartment building, hotel or commercial building, provided the ramp is not required for handicap access, would be partially obscured by walls or ironwork, would not damage or obscure any significant architectural features and the ramp would have a simple and neutral design.

Section 2-18: Barrier-Free Access. The proposed rules govern LPC Staff approvals for alterations to buildings to make them accessible, based on existing Commission criteria and approaches. They would apply to buildings in historic districts and scenic landmarks that are not individual landmarks. The proposed rules require applicants to consider changes to the interior that could eliminate the need for an exterior ramp or significantly reduce the impact of an exterior ramp by making it shorter so that it does not need a handrail. The proposed rules cover a variety of standard approaches to making buildings and places accessible, including changing door swings, lowering doors to make at-grade entrances, altering doors (except for Special Doors) and door surrounds, making doors open automatically, adding handrails to stoops and steps, constructing ramps, adding lifts, and modifying areaway walls and fences to meet accessibility requirements.

With respect to making an at-grade entrance, LPC Staff could approve dropping or raising the grade no more than 18 inches at a prominent primary entrance and no more than 30 inches at other entrances. If the steps are cast iron with lights, only one step could be removed and the tread must be reinstalled flush at the entryway. (This is in the current rules.) As part of this work the design of the existing entryway could be extended and the door opening modified to accommodate the change, such as the introduction of a transom. LPC Staff could also approve sloping a concrete sidewalk up to an entrance as an alternative way to make it at-grade.

With respect to ramps with and without handrails, LPC Staff could approve them if their installation would not damage or conceal significant architectural features; the ramp would be as short as possible with no switch-backs, unless a longer ramp will have less visual impact on a façade; and the ramp would be simply designed and constructed with utilitarian materials or materials to match the immediately adjacent façade material. Ramps for storefronts would have to be confined to the storefront opening or building. Ramps for large apartments, hotels and commercial buildings with deeply recessed entrance courts or areaways, would have to be located in the recess.

Finally, the proposed rules also cover the installation of various types of lifts, including chair lifts on rails on stoops, wheelchair platform lifts and lifts on rails, provided that the installation does not damage historic fabric or detract from significant architectural features or adjacent buildings, and they are located so that they do not call attention to themselves. Wheelchair platform lifts would have to be stored in the down position. LPC Staff would not approve these with respect to an Individual Landmark.

Section 2-19: Sidewalks. These new rules would codify Commission criteria and practice for work on bluestone, granite and other sidewalks, vault lights and accessible sidewalks. They would apply to historic districts where historic paving is a significant feature. They also would apply to concrete sidewalks in districts characterized by sidewalks with a grass planting area between the sidewalks and the curb. In districts where these features are not present, either because there always was concrete paving or where little or no historic paving remains, no Commission approval would be required. Where applicable, the rules would authorize LPC Staff to approve:

- A new sidewalk to match a bluestone, granite or other historic sidewalk.
- Consolidating existing bluestone or granite pavers and replacing missing or broken pavers with tinted concrete to match.
- Replacing a concrete sidewalk with a new concrete sidewalk tinted and scored to match the adjacent sidewalk(s). Where the new sidewalk is adjacent to bluestone or bluestone tinted sidewalks on at least one side, the new concrete sidewalk will be tinted to match the bluestone. An existing granite or bluestone curb must remain if possible or be replaced with a granite or tinted concrete curb to match the adjacent curb.
- Removing some historic paving material in connection with approved widening of planting areas for street trees.
- Covering existing, deteriorated vault lights with diamond plate.
- Installing ramps and other devices at corners to facilitate travel by people with disabilities.

- Sloping a sidewalk up to a building or store to make the building or store entrance accessible.
- Installing metal post plates into concrete pavers in connection with a detachable flood protection system.

Section 2-20: Health, Safety and Utility Equipment.

These would be new rules that codify Commission criteria and practice for approving the installation of health, safety and utility equipment, such as fire alarm bells and Siamese connections, security cameras, lighting, and water, gas and/or electric meters. They would also cover installation of HVAC equipment at the ground floor where such installation is mandated or required due to interior structural issues. They would cover objects required by another agency or an entity similar to a utility, or commonly used for security measures, such as lighting, security cameras and intercom panels. The proposed rules would prohibit installation of many of these types of objects on a primary façade unless there is no feasible alternative or the location is mandated by an agency or entity. Installation would have to minimize or avoid damage or loss of significant architectural features, and the object would have to be as small as possible, its visibility is minimized by, for example, installing it behind an areaway wall or fence, under a stoop, or behind plantings. Finally, unless required to be a different color, it would have to be finished to match the building or otherwise not call undue attention to itself or detract from the building.

The section would also address the installation of security bars at windows at the cellar, basement and parlor floor windows, and security doors at entryways underneath stoops. Lastly, it would allow penetrations through plain areas of the façade (excluding decorative areas, metalwork and cast iron) for mechanical fasteners associated with removable flood barriers.

Section 2-21: Heating, Venting and Air-Conditioning Equipment ("HVAC"). These rules are currently codified at § 2-11.

They would be repealed, amended and re-codified as § 2-21. The proposed rules generally follow the existing rule, although they would be simplified for easier reading and there would be changes and additions that reflect the Commission's practices and criteria. The proposal includes criteria for rooftop HVAC and other mechanical installations, which have been moved from the rooftop additions section. The same definition of "minimally visible" that applies to non-occupiable additions in the rooftop additions section would apply to rooftop HVAC installations. The rules would be broadened to include other mechanical equipment such as water tanks, solar and wind energy installations, generators and dunnage. They would add a new subdivision on HVAC installations that do not require a permit, including seasonal and nonpermanent installations and installations of storm windows and films. They would allow the permanent installation of projecting HVAC in existing window openings with glazed or solid filler panels. They also would allow LPC Staff to approve visible flue and other mechanical exhaust extensions on visible secondary façades. Finally, they would broaden the existing rules to allow for HVAC installations in front and side yards. Of note are the following proposed changes and additions:

- The number of building categories would be reduced to make the rules easier to apply.
- Rooftop installations could not be visible unless LPC Staff determines it is not feasible to make the equipment not visible. However, visibility could be the result of an approved addition. If it cannot be made not visible, and consistent with the criteria for non-occupiable rooftop additions in § 2-15, HVAC equipment could be minimally visible over the primary façade of a designated building, depending on how high the installation is: visibility could be up to 12 inches if installed below 60 feet; up to 18 inches if installed between 61 and 80 feet; up to 24 inches if installed between 81 and 100 feet; and up to 36 inches if installed above 100 feet.
- Through-wall HVAC installations would not have to strictly adhere to an existing pattern if impractical to do so.
- HVAC equipment could be installed in front yards where there is no practical alternative and provided that the installation would be no more than minimally visible, which could include being screened by architectural or building elements (e.g., behind an areaway wall or in a lightwell). HVAC equipment could be located in side yards if no more than minimally visible, which could include the use of screening by plantings to achieve minimal visibility.

Section 2-22: Fire Escapes. Rules for fire escapes are currently codified at § 2-13, which would be amended and re-codified as § 2-22. The existing rules would be unchanged with respect to preservation of decorative fire escapes; LPC Staff could not approve the removal of a decorative fire escape. The existing rules would be amended to authorize Staff to approve alteration of an existing fire escape by extending it horizontally or vertically as required, and to exchange a drop ladder for a swing stair, or vice-versa. A new fire escape could be approved where none currently exists if there is no feasible alternative to installing the fire escape; fire escapes are common in the district; it would be utilitarian in design; and it would be located on the least visible façade possible. These amendments would codify Commission criteria and practices.

Section 2-23: Public Pay Telephones and Public Communication Structures. This section is currently codified at § 2-21. It is not being proposed for amendment, except for being renumbered as § 2-23.

Section 3-31: Definitions. This section would be amended to replace references to “Notice of Violation” with “Summons”, reflecting nomenclature recently adopted by the Office of Administrative Trials and Hearings.

Section 3-32: Expedited Review Procedures. This section would be amended to broaden the types of interior work eligible for expedited review to include interior work at or above the third full story, interior work at or below the second full story where there is no commercial use below the second full story, and interior work in the cellar or basement that does not require excavation, except for limited excavation related to elevator or mechanical work that does not require underpinning. In addition, the proposed amendments would prohibit the installation of a dropped ceiling greater than one foot below the head of a window, perpendicular partition abutting a window, or a parallel partition blocking more than one foot of a window. None of this work could be closer than 12 inches from the window.

Section 3-34: Remedies for False Statements and Procedures for Action. This section would be amended to replace references to “Notice of Violation” with “Summons”, as noted above regarding § 3-31.

B. Chapter 3: Windows. This Chapter would be deleted and the provisions consolidated into proposed § 2-14 (Windows and Doors), as described above.

C. Chapter 5: Historic Preservation Grant Program

This Chapter would be amended to provide clarification about grant application materials and give notice to applicants of the types of conditions that would apply to the award of a grant, including the need to submit tax returns, obtain at least three competitive bids for the proposed work and a lead inspection, and that grantees could not be in arrears for real estate taxes or water or sewer charges. In addition, the amendments include an explicit statement about the resale restriction that is part of the federal program. Under this provision a grantee would have to reside for at least five years in at least one unit of the property that is the subject of the grant. If an owner were to sell or move out of the property within five years of the final payment to the contractor, the owner would be required to reimburse the Commission for twenty percent of the grant for each year they are in noncompliance with this requirement.

D. Chapter 7: Permit Expiration and Renewal.

This Chapter would be retitled as “Permit Duration, Renewal and Revocation”.

Section 7-02: Duration of Permits. This section would be amended to:

- Extend the duration of permits issued in connection with special permits and variances, which require extensive and time-consuming processes at the City Planning Commission and the Board of Standards and Appeals;
- Codify the existing interpretation of the section with respect to when work has to be completed;
- Codify the existing practice of issuing a “design” Certificate of Appropriateness when an application is also seeking a special permit or variance;
- Apply a six-year term for reports issued pursuant to § 25-318 of the Administrative Code for work relating to City-Owned property or connected to City-aided projects; and
- Apply an eight-year term for Modifications of Use or Bulk.

Section 7-03: Renewal of Permits. This section would be significantly amended. It would codify some existing interpretations of the section and make changes to the provisions and process for renewals. Specifically, the proposed rules:

- Would clarify that only two renewals are allowed: one LPC Staff approval as-of-right and one approval at the discretion of the Chair if all relevant criteria are satisfied.
- Would not change the renewal terms of the three basic approvals (CNE, PMW and C of A), but would add a three-year renewal term for binding and advisory reports and Modifications of Use or Bulk.
- Would change the process for applying for a renewal to make it easier for owners to renew and avoid inadvertently letting approvals expire. Instead of requiring that an application for an as-of-right renewal be filed at least 60 days before expiration, owners would only have to submit the application before the approval expired.
- For work that does not require a DOB permit, the application would have to include a signed contract for the approved work requiring that work commence within 180 days of the expiration date.
- For work that does require a DOB permit, an applicant would no longer be required to have a DOB permit for all work approved

by the LPC at the time of application. Instead, an applicant could have a DOB permit for a substantial portion of the approved work, with the condition that the applicant provides proof that work on that permit has begun and that the applicant has applied to DOB for a permit for the remaining work.

- The Chair could reinstate an expired permit where substantial work has occurred prior to expiration, the work is continuing, the applicant has all necessary permits to finish the work, the work would be completed within 36 months of the expiration of the approval, and the Chair determines it would be unreasonable to require applicants to stop the work. The application for reinstatement would have to be received within 90 days from the expiration of the permit.

Section 7-04: Effect of Expiration of Permits. This section would be amended to reflect long-standing interpretation of the rules that an applicant may, after a permit has expired, continue to do necessary work to stabilize and secure the site pending issuance of a renewal or new approval. Finally, a renewed or reinstated permit would not be a defense against an enforcement proceeding related to work after a permit has expired and before renewal or reinstatement.

Section 7-05: Miscellaneous. This section would be repealed and the existing § 7-06 renumbered as § 7-05.

E. Chapter 11: Administrative Enforcement

This Chapter is proposed to be amended to replace all references to “Notice of Violation” with “Summons” and in addition:

- Section 11-02 would be amended to reflect that the Environmental Control Board (“ECB”) is now a division of OATH.
- Section 11-05 would be amended to make it clear that if a respondent acts accordingly and qualifies for the grace period there would be no monetary fine. Section 11-05 would also be amended to authorize OATH to determine penalties in accordance with a penalty schedule, which would be attached as Appendix A to the Chapter. (The penalty schedule is not new; it currently is part of ECB’s rules.)
- Section 11-06 would be amended to change from 48 hours to two business days the time allowed for the Commission to mail a Stop Work Order to the respondent, where the Stop Work Order has been affixed to the premises or given orally.

New material is underlined.

[Deleted material is in brackets.]

“Shall” and “must” denote mandatory requirements and may be used interchangeably in the rules of this Commission, unless otherwise specified or unless the context clearly indicates otherwise.

Section 1. The Title of Chapter 2 of Title 63 of the Rules of the City of New York is amended to read as follows:

CHAPTER 2
[Alteration of Landmark and Historic District Buildings]
Approval of Proposed Work on Designated Buildings and Structures

§ 2. Section 2-04 of Subchapter A of Chapter 2 of Title 63 of the Rules of the City of New York is amended to read as follows:

§ 2-04 [Notices of Violation] Summonses -- New Applications.

The Landmarks Preservation Commission will not process an application for work on a designated property when [an] a Landmarks Preservation Commission [Notice of Violation] Summonses is in effect against that property. A [Notice of Violation] Summonses in effect against that property indicates non-compliance with the Landmarks Law. With respect to Chapter 63 of the Rules of the City of New York and sections 25-301 through 25-322 of the Administrative Code, the term “Summonses” will be construed to include and apply to any previously issued “Notice of Violation.”

- (a) Effect of a Summonses on Processing of a New Application. Upon receipt of an application, [staff] LPC Staff must verify that no [Notice of Violation] Summonses is in effect against the property. [In the event that] If a [Notice of Violation] Summonses is in effect, [staff should proceed as follows] LPC Staff will:
- (1) Obtain copies of all Summonses, previously issued Notices of Violation and Notices to Stop Work for the file.
 - (2) Contact the owner/applicant to inform them that because a [Notice(s) of Violation] Summonses is [(are)] in effect [staff] LPC Staff cannot process an application for new work until the [Notice(s)] Summonses has [(have)] been rescinded.
 - (3) Send a letter to the applicant explaining that [staff] LPC Staff cannot process the new application because a [Notice(s) of Violation] Summonses is [(are)] in effect against the property, that processing can only commence upon rescission of the [Notice(s)] Summonses or when the applicant begins to address the [Notice(s)] conditions described in the Summonses. Along with the letter send copies of the [Notice(s)] Summonses, an

application form, and instructions for filing. Send copies of the letter to the [Director of Preservation,] Supervisor, and the Director of Enforcement.

(b) *Exceptions to this [procedure] Procedure.* LPC Staff may issue permits for new work when a [Notice of Violation] Summons is in effect in the following instances:

- (1) The proposed work will correct a hazardous condition.
- (2) The proposed work [addresses] will address [the prevention of] deterioration affecting the building, and the work will clearly further the continuing preservation of the building.
- (3) A permit has been issued to correct work cited in a [Notice of Violation] Summons, and an escrow agreement or other acceptable form of assurance has been established to provide a mechanism, acceptable to the Landmarks Preservation Commission, that ensures that the corrective work approved under the permit to [correct] address the [Notice of Violation] Summons will be completed within a specified time period.

§ 3. Section 2-18 of Subchapter B of Chapter 2 of Title 63 of the Rules of the City of New York is renumbered § 2-05, added to Subchapter A of such Chapter 2, and amended to read as follows:

§ 2-18] § 2-05 Temporary Installations.

LPC Staff [of the Landmarks Preservation Commission] is authorized to approve and issue a Certificate of No Effect (CNE) or Permit for Minor Work (PMW) for proposals calling for the temporary installation of signs, banners or other temporary installations such as various forms of artwork or kiosks, if the following criteria are met:

- (a) "Temporary Installation" is defined as an installation for [sixty (60)] one hundred eighty (180) days or less for signs and banners or one (1) calendar year or less for other temporary installations. The duration of any temporary installation authorized under this rule will be specified in the CNE or PMW. Any temporary installation must be for a single period not to exceed [sixty (60)] one hundred eighty (180) days for signs and banners or one (1) calendar year for other temporary installations. An approval for a temporary installation cannot be renewed pursuant to Chapter 7 of these rules, nor shall such installation be the subject of a subsequent application for a temporary approval. However, approvals of temporary installations related to approved construction on the property and temporary installations on publicly owned properties may be renewed for up to two additional installation periods. With respect to temporary installations related to approved construction on the property, [the staff] LPC Staff will make a determination, prior to renewing the approval, that the project is proceeding with reasonable promptness; and
- (b) the installation will cause no damage to protected architectural features of the property; and
- (c) an acceptable plan and time schedule for the dismantling of the [property] installation has been submitted to the Commission as a component of the application, along with specifications for any repair work that might be required after dismantling of the [property] installation. In the case of artwork, the applicant is also required to submit a written instrument signed by the artist and the building owner that evidences the owner's authority to remove the artwork when the temporary installation permit expires and that waives any protection under applicable federal or state law afforded to the artist or artwork that would prevent such removal at the expiration of the temporary permit, including but not limited to, the Visual Artists Rights Act of 1990, 17 U.S.C. 101 et seq. and Article 14 of the New York State Law on Arts and Cultural Affairs; and
- (d) with respect to temporary installations related to approved construction work, an acceptable plan for dismantling, storing and reinstalling any significant features that had to be removed to perform such work has been submitted to the Commission; and
- (e) if the applicant is not a public or quasi-public agency, an escrow agreement or other adequate assurance acceptable to the Commission is provided to establish that a mechanism is available for the removal of the installation upon expiration of the permit should the applicant fail to remove the installation.
- (f) The time period for an approval of a temporary installation will commence upon issuance of the temporary permit, unless the approval explicitly provides for a different commencement date.

§ 4. Sections 2-14 and 2-17 of Subchapter B of Chapter 2 of Title 63 of the Rules of the City of New York are REPEALED.

§ 5. Section 2-11 of Subchapter B of Chapter 2 of Title 63 of the Rules of the City of New York, as repealed by section 16 of this rule amendment, is re-promulgated to read as follows:

§ 2-11 Repair, Restoration, Replacement and Re-creation of Building Façades and Related Exterior Elements.

(a) *Introduction.* This section authorizes LPC Staff to approve applications for work to repair, restore and re-create building facades and related exterior elements in order to maintain, restore, replace, re-create and, in certain instances, recall original or historic exterior architectural elements. LPC Staff reviews these applications with the presumption that historic materials should be maintained, repaired and replaced in-kind whenever possible. This approach results in the most authentic and sympathetic interventions and preserves the design, materiality and engineering of the historic building or improvement and its features. Furthermore, the use of historic materials and methods typically ensures compatibility with surrounding materials in terms of expansion and contraction, permeability and absorption, and structural capacity, among other things. Most historic material are proven to be long-lasting and durable when properly maintained, and will age and perform in a predictable way in support of the long-term economic viability of their continued use. Notwithstanding the preference for original and historic materials, LPC Staff may consider alternative repair methods and substitute materials in certain situations as set forth in this subdivision, while in other situations use of substitute materials is prohibited.

(b) *General Conditions and Requirements.*

- (1) Probes and other investigative work. No permit is required for non-intrusive investigative work or probes, provided the work is fully reversible and does not damage any historic fabric, and further provided that the existing condition is reinstated upon completion. LPC Staff may approve and issue an approval for selective intrusive investigative work or probes in order to assess the current condition of building materials and systems, or for the temporary removal of a feature or portion of a feature in order to make a mold for replication, if the proposed work meets all of the following applicable criteria:
 - (i) The probes or removal(s) are requested in connection with an anticipated or open application for work, or for an approval that has been granted;
 - (ii) No more material will be removed than is necessary to discover the underlying condition or make the mold for replication and, where possible, removal will be limited to non-character defining features and materials;
 - (iii) The probe(s) or removal(s) will be performed in an unobtrusive location;
 - (iv) Temporary protection of the area being probed will be provided; and
 - (v) Where original fabric is removed in connection with the probe, it will be re-installed to match the original condition, or if necessary the material will be replaced in-kind. For removals in connection with making a mold for replication, the original fabric will be re-installed or adequate protective measures will be taken to ensure that the façade is kept watertight until such time as the reinstallation or replacement of the feature is complete.
- (2) Documentation and assessment of deteriorated conditions. The applicant must provide current photographs of the building as documentation of deteriorated conditions, along with a written scope of work summary. Where replacement of large quantities of materials and/or significant architectural features is proposed, the applicant must provide an assessment of the deteriorated conditions warranting such replacement(s). Repair will be given priority over replacement if feasible.
- (3) Physical and aesthetic characteristics of materials and features. In all cases, except where noted, the repair, restoration, replacement or re-creation must match the original or historic materials and features in terms of its physical and aesthetic characteristics, including design, detail, profile, dimension, material, texture, tooling, dressing, color and finish, as applicable.
- (4) Specifications. The specifications, methods and materials for the repair, restoration, replacement or re-creation must be identified and described by the architect, engineer or contractor as part of a written scope of work or specifications manual or on the filing drawings.
- (5) Samples. LPC Staff may, prior to commencement of the work and as a condition of approval or as a stipulation for continuing work, require that samples of work, including samples of materials, methods and finishes, be prepared for review and approval. The applicant may notify the LPC Staff by letter or email that the samples are ready for review. LPC Staff may request photographs of the samples or delivery of the samples to the LPC Staff member prior to the site visit. Work may not commence or proceed until LPC Staff

has approved the sample(s). With respect to a request for samples:

- (i) Samples of joint preparation for repointing work at primary facades of a small size and at locations requiring repointing will be provided prior to raking or cutting the entire façade(s);
 - (ii) The applicant must provide at least two (2) samples of pointing, masonry repairs, and/or replacement unit masonry, of a size to be determined by LPC Staff, and the samples must be located at areas requiring the repairs where reasonable and feasible;
 - (iii) Samples must be adequately set or dried prior to photographing or contacting LPC Staff to arrange for a site inspection;
 - (iv) Samples approved by LPC Staff will serve as the standard for the entire job; and
 - (v) For certain scopes of work, such as large amounts of masonry replacement or façade reconstruction, LPC Staff may require a separate sign-off of the samples, including stopping work and submission of photographs or a site visit, once a portion of the work, as stipulated by LPC Staff, has been completed.
- (6) Shop drawings. LPC Staff may, prior to issuance of a permit, or prior to commencement of the work and as a condition of approval or as a stipulation for continuing work, require the submission and approval of shop drawings for the in-kind replacement of significant architectural features.
- (7) Environmental conditions. The repair, restoration, replacement, or reconstruction of mortar joints and unit masonry will be performed only when the temperature remains at a constant 45 degrees Fahrenheit or above for a 72-hour period from the commencement of the work. Other means and methods for providing a comparable controlled environment, such as providing heated enclosures or heating the material itself, may be considered on a case-by-case basis subject to review and approval by LPC staff.
- (c) Repair or Restoration of Façade Materials and Features. Where the applicant has provided documentation, assessment, and specifications, as applicable, LPC Staff will approve repair or restoration of deteriorated façade materials and features as provided below.
- (1) Cleaning and removal of paint and coatings. LPC Staff will approve cleaning and removing paint and coatings from exterior masonry and cast iron facades if the proposed work meets all of the following applicable criteria:
 - (i) Cleaning and paint removal products and methodologies will provide for the gentlest effective method to avoid causing damage to the masonry; and
 - (ii) Water pressure will be the lowest necessary to clean and remove paint or coatings and will not exceed 300 psi for cast iron or 500 psi for masonry.
 - (2) Painting and coating of facades.
 - (i) Painting facades and features that were originally or historically painted and are currently unpainted. LPC Staff will approve painting facades and building features that historically were painted in order to protect them from damage or return them more closely to their historic appearance if the proposed work meets all of the following applicable criteria:
 - (A) The paint will match original or historic paint in terms of physical and aesthetic characteristics, and the color will be in keeping with the historic color palette of the building's type, style, and age, except that in the case of historic masonry the proposed color will match the color of the underlying masonry, unless the color is part of a significant later alteration;
 - (B) A particular finish that is already required pursuant to an LPC Modification of Use or Bulk, or was an important criterion for an approval of a Certificate of Appropriateness application, will be maintained.
 - (ii) Painting non-original or altered features or facades. LPC Staff will approve the painting of facades or features that are not original, or were altered or damaged prior to designation, in order to improve their appearance or conceal non-original materials, if the proposed work meets all of the following applicable criteria:
 - (A) The paint will blend with the surrounding materials, helping the feature recede from view; or
 - (B) The paint will be harmonious with other elements on the building or adjacent buildings, thereby helping unify the appearance and relationship of the elements.
 - (C) Repainting a façade or feature to match the existing condition does not require a permit, provided the existing condition is grandfathered or approved by the Commission. Any perceptible change in color will require a permit. See subparagraph (iii) below for use of non-paint coatings, as applicable.
- (iii) Coating masonry facades and features. LPC Staff will approve coating masonry facades and building features with non-paint material, such as a mineral coating or stain that is absorbed into the substrate and/or bonds with it, in order to protect them from damage, if the proposed work meets all of the following applicable criteria:
- (A) Water infiltration has occurred or is occurring through the façade or feature due to its deteriorated surface condition; or
 - (B) The base of the façade has been subjected to graffiti on a recurring basis; and
 - (C) The coating will be highly breathable, and in most cases will be clear with a dull finish to maintain the appearance of the underlying masonry unless some coloration is desirable to conceal prior non-matching repairs or surface damage; and
 - (D) The coating will not be a waterproofing product, unless such product already exists on the building façade or feature and cannot be removed without damaging the underlying material, and the scope of recoating is limited to touching up small areas. A larger scope of recoating, or complete recoating, may not be approved if there is potential for diminishing breathability and damaging the façade or feature due to build-up of multiple layers of the coating.
- (3) Pointing of mortar joints. LPC Staff will approve raking, cutting and pointing mortar joints with a cementitious mortar mix, if the proposed work meets all of the following applicable criteria:
- (i) The mortar will match original or historic mortar in terms of physical and aesthetic characteristics;
 - (ii) The mortar type will be of a strength less than, and permeability greater than, that of the masonry unit, and the mortar mix will typically consist of lime, white or gray Portland cement, and sand, plus pigments as required;
 - (iii) If the façade has been previously pointed in a color, texture or tooling not matching the original or historic mortar, and only limited areas of the façade require repointing, the mortar may match the existing mortar;
 - (iv) If the majority of mortar joints have been previously widened by improper cutting to the extent that it changes the character of the brickwork, the mortar may be an alternative color, texture or tooling that helps to unify the appearance of the façade; and
 - (v) The joints will be raked by hand without power tools, except that wide joints may be mechanically cut with power tools if specifications for execution are provided to ensure there will be no over-cutting into masonry or widening of mortar joints which would cause irreversible damage to the brick.
- (4) Repair of natural and cast stone. LPC Staff will approve the repair of natural and cast stone (concrete mixtures that employ molded shapes, decorative aggregates, and masonry pigments to simulate natural stone) elements if the proposed work meets all of the following applicable criteria:
- (i) For rusticated stone, special decorative elements, and types of stone which are difficult to recreate with a cementitious patch, LPC Staff will approve an application to reset, re-tool or consolidate the significant fabric, or install Dutchmen. As used in this subparagraph, the term "Dutchman" refers to any new or matching salvaged stone fitted into the existing façade stone as follows:
 - (A) The Dutchman repair will match original or historic stone in terms of its physical and aesthetic characteristics; and

- (B) Materials and methods for adhesives and/or anchoring will be compatible with the stone, and will be discreet or concealed from view.
- (ii) For other types of stone, LPC Staff will approve an application to remove the original stone surface and patch or resurface it with a cementitious mix, if the proposed work meets all of the following applicable criteria:
- (A) The deteriorated portions of the stone will be cut back to sound stone and the new surface keyed into the sound stone with a tinted cementitious patching compound or built up in successive layers using a cementitious mix with the top layer tinted, and will match original or historic stone in terms of its physical and aesthetic characteristics;
- (B) Materials and methods for anchoring will be compatible with the stone and the cementitious patching compound or mix, and will be discreet or concealed from view.
- (5) Repair of fired clay and ceramic unit masonry (including brick and terra cotta). LPC Staff will approve an application to repair brick, glazed terra cotta or other fired unit masonry surfaces if the proposed work meets all of the following applicable criteria:
- (i) Repairs will match the original or historic brick or terra cotta in terms of physical and aesthetic characteristics;
- (ii) Repairs are limited to minor spalling or chipping of the brick or terra cotta glazing;
- (iii) Deteriorated areas of glazing are painted with a compatible coating to match the original glaze finish.
- (6) Repair of stucco. LPC Staff will approve an application to repair stucco elements and surfaces, including any underlying wood or metal lathe, if the proposed work meets all of the following applicable criteria:
- (i) The stucco or cementitious patching compound will match original or historic stucco in terms of physical and aesthetic characteristics;
- (ii) Materials and methods for anchoring, fasteners, control or expansion joints, and/or sealants will be compatible with the stucco and the underlying material, and will be discreet or concealed from view.
- (7) Repair of ornamental sheet metal. LPC Staff will approve an application to repair sheet metal elements by removing, repairing and reinstalling existing elements, if the proposed work meets all of the following applicable criteria:
- (i) The sheet metal repair will match original or historic ornamental sheet metal in terms of physical and aesthetic characteristics; and
- (ii) Materials and methods for anchoring, fasteners, soldering, patching, filling and/or sealants will be compatible with the ornamental sheet metal, and will be discreet or concealed from view.
- (8) Repair of cast and wrought iron and other cast or extruded ornamental metals. LPC Staff will approve an application to repair cast, wrought or extruded metal elements by removing, repairing and reinstalling existing elements, if the proposed work meets all of the following applicable criteria:
- (i) The cast, wrought or extruded metal repair will match original or historic cast and wrought iron and other cast or extruded ornamental metals in terms of physical and aesthetic characteristics;
- (ii) Materials and methods for anchoring, fasteners, welding, patching, filling and/or sealants will be compatible with the cast and wrought iron and other cast or extruded ornamental metals, and will be discreet or concealed from view.
- (9) Repair of wood features. LPC Staff will approve an application to repair wood elements by removing, repairing and reinstalling existing elements, if the proposed work meets all of the following applicable criteria:
- (i) The wood repair will match original or historic wood in terms of physical and aesthetic characteristics; and
- (ii) Materials and methods for anchoring, fasteners, patching, filling, piecing-in ("Dutchmen" repairs), consolidating, or other reinforcement will be compatible with the wood, and will be discreet or concealed from view.
- (10) Repair of other materials. LPC Staff will approve the repair of other materials or building facades that do not fall into any of the previously described categories, including but not limited to laminates, plastic and synthetic rubbers, curtain walls, and poured concrete, if the repair will match original or historic material in terms of physical and aesthetic characteristics. In connection with such repairs, LPC Staff may approve the repair of minor portions of these other materials with substitute materials that otherwise match the physical and aesthetic characteristics, provided the use of substitute materials will not detract from the original materials.
- (d) Replacement of Deteriorated Architectural Features. Where the applicant has provided adequate documentation and assessment that an architectural feature cannot be repaired and retained, typically in the form of a descriptive analysis and photographic and/or other evidence, LPC staff will approve replacement of such a feature as provided below. For purposes of this subdivision, "architectural feature" means both the individual components (e.g., cornice, lintel, band course or column) and the material (e.g., brick, stone, wood or terra cotta) that comprise the basic façade material.
- (1) Criteria.
- (i) Replacement materials and features should match the original or historic material or feature in terms of physical and aesthetic characteristics. For purposes of this subdivision, this means that replacement material should be "in-kind" in terms of using the actual original or historic material and installation techniques. In-kind replacement should be prioritized and fully considered prior to proposing substitute materials.
- (ii) Materials other than the original or historic material (hereinafter "substitute materials") may be approved in some cases where the substitute material matches or recalls the appearance of the original or historic material in terms of texture, finish, color and details, with the expectation that it will be long-lasting and maintained, provided the substitute material and installation methods do not directly or indirectly damage the surrounding original or historic material, the substitute material and/or its installation methods are not discernible or otherwise call attention to the work, and as provided for, and limited by, this subdivision and subdivisions (e) and (f). LPC Staff may request a written explanation describing the reason(s) for proposing to use a substitute material in lieu of an in-kind replacement.
- (iii) Substitute materials may not be used at buildings seeking or subject to a special permit ("Modification of Use and Bulk" or "MOU"), except where the approval requires or anticipates the use of substitute materials, and except if the original or historic material is no longer commercially available and replacement in-kind is infeasible. In addition, substitute materials may not be used on a building or portions of a building where in-kind replacement was an important aspect of an approval of a Certificate of Appropriateness application.
- (iv) Requirements for the replacement of historic materials in-kind and the use of substitute materials are as follows:
- (A) Cast iron. Replacement of cast iron with a painted finish must be in-kind at or below the sixth story at the primary façade(s), except that cast aluminum or another cast metal with a painted finish may be used. In addition to these provisions, above the sixth story at primary façade(s) and at secondary façades, substitute materials may also be used for limited quantities of discrete elements. At Individual Landmarks, substitute materials may not be used.
- (B) Cast metals and sheet metals. Replacement of cast metals and sheet metals with a natural finish, and wrought metals, must be in-kind at or below the sixth story at the primary façade(s). Above the sixth story at primary façade(s), substitute materials may be used. At Individual Landmarks, substitute materials may not be used.
- (C) Brick and stucco. Replacement of brick and stucco must be in-kind at any location on the building. At Individual Landmarks, substitute materials may not be used.
- (D) Cast and natural stone. Replacement of (historic) cast stone and natural stone (other than brownstone) must be in-kind at or below the sixth story at the primary façade(s), except substitute

materials may be used for coping elements. In addition to these provisions, above the sixth story at primary façade(s), substitute materials may also be used at projecting cornices and balconies with weight and/or attachment issues when in-kind replacement has the potential to cause additional loss of surrounding materials; and for limited quantities of other discrete elements that are not part of a cladding field of similar units where physical and visual compatibility is critical. At Individual Landmarks, substitute materials may not be used, except for coping elements.

- (E) Brownstone. Replacement of brownstone may be in-kind at the primary façade(s), or cast stone may be used for façade elements and features, and cast stone or stucco over backup masonry may be used at stoops and areaway walls. At Individual Landmarks, stucco over backup masonry may not be used.
- (F) Terra cotta. Replacement of terra cotta must be in-kind at or below the sixth story at the primary façade(s), except substitute materials may be used for coping elements, as well as for limited quantities of other discrete elements that are not part of a cladding field of similar units where physical and visual compatibility is critical. In addition to these provisions, above the sixth story at primary façade(s), substitute materials may also be used at projecting cornices and balconies with weight and/or attachment issues when in-kind replacement has the potential to cause additional loss of surrounding materials. At Individual Landmarks, substitute material may not be used, except for coping elements, as well as for limited quantities of other discrete elements that are not part of a cladding field of similar units where physical and visual compatibility is critical.
- (G) Wood siding. Replacement of wood siding must be in-kind at the primary façade(s) and at Individual Landmarks, except that fiber-cement board may be used only if applicable building, fire or other code(s) prohibit the use of wood siding, provided the use of the substitute material is the minimum required by such code(s).
- (H) Painted wood and sheet metal. Replacement of painted wood and sheet metal elements must be in-kind at the primary façade(s), except that painted wood and sheet metal elements may be used interchangeably at façade elements that were historically used in a similar manner, such as cornices and bay windows; and other substitute materials may be used at elaborate top floor cornices less than 25 feet in length. Above the sixth story at primary façade(s), substitute materials may be used. At Individual Landmarks, substitute materials may not be used.
- (I) Roofing material. Replacement of original or historic roofing, flashing, gutters, leaders, and/or decorative elements, or replace roofing where the original or historic roofing material has been removed, must meet all of the following applicable criteria:
- (a) The new roofing components will match the original or historic roofing components in terms of their physical and aesthetic characteristics; or
- (b) If the original or historic roofing is existing, LPC Staff may approve a substitute material at roofs of buildings six stories tall or less at the primary façade if the material is not visible from a public thoroughfare. For buildings seven stories tall or greater, substitute materials may be used at the primary and secondary façades if the material is not visible or minimally visible from a public thoroughfare, where because of the height or discreet presence the substitute material will not be discernible or will not call attention to itself or detract from the significant historic features of the building, or district if the building is in a historic district. In all cases, new visible flashing, gutters, leaders and/or decorative elements will match the original or historic materials. All substitute materials must satisfy the criteria of clause (c) below. This clause (b) does not apply to Individual Landmarks or buildings seeking or subject to a special permit ("Modification of Use or Bulk" or "MOU").
- (c) If the original or historic roofing is missing, LPC Staff may approve a substitute material that recalls, but does not necessarily match, the original or historic roofing in terms of its visual characteristics (including artificial slate or clay shingles,

architectural asphalt shingles, and "solar shingles", which are designed to look like and function as conventional roofing material while also producing electricity), if the substitute material will not call attention to itself or detract from the significant historic features of the building, or district if the building is in a historic district, provided that any new visible flashing, gutters, leaders and/or decorative elements will match the original or historic materials. This clause (c) does not apply to buildings seeking or subject to a special permit ("Modification of Use or Bulk" or "MOU"). For purposes of this clause (c):

- (1) If the existing roofing material is asphalt shingles, the new roofing material can be asphalt shingles provided it is an architectural shingle that better recalls the historic roofing material; and
- (2) Standing seam metal roofing may be replaced in kind.
- (d) If the roof is a flat roof, no LPC permit is required to replace the flat roof, including proposals to install or increase insulation as part of the replacement. However, any alterations or replacement of visible flashing, gutter, leaders and/or decorative elements, or raising or installing of visible railings, associated with the flat roof replacement will be subject to LPC Staff and Commissioners' review and must meet applicable criteria as identified in this section.
- (J) Where a substitute material has previously been approved as an aspect of a Certificate of Appropriateness application by LPC Staff or the Commissioners and installed, or existed prior to designation, LPC Staff may approve the replacement of the substitute material with the same substitute material or a new substitute material, regardless of location, and continue the use of the same or other substitute material in new applications consistent with the criteria of these rules or that approval, provided the substitute material is an acceptable match in terms of appearance and compatibility with the surrounding original or historic material.
- (v) Except as otherwise prohibited by the criteria of this subdivision, substitute materials may be approved at any location on a secondary façade not fronting on a publicly accessible thoroughfare if the substitute material will not be discernible or will not call attention to itself or detract from the significant historic features of the building, or district, if the building is in a historic district.
- (e) Reconstruction of Façades. For buildings in historic districts, if the entire façade cannot be stabilized and repaired in-place, 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. The recommendation for reconstruction of a primary façade made by the engineer will be subject to peer review by a structural engineer contracted with by the Commission, who must concur with the recommendation in order for LPC staff to approve the application. Historic façade material must be salvaged and reused to the greatest extent feasible. This provision does not apply to Individual Landmarks or buildings seeking or subject to a special permit ("Modification of Use and Bulk" or "MOU").
- (1) The façade must be reconstructed in kind in terms of wall construction, except that back-up masonry can be either brick or concrete masonry units. Existing modified architectural features that are not significant later alterations must be recreated to match their original or historic appearance. For example, if the lintels or sills have been stripped, and the modification is not a significant later alteration, the proposal must include recreating the original or historic sills or lintels. Substitute materials may be employed in recreating these historic details, as provided for by subdivision (d).
- (f) Re-Creation and Restoration of Missing Façade Features. LPC Staff will approve the re-creation and restoration of building façade element(s) (including but not limited to roofs and cornices, stoops, storefronts, window and door openings, window and door enframements, ironwork, porches and siding) to their original or historic appearance if they determine that the proposed work satisfies the following conditions:
- (1) The restoration would not cause the removal of original fabric or significant historic fabric (such as Victorian period features on an earlier structure) that may have been added over time, and the authenticity of the restoration is documented by:
- (i) Photographic evidence;
- (ii) Physical evidence on the building;

(iii) Original or historic drawings or documents; or

(iv) Matching buildings.

- (2) If there is no available documentary evidence as described in paragraph (1) of this subdivision, the design of the missing feature, including its physical and aesthetic characteristics, may be based on that found on buildings of a similar age and style that contain stylistic elements that follow a set pattern or type, in consultation with LPC Staff. This provision does not apply to Individual Landmarks or buildings seeking or subject to a special permit ("Modification of Use and Bulk" or "MOU").
- (3) Materials for re-creating and restoring missing façade features must match the original or historic materials in kind or be a substitute material that meets the requirements of subdivision (d) of this section.
- (4) The work will not result in the substantial reconstruction of the façade, unless also meeting the requirements of subdivision (e).

§6. Section 2-12 of Subchapter B of Chapter 2 of Title 63 of the Rules of the City of New York is re-titled and amended to read as follows:

§2-12 [Rules for Installation of Awnings] Storefronts, Awnings and Canopies.

- (a) *Introduction.* These rules are issued to assist building owners in applying to the Landmarks Preservation Commission ("Commission") for approval to install or repair awnings. The rules set forth Commission policy with respect to such installation and repair and explain the procedures and criteria required to apply for and receive a permit from the staff of the Commission. The goal of these rules is to facilitate the approval of appropriate awnings for designated buildings. Certain awning repairs and installations can be approved at staff level in conformance with the procedures and criteria set forth in these rules. Proposed installations or alterations that do not conform to these rules require a certificate of appropriateness review by the full Commission in accordance with the procedures and criteria set forth in §§25-305, 25-307 and 25-308 of the New York City Administrative Code.

These rules are based on the following principles:

- (1) Awnings were historically employed for weather protection above residential windows and doors and for advertising as well as weather protection above storefronts.
- (2) The location of awnings historically corresponded to the size and shape of the openings they covered, and awnings were installed directly above the wall openings they covered.
- (3) Removal or damage of any significant feature is to be avoided in connection with the installation of awnings.

Applicants are encouraged to submit applications for master plans, pursuant to §2-02 of Title 63 of these Rules, for commercial portions of buildings with multiple storefronts or for residential buildings, which will permit the installation of awnings over a period of time in a single building or building complex.]

(b) *Definitions.* As used in [these rules] this section, the following terms [shall] have the following meanings:

Awning. "Awning" [shall mean] means a metal frame clad with fabric attached above or within an opening, or within an integral housing, at a window, door, porch or storefront to provide protection from the weather.

Bulkhead. "Bulkhead" means the part of the storefront that forms a base for one or more display windows.

Canopy. "Canopy" means a metal frame clad with fabric that extends from a building entrance over the sidewalk to the curb, where it is supported on vertical posts.

Display window. "Display window" means the large glazed portion of the storefront infill, and the associated framing, above the bulkhead and below the transom, extending pier to pier. The display window is typically used for the display of goods and to provide daylight and visibility into the commercial space.

Facade. "Facade" [shall mean] means an entire exterior face of a building. See "primary facade" definition below.

Fixed awning. "Fixed awning" [shall mean] means an awning with a non-retractable metal frame clad with fabric.

Historic fabric. "Historic fabric" [shall mean] means a building's original or significant historic facade construction material or ornament, or fragments thereof.

Historic Storefront. "Historic storefront" means the visual appearance of a storefront as originally built or at a point in time after it has undergone alterations or additions that enhance or contribute

to the building's or site's special architectural, aesthetic, cultural or historic character.

Landmarks Law. "Landmarks Law" [shall refer] refers to §3020 of the New York City Charter and Chapter 3 of Title 25 of the Administrative Code of the City of New York.

Lintel. "Lintel" [shall mean] means the horizontal member or element above a door, [or] window or storefront opening.

LPC staff. "LPC staff" [shall mean] means the staff of the Landmarks Preservation Commission acting in the Commission's agency capacity.

Pier. "Pier" means an exterior vertical member(s) or element(s), usually of brick, stone or metal, placed at intervals along a wall that typically separates storefront openings within a single building or define a single storefront opening.

Primary facade. "Primary facade" [shall mean] means a facade facing a street or a public thoroughfare that is not necessarily a municipally dedicated space, such as a mews or court.

Residential awning. "Residential awning" [shall mean] means any awning on a residential building and any awning on a commercial or mixed-use building except for storefront awnings.

Retractable awning. "Retractable awning" [shall mean] means an awning attached to a frame which allows it to be extended out or folded or rolled back tight against the building facade.

Roll-down gate. "Roll-down gate" means a security gate with a retracting mechanism that allows it to roll up and down.

Security gate. "Security gate" means a movable metal fixture installed in front of a storefront opening or bay, or inside the display window or door, to protect the store from theft or vandalism when the store is closed.

Security gate housing (or housing). "Security gate housing," or "housing," means the container that houses the rolling mechanism of a roll-down security gate.

Security gate tracks. "Security gate tracks" means the interior or exterior tracks along the sides or top and bottom of the storefront opening or bay that hold the edges of the roll-down gate.

Serving window. "Serving window" means an operable storefront display window, or window assembly within a larger window or assembly, that allows direct commercial interaction between the public and the purveyor of goods or services.

Significant feature. "Significant feature" [shall mean] means an exterior architectural component of a building that contributes to its special historic, cultural, and/or aesthetic character, or in the case of an historic district, that reinforces the special characteristics for which the historic district was designated.

Skirt. "Skirt" [shall mean] means a bottom finishing piece of fabric that hangs from the lower edge of an awning.

Storefront. "Storefront" [shall mean] means the first or second story area of the facade that provides access or natural illumination into a space used for retail or other commercial purposes.

Storefront bay. "Storefront bay" means the area of a storefront defined by and spanning two piers.

Storefront infill. "Storefront infill" means the framing, glazing and cladding contained within a storefront opening in the facade, including but not limited to display windows, bulkheads and entranceways.

Storefront opening. "Storefront opening" [shall mean] means the [first story] area of the facade [that is framed by piers or walls on the sides and a lintel or arch above, and that contains a storefront] between the piers and lintel which contains storefront infill. Steps and platforms in front of, and leading up to, an entry door are not part of the storefront opening.

Storefront surround. "Storefront surround" means decorative elements or treatment on the facade around the storefront opening.

Transom. "Transom" [shall mean] means the glazed area above a display window or door separated from the [main] display window [area] or door by a [transom bar] horizontal framing member ("the transom bar"). The glazing in the transom may be fixed or operable.

Terms not otherwise defined in these rules [shall] have the meanings given them in the Landmarks Law.

(b) *General.*

- (1) Type of storefront work. This section sets forth criteria and other standards for proposals for new storefronts that are not re-creations or restorations of original or historic storefronts, which instead are addressed in §2-11(f).
- (2) Related storefront work. Storefront work often involves other work that is covered by different sections of the Commission's rules. Specifically, applicants for new storefronts and

storefront components may also want to consult the following rule sections for the applicable standards:

- (i) Signage. The design and installation of signage and lighting must meet the criteria set forth in §2-13.
 - (ii) Heating, venting and air-conditioning. The installation of heating, venting and air conditioning equipment and grilles must meet the criteria set forth in §2-21.
 - (iii) Restoration of storefront façade features. Restoration of storefronts and specific architectural features must meet the criteria set forth in §2-11(f).
 - (iv) Barrier-free access. Work to make storefronts accessible must meet the criteria set forth in §2-18.
- (3) This section does not apply to:
- (i) Individual landmarks, except where specifically indicated.
 - (ii) Buildings subject to a building or district master plan, or other special rule approved by the Commission, governing the installation and characteristics of a storefront or awning.
 - (iii) Buildings with three or more uniform storefront openings, where the Commission after a Public Hearing already has approved a new storefront but not a storefront master plan
 - (iv) Awnings on windows that, due to their shape, size or location, will result in an awning that will detract from the special architectural features of the building.
- (4) No permit is required for the following types of ordinary repair and routine maintenance work on awnings:
- (i) Seasonal removal and installation of Commission approved window awnings;
 - (ii) Fabric patching in a matching material;
 - (iii) Minor repairs or adjustments to the rolling or folding arm mechanism of an awning's frame; and
 - (iv) Cleaning of awning material.
- (c) [Routine maintenance. A permit is not required to undertake the following types of ordinary repair and maintenance work:
- (1) Seasonal removal and installation of LPC approved window awnings.
 - (2) Fabric patching in a matching material.
 - (3) Minor repairs or adjustments to the rolling or folding arm mechanism of an awning's frame.
 - (4) Cleaning of awning material.

Ordinary repair and maintenance does not include replacement of, or repairs to, significantly damaged or deteriorated awning frames and armatures. Storefront Infill. LPC Staff will issue an approval for new storefront infill for existing storefront openings, including openings that have been infilled, for buildings in historic districts that were designed with storefronts, and buildings that were altered historically by the construction of ground floor storefronts, and at service entrances as provided in paragraph (7)(iii) of this subdivision, where no significant historic fabric exists, if the proposed work meets all of the relevant criteria set forth below:

- (1) Design. The design of the new infill matches the original or historic appearance determined pursuant to the requirements of section 2-11(f)(1) or is based on historic storefront prototypes and details within the specific historic district and for buildings of similar age, type and style, except that storefront infill for a building that already has storefront infill approved pursuant to this section must match the previously approved storefront infill in terms of the location, design and materials of piers, the proportions of the elements of storefront infill and finish, but allowing for minor variations in detail and finish. If the building contains three or more uniform storefronts and at least one of the storefronts contains most of its historic elements, a new storefront must match the historic design pursuant to the requirements of section 2-11(f)(1). Where the historical, architectural or cultural significance of the building or storefront is reflected in changes to the storefront after the initial construction, the new storefront may be required to match the historic appearance as represented by such changes pursuant to the requirements of section 2-11(f)(1). In all cases the design may be modified to make the storefront meet accessibility requirements.
- (2) Configuration. The configuration of the new infill is consistent with the proportions of display windows, transoms

(if necessary, given the size of the display windows) and bulkheads of historic storefront infill.

- (3) Display windows.
 - (i) Display windows must be fixed, except that the new infill may consist of operable doors and/or operable windows over a fixed bulkhead provided:
 - (A) Operable doors feature bottom rails that match the height, and maintain the design intent, of storefront bulkheads required by subdivision (6) of this section;
 - (B) Operable windows are installed over storefront bulkheads required by this section;
 - (C) The infill includes either mullions, piers, fixed display windows, or a combination of these elements to avoid creating the appearance of a void at the base of the building when the storefront windows and doors are open; and
 - (D) The width of individual operable doors or windows are as large as practicable, and when closed the operable doors or windows will read as display windows over a bulkhead and will maintain a sense of transparency at the base of the building. In the case of a serving window, such window is no larger than fifty (50) percent of the width of the storefront bay, and any mullion or other structural element necessary to accommodate the operable window must match the material and finish of, and be consistent with, the storefront framing; and
 - (ii) Glazing in display windows and transoms must be clear, except that a reversible, gray-scale translucent treatment may be applied to the interior face of display window glazing, the lesser of forty-eight (48) inches above the sidewalk or half of the height of the display window, exclusive of transom windows; or to the interior face of a transom window where existing interior conditions preclude the installation of clear transom windows; or where a dropped ceiling or security roll-gate housing is installed in conformance with this section.
- (4) Framing. Storefront framing must feature profiled trim that recalls the articulation of historic storefront framing, and may be a traditional or contemporary type.
- (5) Orientation. New infill must be installed parallel to the building's sidewalk and/or consistent with the plane of the facade and the location of the historic infill, and must be set back from the face of the existing storefront surround the minimum dimension required to avoid concealing any significant architectural feature, including features previously concealed by existing storefront infill, but in no event less than four (4) inches from the face of the storefront surround, unless conditions indicate otherwise.
- (6) Bulkhead. The bulkhead must be between eighteen (18) and thirty (30) inches in height, including a stone or masonry curb, unless the historic storefront prototype indicates a lower or higher bulkhead, in which case the bulkhead may match the height of the historic prototype, and must feature details or materials that recall the articulation of historic storefronts except:
 - (i) Where the infill is based on a traditional example or model with paneled bulkheads, the bulkhead must feature panels and stiles, rails, and moldings that match historic prototypes; or
 - (ii) Where a limited amount of existing non-original infill is being modified, the new bulkhead may match the existing.
- (7) Entrance and Doors.
 - (i) Recessed entrances may have either splayed or straight returns.
 - (ii) The width of the entrance will match the proportions of entryways to display windows found in historic storefronts, and will also meet minimum requirements for accessibility.
 - (iii) The design of the new door will maintain the design intent of new entrance infill required by this section, or will be a re-creation or restoration of the original or historic door pursuant to the requirements §2-11(f). New infill in service entrances, such as those that historically provided egress or access to freight elevators or had other utilitarian uses and were not historically used for storefronts or residential entrances, may vary in design, configuration and material in keeping with

similar service entrances found in the particular historic district where the installation occurs. Alternatively, provided there is no significant historic fabric, a service entrance that was not a garage opening or loading bay for vehicles, may be removed and replaced with a storefront entrance, display window or other storefront infill pursuant to this section.

- (8) Material. If the building was constructed prior to 1900, the material of the new infill must either match the historic material, if known, or be wood; for buildings constructed in or after 1900, or built before and altered in or after 1900 to include storefronts, the material of the new infill may be wood or metal or match the historic material.
- (9) Finish. New storefront infill must have a finish that recalls the finish of historic storefronts.
- (10) Interior Partitions and/or Built-In Features. Interior partitions, built-in features and vitrines built parallel to a display window must be a minimum of eighteen (18) inches behind the glass of the display window and:
- (i) Have a surface area that blocks no more than fifty (50) percent of the area of the display window (exclusive of the transom), not including dropped soffits;
- (ii) Have an interior quality finish and/or materials on the street facing side and feature non-illuminated, or indirectly illuminated display(s) of graphics or merchandise;
- (iii) Are limited to a first floor storefront, except a partition or built-in feature may also be allowed at second story storefronts of commercial buildings;
- (iv) Where such partition or built-in feature is a free-standing partition or vitrine within the display window below the transom, the horizontal dimension shall not block more than seventy-five (75) percent of the width of the display window; and
- (v) Dropped soffits at the ceiling may be no closer than twelve (12) inches to the glass of the display or transom window and may be dropped the minimum distance necessary to address the structural or other issues requiring such dropped soffit.
- (11) Piers. If original or historic piers have been previously removed, the design must include the restoration of the piers or the introduction of features that recall the location, size, and dimension of such piers.
- (12) Removal of modern cladding. If an applicant is proposing to remove modern cladding on the storefront or the area surrounding the storefront, the applicant must first perform probes of the material to see if historic material or elements exist behind the modern cladding.
- (A) If significant historic storefront material or elements exists underneath the cladding, the historic material must be restored and the new storefront can only be approved pursuant to §2-11(f).
- (B) If a significant portion of the historic storefront surround exists underneath the cladding, but no historic storefront infill remains, the storefront surround must be restored, pursuant to §2-11(f), as part of the application for new storefront infill under this paragraph.
- (13) Restoration of the original storefront opening. If the original storefront opening has been reduced or increased in size the design must include the restoration of the height and width of the original opening, except that:
- (i) The existing storefront opening may be maintained where the size and organization of storefront bays and entrances were altered in a way that is consistent with other buildings within the historic district that include storefronts, or
- (ii) Where interior conditions preclude restoration to the original height (e.g., later structural elements or existing interior roll-gate housing or mechanical systems) the existing storefront opening shall be enlarged or reduced to the greatest extent feasible, and:
- (A) The design of the surround is consistent with the materials and details of the historic base of the building; and
- (B) If necessary, given the size of the display windows, the design features an opaque glazed transom window.

- (14) New door and door opening. A new door opening and door may be constructed to provide access to an existing storefront where:
- (i) The new door is on the same façade and in close proximity to an existing storefront display window;
- (ii) The new door opening will be installed in non-historic storefront infill or through plain brick;
- (iii) The width of the new door opening is the minimum necessary to provide for a door that meets accessibility requirements and, if needed, sidelight, and the height of the door opening is aligned with the height or the storefront or other storefront feature and does not call undue attention to itself; and
- (iv) The design of the new door is consistent with existing storefront doors or is consistent with the criteria for a replacement door.
- (15) Security gates. LPC Staff may approve an application for roll-down security gates and grilles on proposed storefronts where:
- (i) Roll-down security gates.
- (A) The security gate is located behind the storefront infill and the gate is open mesh where it covers glazed areas; or
- (B) If the roll-down security gate is mounted so that the gate rolls down on the exterior side of the display window and door:
- (a) The installation does not affect, obscure or damage historic fabric;
- (b) The housing for the roll-down security gates is installed so as not to protrude, or protrudes the least amount feasible, beyond the face of the storefront display window or transom, and it is finished to match the storefront framing;
- (c) The security gate tracks are recessed or set into reveals along the sides of the storefront; and
- (d) The security gate is open mesh where it covers glazed areas of the storefront.
- (d) *Awnings and Canopies at Commercial Storefronts and at Residential and Other Buildings.*
- [(d)] (1) [Recladding and retention of existing awnings] Recladding and retention of existing awnings and sidewalk canopies.
- [(1)] (i) LPC [staff shall] Staff will issue a Certificate of No Effect or a Permit for Minor Work [certificate of no effect or a permit for minor work] for recladding [of] existing awnings and sidewalk canopies if the proposed recladding meets both of the following criteria:
- (i) (A) The awning [to be reclud] or canopy was present at the time of designation or was previously approved by an LPC permit; and
- (ii) (B) The existing frame will be reclud in a material and finish that conforms to the criteria set forth in [§2-12 (e)(7)-(9)] subdivision (d)(2)(vii)-(ix) or [2-12(f)(9)-(11)] (d)(3)(ix)-(xi) of [these rules] this section.
- [(2)] (ii) [In the event]If a new storefront is being installed, an existing storefront awning or canopy in noncompliance with the criteria set forth in [subsection] paragraph [(f)](3) below cannot be retained unless the applicant can demonstrate to LPC [staff] Staff that the new storefront installation will not require even the temporary removal of the existing awning or [awnings] canopy.
- [(e)] (2) [Installation of new awnings on residential windows, doors and porches] Installation of new awnings on windows, doors and porches that are not associated with storefronts. LPC [staff shall] Staff will issue a [certificate of no effect or a permit for minor work] Certificate of No Effect or a Permit for Minor Work for new awnings on residential windows, doors and porches if the proposed awning meets all of the following criteria applicable for such installation:
- [(1)] (i) Awnings installed on residential windows, doors and porches [shall] will be either retractable [awnings] or fixed.
- [(2)] (ii) Awnings [shall] will be installed at or below the lintel, or within the window opening, as close to

- the top of the window as feasible, and [shall] will conform to the size and shape of the window or door opening.
- (3) (iii) The attachment of the awning will not cause the loss of, damage to, or hide or obscure any significant feature.
- (4) (iv) Awnings [shall] will project at an angle and be of a length, size and slope which are proportional to the size and height of the window or door.
- (5) (v) Awnings at occupiable terraces and architectural setbacks above the ground floor may extend over more than one opening, so long as the overall length of the awning is proportional to the size and length of the terrace or setback and the depth does not exceed the depth of the terrace or setback.
- (6) (vi) Awnings on porches [shall] will conform to the bay structure and proportions of the porch.
- (7) (vii) All awnings on a building or portions of a mixed use building that are not associated with storefronts must match in terms of fabric color and pattern if installed on primary or visible secondary facades.
- (8) (viii) Awnings [shall] will be clad only with water repellent canvas with a matte finish or other fabric of a similar appearance.
- (9) (ix) Awning fabric [shall] will consist of a solid color or vertical stripes that harmonize with the historic color palette of the building. No lettering or signage is permitted on awnings that are not associated with storefronts except for an address number on an awning over an entrance, and the numbers of such address [shall] must be no greater than six inches in height.
- (f) (3) Installation of new awnings on storefronts, display windows and doorways. LPC [staff shall] Staff will issue a Certificate of No Effect or a Permit for Minor Work [certificate of no effect or a permit for minor work] for new awnings on ground story storefronts, ground or second story display windows, and doorways if the proposed work meets all of the following criteria applicable for such installation:
- (1) (i) The awning must be retractable on [Individual Landmarks, on storefront restorations approved by a restorative certificate of no effect (Title 63 §2-17(c)), and on] buildings which were designed with integral retractable awning housings as part of the storefronts. In all other cases, the awning may be either retractable or fixed. If fixed, the awning [shall] must have a straight slope and be open at the sides. If retractable, the awning [shall] must have a straight or curved slope and may or may not have side panels. Retractable awnings may follow the curved configuration of the window or door [openings] opening over which they are installed. If a display window or doorway opening has an arched or segmental head, the awning must be retractable if it is installed at the head of the window, but may be fixed if it is installed at the rectilinear transom bar. Both retractable and fixed awnings may or may not have a skirt. Awning skirts must be unframed. The skirt height [shall] must be proportional to the height and size of the awning, but cannot be greater than twelve (12) inches.
- (2) (ii) The attachment of the awning will not cause the loss of, damage to, or hide or obscure any significant feature.
- (3) (iii) The awning [shall] will be installed within the storefront opening, surround or enframing, or, if that is not possible, at or directly below or above the lintel or transom bar, except that the awning may be attached [up to eight inches] above the lintel where:
- (i) (A) a roll-down security gate that either was present at the time of designation or was previously approved by the Commission makes it impossible to install the awning at the lintel or transom bar; or
- (ii) (B) installing the awning at the lintel or transom bar will result in the lowest framed portion of the awning being less than eight feet above the sidewalk[,], and
- (C) [Where] where the awning is installed above the lintel [shall] will be the minimum required to accommodate the conditions described above in [subparagraphs (i) and (ii)] clauses (A) and (B), and [in no instance shall exceed eight inches] will not detract from the significant architectural features of the storefront, building or, where relevant, historic district.
- (4) (iv) In cases where the storefront itself projects from the facade, the awning [must] will be attached to the projecting storefront below the storefront cornice or cap.
- (5) (v) The length of the awning [shall] will not exceed the length of the storefront opening or the associated window opening, and the edges of the awning shall be aligned as closely as possible with the inside face of the principal piers of the storefront, or the window or door opening.
- (6) (vi) The underside of the awning [shall] will be open.
- (7) (vii) The lowest framed portion of the awning [shall] will be at least [8] eight (8) feet above the sidewalk. The lowest unframed portion [shall] will be at least [7] seven (7) feet above the sidewalk or otherwise meet applicable Department of Buildings and/or Department of Transportation criteria.
- (8) (viii) The awning [shall] will project at an angle and be of a length, size and slope which are proportional to the size and height of the storefront, window or door, as relevant.
- (9) (xi) The awning [shall] will be clad only with [water repellent] canvas with a matte finish or other fabric of a similar appearance.
- (10) (x) Signs, such as lettering or graphics, are permitted to be painted on the awning skirt only; no lettering or graphics [shall] will be permitted on the sloped portion of the awning. The size of lettering [shall] will be proportional to the height of the awning skirt.
- (11) (xi) Awning fabric [shall] will consist of a solid color or vertical stripes that harmonize with the historic color palette of the building, but are not required to match other awnings on buildings with multiple storefronts.
- (xii) Awnings installed pursuant to approvals issued in connection with a Modification of Use or Bulk shall continue to comply with such approvals. Unless otherwise provided for in this section, awnings installed on Individual Landmarks and on storefront restorations approved by a restorative approval pursuant to §2-11(f) may be retractable or fixed, and if fixed:
- (A) Have a "lean-to" frame with no connecting part between the top bar and the side bar installed perpendicular to the facade;
- (B) The side bar perpendicular to the facade is round in shape;
- (C) The frame is finished with a clear-coat, or grey finish; and
- (D) Feature an unframed skirt.
- (g) Applicability. The provisions of this section shall not apply to proposals to install awnings:
- (1) On buildings subject to a building or district master plan, or other special rule approved by the Commission, governing the installation and characteristics of an awning; and
- (2) On buildings, including historic modifications thereof, that did not originally or historically have awnings, including without limitation thereof public and institutional buildings such as houses of worship, schools, post offices and fire houses. Where the LPC staff reasonably believes that a building did not originally or historically have an awning, the LPC staff shall, at the applicant's request, calendar the proposal for a certificate of appropriateness public hearing. The applicant may request a meeting with the Director of Preservation or, in his or her absence, the Deputy Director, to discuss the LPC staff's interpretation of these rules.]
- (4) New sidewalk canopies on certain types of buildings. Installation of new sidewalk canopies on residential, hotel and former residential buildings or buildings historically constructed with an accessory residential component,

including private clubs. LPC Staff will approve the installation of a sidewalk canopy where:

- (i) There is historic precedent for the installation of a canopy between the building entrance and the sidewalk on this building, this type of building or, if the building is located within a historic district, in the historic district; and
- (ii) The construction, installation, attachment, and height of the canopy will conform to the requirements of the Zoning Resolution and Department of Buildings and/or Department of Transportation requirements, but in no event can the bottom of the canopy be less than eight (8) feet above the sidewalk; and
- (iii) The size and basic design of the canopy will be consistent with canopies historically found at buildings of this type; and
- (iv) The canopy will be clad in canvas with a matte finish or other fabric of a similar appearance, in a color and pattern that matches or recalls historic designs and does not distract from the building's historic color palette. The front and side of the canopy may have the address number in numbers or letters no taller than twelve (12) inches, but shall not have any other signage, numbering or lettering;
- (v) The underside of the canopy will be open, and the framing members exposed;
- (vi) Small, simply designed down-light type fixtures, to illuminate the sidewalk and building entrance/walkway, may be installed if attached to the framing and not visible except from underneath the canopy;
- (vii) The installation of the canopy will not damage or cause the removal of, any significant architectural feature;
- (viii) The canopy frame will be attached to the façade and sidewalk with the minimal number of fasteners practical, installed in mortar joints or flat, unrelieved portions of ornamental materials, and in non-historic paving where feasible;
- (ix) The canopy has round metal poles with a painted or natural finish, in keeping with style and age of the building;
- (x) The canopy has a bowed profile, or to the extent precedents exist for such a design, relates to the shape of the opening; and
- (xi) The canopy is installed within the architectural features enfaming the opening, such as piers, cornices, lintels, and surrounds, except that where installing the canopy within the opening enframing will result in the lowest portion of the canopy being less than eight (8) feet above the sidewalk, or the operation of the door impeded, a canopy may be approved if:
 - (a) Sufficient space exists between the high-point of the canopy and the underside of any projecting cornice or other ornament surround enfaming the entrance doors to visually separate the two elements; and
 - (b) At its widest points, it will overlap, extend past, or obscure ornamental elements enfaming the entrance the least feasible amount.

§ 7. Section 2-20 of Subchapter B of Chapter 2 of Title 63 of the Rules of the City of New York is renumbered § 2-13 and is amended to read as follows:

[§2-20 Bracket Signs in the Tribeca East, Tribeca West, Tribeca North, Tribeca South, SoHo Cast-Iron, NoHo, and Ladies' Mile Historic Districts] §2-13 Signage.

- (a) *Introduction.* Signage was a typical feature of historic buildings that contained commercial or manufacturing uses. Such signage included signs painted or affixed above storefronts in signbands, signs within display windows, bracket signs, and signs hanging from underneath canopies. This rule sets [for] forth the requirements for [staff] LPC Staff approval of some types of storefront signage and associated lighting for such signage. All proposals for signage not seeking a discretionary approval from another City agency must comply with the Zoning Resolution in terms of size, placement, projection and illumination.
- (b) *Definitions.* As used in this §[2-20] 2-13, the following words [shall] have the following meanings:

Armature. "Armature" means a metal structural support for a rigid projecting sign. The armature may support the bracket sign by means of one or two projecting arms, or may be flush mounted with a sleeve and/or concealed.

Bracket Sign. "Bracket Sign" means a rigid outdoor sign, with two display faces, installed perpendicular to a building façade and attached to an armature, used as an announcement for an establishment in the building, consisting of the rigid display faces and all letters, words, numerals, illustrations, decorations, trademarks, emblems, symbols or their figures or characters associated with the name of the establishment that are applied to the faces. In addition, a bracket sign may consist solely of an outline of a shape and/or letters intended to act as a symbol or sign for the establishment.

Canopy means a metal frame clad with fabric that extends from a building entrance over the sidewalk to the curb, where it is supported on vertical posts.

CNE. "CNE" means Certificate of No Effect as defined by §25-306 of the New York City Administrative Code.

Establishment. "Establishment" means a manufacturing, commercial or retail business or profession.

Façade. "Façade" means an entire exterior face of a building.

LPC. "LPC" means the Landmarks Preservation Commission.

LPC or Commission Staff. "LPC staff" or "Commission staff" means the staff of the Landmarks Preservation Commission acting in the Commission's agency capacity.

PMW means a Permit for Minor Work pursuant to §25-310 of the New York City Administrative Code.

Pier means an exterior vertical member(s) or element(s) (usually of brick, stone, or metal), placed at intervals along a wall, which typically separates storefront openings within a single building or defines a single storefront opening.

Sign means a fixture or area containing lettering or graphics used to advertise a store, goods, or services.

Signage means any lettering or other graphics used to advertise a store, goods, or services.

Signband means the flat, horizontal area on the façade, usually located immediately above the storefront and below the second story window sill where signs were historically attached. Signbands can also be found immediately above the storefront display window, but below the masonry opening's lintel. A signband shall not include the frieze of a cornice that is less than 12" in height. A signband may exist above a second story storefront.

Significant architectural feature means an exterior architectural component of a building that contributes to or reinforces its special historic, cultural, and aesthetic character.

Storefront means [storefront infill] the first or second story area of the façade that provides access or natural illumination into a space used for retail or other commercial purposes.

Storefront infill means the framing, glazing, and cladding contained within a storefront opening in the façade, including display windows, bulkheads, entranceways, etc.

Storefront opening means the area of the façade between the piers and lintel, which contains storefront infill.

Transom means a glazed area above a display window or door that is separated from the display window or door by a horizontal framing member ("the transom bar"). The glazing in the transom may be fixed or operable.

- (c) *Installation of [storefront signs for existing storefronts] Storefront Signs.* The LPC [staff] Staff will issue a CNE or PMW for a storefront sign, other than a bracket sign, if the proposed work meets the relevant criteria listed below:

- (1) The signage is as-of-right pursuant to the Zoning Resolution and the Building Code.
- (2) The installation of signage will not damage, destroy or obscure significant architectural features or material of the building or storefront.
- (2) (3) Signs [may] will be installed in the signband above a storefront opening or within the storefront opening.
- (3) (4) Signs [may] will include [pin-mounted] dimensional letters and logos composed of wood, metal or plastic with a painted finish that project no more than [one inch] two inches if installed directly into masonry or wood [and letters and logos applied] signbands, or directly on wood, metal, or opaque glass sign panels mounted flat with the signband, or painted directly onto the ground floor signband and lintels. Pin mounted letters [may be installed directly into the storefront material, but not including cast iron] requiring numerous attachments points to historic masonry signbands should utilize mounting strips

where feasible, and will not be allowed in any instance on cast iron.

- [(4)] (5) Flat sign panels will project no more than [3] 2 inches from the façade, and [pin-mounted] dimensional letters on sign panels will project no more than [1 inch] 2 inches beyond the panel for a total projection of four (4) inches from the façade. In the case of dimensional letters installed on a metal channel within a transom, the channel may be straight or slightly bowed, and the letters will not project beyond the plane of the façade, and will be no larger than 18 inches and in no event higher than the height of the transom glass, and the channel will be no more than 1 inch tall. LPC Staff will not approve both a sign in the signband and a sign on a metal channel within a transom.
- [(5)] (6) The sign [must] will be proportional to the signband, but in no event [shall] will it exceed 90 percent of the area of the signband and the letters [may] will not be higher than eighteen (18) inches in total whether one or two lines of text is used.
- [(6)] (7) [Exterior signage may] Signage mounted on the exterior will not be internally illuminated, except that it may be "halo" lit with a light source behind opaque letters.
- [(7)] (8) One interior neon sign per display window is permissible, provided that the sign is transparent, is installed a minimum of six (6) inches behind the glass, does not substantially reduce the transparency of the display window and [in no event exceeds] does not exceed [4 square feet in] fifteen (15) percent of the area of the display window or transom. Non-concealed illuminated lighting [Neon] strips outlining the display window will not be permitted. Any other illuminated signage must be at least eighteen (18) inches set back from the inside plane of the glass of the display window or transom.
- [(8)] (9) Painted and vinyl signage may be applied directly onto the storefront glazing, including glazing at the doors, transom and display window, provided that the signage [does not substantially reduce the transparency of the display window, and] does not exceed more than twenty (20) percent of the glazed area. For purposes of this paragraph, the percent of the glazed area covered by signage will be calculated by the total area of the sign as a visual object and the collective groupings of text and images, without subtracting for voids between letters, numbers or graphics.
- [(9)] (10) Signage installed on the exterior may be illuminated externally with a shielded source of light, including "halo" lit with a light source behind opaque letters, or with a small ["goose-neck" type of] projecting fixture twelve (12) inches or less in length or width placed above the sign, with a maximum [of one fixture per 5 linear feet of sign] number of fixtures as follows: one fixture for the first one to six (1-6) feet of storefront opening; two fixtures if the storefront opening is between six to twelve (6-12) feet; three fixtures if the storefront opening is between twelve to eighteen (12-18) feet; and four fixtures if the storefront opening is between eighteen to twenty-four (18-24) feet. In no event will the light fixture arm project more than eighteen (18) inches from the sign. Cove fixtures must have the same finish as the sign, and if the sign projects from the façade, the cove fixture must be an integral part of the sign.
- [(10)] (11) Light fixtures will be installed in areas of plain masonry, metal, or wood, provided that the installation does not damage, destroy, or obscure significant architectural features of the building or storefront.
- [(11)] (12) Lighting conduits will be concealed.
- [(12)] (13) Exterior light fixtures, limited in number as set forth in paragraph (10), may only illuminate [storefronts and related] signage at signbands or sign panels, or may illuminate storefronts and/or awnings where no signbands or sign panels are being utilized.
- [(13)] (14) In approving an application for signage the LPC [staff] Staff will consider the overall amount of approved and grandfathered signage for the storefront and building. If the [staff] LPC Staff determines that the overall amount of signage for the storefront or building is excessive and
- will detract from the architectural features of the building, the adjacent buildings, or the streetscape, the staff will require that existing or proposed staff approved signage be eliminated or reduced. Such signage includes but not limited to signs on awning skirts [and], signage in a signband, signage applied to the storefront glazing, and bracket signs.LPC Staff will not approve new signage that will result in a storefront having a sign in the signband, signage on an awning, signage in a storefront and a bracket sign.
- (d) Installation of [bracket signs] Bracket Signs. The LPC [staff shall] Staff will issue a CNE for a bracket sign if the proposed work meets all of the following criteria:
- (1) The armature [shall] will be installed below the second story, or above the second story at the lowest point to meet the minimum height criteria of the Zoning Resolution, within the storefront opening or on the flat face of a plain masonry, wood or metal pier, but not including cast iron, and [shall] will be mechanically fastened into the storefront infill or into the mortar joints of a plain masonry pier, or attached to the framing members at the underside of a metal canopy on an industrial building, and such installation [shall] will neither damage nor conceal any significant architectural features of the building.
 - (2) The armature [shall] will be a [dark finished] metal finished to be harmonious with the storefront finish, and [shall] will be simply designed.
 - (3) The display faces of the bracket sign may be made of wood or metal. If the bracket sign has display faces, the letters, words, numerals, illustrations or graphics[, etc.] may be painted or applied onto the display faces, and may be raised slightly from the surface. Any raised features, including letters, words, numerals, illustrations or graphics, must be made of wood or metal, or painted plastic. The overall width, as measured from face to face, [shall] will not exceed two (2) inches, and, if there are raised [letters, illustrations, etc.] features the bracket sign shall not exceed a width of three inches as measured from the outside plane of such raised features[letters or illustrations]. The display faces and the letters, words, numerals, illustrations or graphics, [etc.] whether raised or not, [shall] will be of a color or colors that do not detract from the significant architectural features of the building or neighboring buildings. No neon or other vividly bright colors [shall] will be permitted.
 - (4) The bracket sign [shall] will not be internally illuminated, [nor shall such sign have neon or L.E.D. (Light Emitting Diode) lighting of any kind, nor shall any lighting fixture or mechanism be attached to the armature] but the display faces may be externally illuminated by a lighting fixture that is integral or attached to the sign or armature, is, if not concealed, as small and discrete as possible and does not call attention to itself, and is finished to blend with the sign or armature.
 - (5) The bracket sign [may] will be fixed or may move freely from its points of attachment to the armature, but in no event [shall] will the bracket sign be made to move by mechanized or controlled means.
 - (6) Number of bracket signs for ground floor establishments.
 - (i) Except for signs subject to [subparagraph] subparagraphs (ii) and (iii) below, one bracket sign per ground floor establishment [shall] will be permitted.
 - (ii) In buildings with more than one ground floor establishment, one sign per establishment may be installed, provided that there is no more than [one sign per 25] two signs per twenty (20) feet of building façade fronting on a street, and further provided that the size, design, placement, materials and details of all of the armatures match or are similar. The placement of the bracket sign on the building [shall] will be in close proximity to the establishment that is identified on the bracket sign.
 - (iii) A ground floor establishment with a corner storefront may have one bracket sign on each building façade with at least [25] twenty (20) feet of street frontage, provided that each façade has a primary entrance and each bracket sign is located in close proximity to an entrance, but in no event [shall] will more than one bracket sign be located within twenty (20) feet of the corner of the building.
 - (7) Bracket signs for upper story establishments. A single armature for a bracket sign for an upper story establishment or establishments may be installed adjacent to the building

entrance for such upper story establishments. This armature may hold one sign for each upper story establishment, provided such signs hang vertically underneath one another on the same armature, and further provided that in no event [shall] will the total dimensions of such signs, taken together, exceed the size requirements specified in paragraph (8) below.

- (8) The size of the bracket sign, oriented horizontally or vertically, [shall] will conform to the requirements of the Zoning Resolution, but in no event [shall] will the size exceed twenty-four (24) inches by thirty-six (36) inches, oriented horizontally or vertically in districts that were historically manufacturing or industrial in character, eighteen (18) inches by twenty-four (24) inches in districts that were historically commercial, or twelve (12) inches by eighteen (18) inches in districts that were historically residential in character. Novelty shapes, such as circles, polygons and irregular shapes are permitted, as are novelty objects, provided such shapes and objects generally fall within the parameters described in this paragraph.
- (9) The projection of the bracket sign and armature beyond the property line [shall] will conform to the requirements of the Zoning Resolution and Building Code, but in no event shall extend more than 40 inches from the façade in districts that were historically manufacturing or industrial in character, eighteen (18) inches in districts that were historically commercial, and no more than twelve (12) inches in districts that were historically residential in character.
- (10) The bracket sign [shall] will be installed so that the lowest portion of the sign is at least ten (10) feet above the sidewalk.
- (11) The establishment seeking approval for a bracket sign [shall] is not, for the same building, already [be] utilizing an LPC-approved, grandfathered or unapproved flagpole and banner, nor [shall] will it have approval from the LPC for installing a new flagpole and banner on the same building.
- (12) In approving an application for a bracket sign, [the Commission staff shall] LPC Staff will consider the overall amount of [staff and Commission] approved and grandfathered signage for the storefront and building. If the [staff] Staff determines that the overall amount of signage for the storefront or building [with the proposed bracket sign] is excessive and will detract from the architectural features of the building, adjacent buildings or streetscape the [staff shall] Staff will require that other types of existing or proposed staff approved or approvable signage, including but not limited to signs on awning skirts and signage applied to the storefront glazing, be eliminated or reduced.
- (e) Signage for Commercial Spaces Below the Sidewalk. Where a commercial establishment has an entrance below the sidewalk level, LPC staff will issue an approval for a sign that is installed:
- (1) On a plain masonry band above the storefront opening, if one exists, and provided the signage otherwise meets the criteria set forth in subdivision (c); or
- (2) On a flat metal or wood panel attached to an existing areaway fence, and provided:
- (i) The areaway fence is not historic or original to the building;
- (ii) The sign panel is not more than 1 inch thick and the signage is painted or applied to the panel; and
- (iii) The panel is not bigger than twelve (12) inches by thirty-six (36) inches.
- (f) Miscellaneous Commercial Signage.
- (1) Plaques. Plaques are a traditional form of advertising for professional services, such as doctors' offices. Staff will issue an approval for a metal, glass or stone plaque in connection with a storefront or on a building that does not contain a storefront, such as a row house or small apartment building, if the plaque:
- (i) Is as-of-right under the Zoning Resolution and Building Code;
- (ii) Is installed into areas of plain, unornamented masonry or otherwise will not conceal or damage significant architectural features;
- (iii) Is not more than one-half inch thick; and
- (iv) Is not larger than twelve (12) inches by eighteen (18) inches and the LPC Staff determines that due to its size and proportion the plaque does not call undue attention to itself; and
- (v) If attached to a free-standing pole installed in an areaway;

- (A) The pole has a dark finish and is not taller than six (6) feet;
- (B) The pole is installed through non-historic paving, away from the façade and does not obscure or hid decorative features of the building or detract from adjacent buildings;
- (C) There are no more than three plaques on the pole;
- (D) Each plaque is not larger than six (6) inches by twelve (12) inches.

- (2) Poster Boxes on Certain Types of Buildings. With respect to poster boxes on the facades of buildings used as theaters, religious institutions, community centers, libraries, museums, and clubs, or other buildings that traditionally used poster boxes, LPC staff will issue an approval if the poster box:
- (i) Is installed into areas of plain, unornamented masonry or otherwise will not conceal or damage significant architectural features;
- (ii) Consists of a metal or wood frame with clear glass;
- (iii) Any lighting is restricted to the inside of the box with concealed wiring; and
- (iv) The LPC staff determines the size of the box does not call undue attention to itself or detract from significant architectural features.
- (3) Menu Boxes. With respect to menu boxes on storefronts used as restaurants, LPC staff will issue an approval if there is no more than one menu box per entrance per street and such menu box:
- (i) Is installed at or near the entrance;
- (ii) Is installed into areas of plain, unornamented masonry or into non-historic storefront material, or otherwise will not conceal or damage significant architectural features;
- (iii) Consists of a metal or wood frame with clear glass;
- (iv) Is not larger than twenty-eight (28) inches by thirty (30) inches and LPC Staff determines that because of its size it does not call undue attention to itself or detract from significant architectural features; and
- (v) Any lighting is restricted to the inside of the box with concealed wiring.

§ 8. Section 2-14 of Subchapter B of Chapter 2 of Title 63 of the Rules of the City of New York is REPEALED and a new Section 2-14 is added to read as follows:

§2-14 Windows and Doors

(a) Introduction.

These rules apply to proposals for work involving the installation of windows and doors at buildings that are Individual Landmarks or are within a historic district or scenic landmark in existing window and door openings. The rules are categorized according to types of facades (e.g., primary facades; visible secondary facades; and minimally visible and non-visible facades) and building types (e.g., small residential and commercial buildings; large residential and commercial buildings). In addition, these rules govern the creation of modified window openings and new window and door openings, and the installation of windows and doors in such openings. Finally, the rules cover window and door "add-ons," such as storm windows and doors, screens and applied films.

(b) Definitions. As used in this section, the following terms have the following meanings:

Color. "Color" means the sensible perception of hue, value and saturation characteristics of surfaces of window and door components. In the event of disagreement, the Munsell system of color identification will govern.

Commission. "Commission" means the Landmarks Preservation Commission as established by §3020 of the New York City Charter.

Commissioners. "Commissioners" means the eleven Commissioners of the Landmarks Preservation Commission, including the Chair, as established by §3020 of the New York City Charter.

Configuration. "Configuration" means the number, shape, organization and relationship of panes (lights) of glass, sash, frame, muntins, or tracery.

Details. "Details" means the dimensions and contours of both the stationary and moveable portions of a window or door, and moldings.

Dutchman. "Dutchman" means a repair technique for replacing small sections of a damaged material with new material that matches the original material.

Entrance infill. "Entrance infill" means the assembly of door(s), transom(s), sidelight(s), spandrel(s) and other framing elements, as opposed to a singular door, within an entrance opening.

Existing window or existing door. "Existing window" or "existing door" means the window and/or door existing at the time of designation or a window and/or door which has been changed subsequent to designation pursuant to a permit issued by the Commission.

Fenestration. "Fenestration" means the arrangement, proportioning and design of windows in a building.

Finish. "Finish" means the visual characteristics, including color, texture and reflectivity of exterior material. Finish can be based on the original or historic finish, or finishes used at similar buildings in later eras of significance typical of a particular historic district as an alternative to matching the original or historic finish.

Frame. "Frame" means the stationary portion of a window or door unit that is affixed to the facade and holds the sash or other operable portions of the window or door.

Glazing. "Glazing" means the material, usually glass, that fills spaces between sash members (rails, stiles and muntins), commonly referred to as panes or lights. *Note:* glazing may consist of multiple layers of glass, including laminated glass and insulated glass with or without low-e coatings, provided the glass is otherwise clear.

Head. "Head" means the upper horizontal part of a window or door frame or opening.

Historic window or historic door. "Historic window" or "historic door" means:

- (1) a window or door installed at time of construction of the building; or
- (2) a window or door of a type installed at time of construction of similar buildings in similar periods and styles; or
- (3) a window or door installed at time of major facade alterations 30 or more years ago.

Jamb. "Jamb" means the side parts of a window or door frame or opening, as distinct from head and sill.

Landmarks law. "Landmarks Law" means Title 25, Chapter 3 of the Administrative Code of the City of New York.

Light. "Light" means a pane of glass, a window, or a sub-pane of a window or door.

Low-e. "Low-e" means a coating or sheet of material applied to glass that reduces the amount of heat transferred through the glass, which is considered clear or untinted for the purposes of these rules.

LPC. "LPC" means the Commission acting in its agency capacity to implement the landmarks law.

LPC Staff. "LPC Staff" means the staff of the Landmarks Preservation Commission acting in the Commission's agency capacity.

Match. "Match" means either an exact or an approximate replication. If not an exact replication, the approximate replication must be designed so as to achieve a suitable, harmonious and balanced result.

Meeting rail. "Meeting rail" means a sash rail in a double-hung window designed to interlock with an adjacent sash rail.

Member. "Member" means a component part of a window or door.

Molding. "Molding" means a piece of trim that introduces varieties of outline or curved contours in edges or surfaces as on window or door jambs and heads. Moldings are generally divided into 3 categories: rectilinear, curved and composite-curved.

Mullion. "Mullion" means a vertical primary framing member that separates paired or multiple windows within a single opening.

Muntin. "Muntin" means the tertiary framing member that subdivides the sash into individual panes, lights or panels; lead "comes" are often used in stained glass windows. *Note:* Muntins may be traditional true divided, or simulated divided light ("SDL") type; however, grids placed between two sheets of glass only are not considered muntins.

Operation. "Operation" means the manner in which a window or door unit opens, closes, locks, or functions (e.g., casement or double-hung). If non-operable, a window unit (such as a side light) is identified as "fixed."

Panning. "Panning" means an applied material, usually metal, that covers the front (exterior) surface of an existing window frame or mullion.

Permit. "Permit" means any permit, certificate or report issued by the Commission in accordance with the provisions of the Landmarks Law.

- (1) "PMW" means Permit for Minor Work as defined by §25-310 of the Landmarks Law.

- (2) "CNE" means Certificate of No Effect as defined by §25-306 of the Landmarks Law.

- (3) "C of A" means Certificate of Appropriateness as defined by §25-307 of the landmarks law.

- (4) "Report" means the report referenced in §25-318 of the Landmarks Law or a report issued in connection with a review of work pursuant to §856(h) of the New York City Charter.

Primary facade. "Primary facade" means:

- (1) A facade fronting a street or a public thoroughfare;
- (2) A non-street fronting facade, such as a setback or a façade fronting a mews or court, that possesses a level of design or significant architectural features that are commensurate with the street fronting façade; or
- (3) A façade with a primary entrance to the building.

Rail. "Rail" means a horizontal sash member.

Repair. "Repair" means work to correct deterioration or decay of, or damage to, a window or door or any part thereof and to restore same, as closely as may be practicable, to its condition prior to the occurrence of such deterioration, decay or damage. The term "ordinary repair" refers to work that does not require a permit.

Restoration. "Restoration" means the process of returning, as nearly as possible, a building or any of its architectural features to its original form and condition.

Sash. "Sash" means the secondary part of a window which holds the glazing in place. It may be operable or fixed, and is usually constructed of horizontal and vertical members. A sash may be subdivided with muntins.

Secondary facade. "Secondary facade" means a facade that does not front on a street or a public thoroughfare and that does not possess significant architectural features that are commensurate with the street fronting façade.

Significant architectural feature. "Significant architectural feature" means an architectural component of a building that contributes to its special historic, cultural and aesthetic character, or that in the case of an historic district reinforces the special characteristics for which the district was designated.

Sill. "Sill" means the lower horizontal part of a window frame or window opening; also the accessory member which extends as a weather barrier from frame to outside face of wall.

Special window or special door. "Special window" or "special door" means a window or door that possesses rare or distinctive traits reflective of its style and age, including but not limited to:

- (1) A rare shape and distinctive pattern, including but not limited to square sash with complex arched paneling; diamond, round and oval sash; sash with intersecting curved muntins; and multi-light sash or door leafs with densely-gridded window panes of thirty (30) square inches or less; and arch-headed doors. Unless otherwise classified as a special window or special door, the following window types are not considered special windows: square sash; square sash with simple arched paneling (e.g., half-round arch, elliptical arch, quarter-round arch, pointed arch); fixed or operable sash in simple arched transoms; sash with simply curved muntins; and multi-light sash or door leafs with large panes of more than thirty (30) square inches.
- (2) Distinctive glazing, including but not limited to leaded; stained; etched; textured; and curved glazing. Unless otherwise classified as a special window or special door, clear or frosted glazing is not considered distinctive.
- (3) Fine craftsmanship and/or distinctive materials, including bronze; brass; nickel silver; cast metal; and elaborate carved woodwork. Unless otherwise categorized as a special window or special door, the following are not considered fine craftsmanship or distinctive materials: copper or other sheet metal; kalamein; rolled steel; and extruded aluminum.
- (4) Unique typology, including curved sash; bi-folding sash; operable true arch-headed double-hung or casement sash; and monumental window or door assemblies. Unless otherwise categorized as a special window or special door, the following are not considered unique: pivot sash, French doors, and casements.
- (5) Age, including original windows at buildings constructed prior to 1850.

Stile. "Stile" means a vertical sash member.

Story. "Story" means a habitable floor level, including a basement but not including a cellar.

(c) Work for Which No Approval is Required.

- (1) Maintenance, repair and retrofit of windows, doors and add-ons, except for special windows and special doors if removal to an off-site location is required to perform the work. Ordinary maintenance, minor repair and retrofits, including modifications to improve energy efficiency and weatherization, to windows, doors and add-ons (e.g., screens, storm windows, and films) at primary facades and secondary facades of Individual Landmarks and buildings in historic districts and scenic landmarks, including:
 - (i) In-kind replacement of clear glass, glazing putty and stops, and screens;
 - (ii) Prepping and repainting of windows, doors and add-ons to match the existing color and finish;
 - (iii) Replacing or installing perimeter caulking and sealants;
 - (iv) Repairing or replacing window or door hardware, such as hinges, knobs and handles, but excluding ornate historic exterior hardware on special doors;
 - (v) Replacing or installing weather-stripping;
 - (vi) Patching or straightening metal window and door components;
 - (vii) Patching or consolidating wood fibers or partially rebuilding wood window and door components with Dutchmen.
- (2) Interior add-ons. New interior window and door add-ons at primary facades and visible portions of secondary facades, if the work meets all of the following criteria applicable to the work:
 - (i) The work is not occurring in an Interior Landmark;
 - (ii) The interior add-ons have no mullions, muntins or wide frames that are conspicuous as seen through the glazing of the primary window or door from the exterior of the building;
 - (iii) The interior add-ons have clear glass or clear acrylic (including plexiglass) or screens with a dark fabric; and/or
 - (iv) The add-on is an applied film and is clear.
- (3) Interior and exterior add-ons at non-visible facades. New interior and exterior window and door add-ons at non-visible portions of secondary facades if the work is not occurring in an Interior Landmark and no significant exterior architectural feature of the window, door or building will be lost or damaged.

(d) Installation of Exterior Add-Ons for Windows and Doors in Individual Landmarks and Buildings in Historic Districts and Scenic Landmarks.

- (1) Storm windows and doors and screens. LPC Staff may approve an application for new exterior window and door add-ons at primary facades and visible portions of secondary facades, provided the work meets all of the following criteria applicable to such work:
 - (i) The add-on fits tightly within the window or door opening with minimal or no sub-frame around the perimeter, and is set as far back from the plane of the exterior wall as possible;
 - (ii) The add-on will be made of wood, metal or fiberglass with a finish that matches the color of the primary window or door frame, with clear glass;
 - (iii) A window add-on will have horizontal mullions or meeting rails that match the primary window's meeting rail or substantial mullions, is placed in the same relative location, with no additional divisions;
 - (iv) A door add-on will have horizontal mullions only in conjunction with the rails of the primary door, with no additional divisions; and
 - (v) The installation of the add-on will not damage or destroy any significant feature of the window, door or building.
- (2) Applied films. LPC Staff may approve an application for applied films on windows or doors at primary facades and visible portions of secondary facades, provided the work meets all of the following criteria applicable to such work:
 - (i) The applied film is clear or translucent and/or tinted in greyscale, except that only clear film may be used for special windows or doors;
 - (ii) The installation is on the interior face of the glass and is reversible; and

(iii) If translucent and/or tinted, the overall installation is limited in scope so as to not change the character of the overall fenestration of the building (for example, applied only at bathroom windows).

(e) Special Windows and Special Doors: Any Facade.

- (1) If existing original or historic special windows or special doors are deteriorated beyond reasonable repair, as described in a condition assessment submitted by the applicant, new windows or doors may be approved if they match the original or historic windows and doors in terms of details, materials, operation, configuration and finish. The assessment should generally be prepared by a qualified architect or engineer; however, for more limited scopes of work a contractor or other professional with preservation experience may be deemed acceptable. For purposes of this subdivision, the criteria established for window replacement at Primary Facades of Individual Landmarks will be used, with the additional variations and exceptions as described in paragraph (f)(1).
- (2) A window that is special due only to its glazing can be removed and reinstalled in a new window sash that otherwise complies with the relevant criteria for replacement of non-special windows.

(f) Primary Facades.

- (1) General criteria. New windows or doors may be approved if they match the original or historic windows and doors in terms of details, materials, operation, configuration and finish. Historic doors may be replaced only if they are deteriorated beyond reasonable repair, as described in a condition assessment. For purposes of this subdivision, the following variations and exceptions apply, except as noted in each provision.
 - (i) Details. Variations in details will be permitted if such variations do not significantly affect the visual characteristics of the window or door. LPC Staff may approve a diminution of glazing area from the historic window not to exceed ten (10) percent for metal windows and six (6) percent for wood windows, except that the diminution percentages may be slightly exceeded for specific window types due to their small size or muntin pattern, or due to building, energy, accessibility or other code requirements that must be met, provided that LPC Staff determines that the proposed window will not call attention to itself or detract from the significant architectural features of the building. In addition to the window sashes, door leafs and frames, the new window's or door's muntins, mullions and brickmolds must also match the historic condition. Simulated divided light ("SDL") muntins are acceptable substitutes for true divided light muntins, provided the exterior muntins are built into the frames of the sashes and are of the same material and there are spacers between multiple layers of glass and interior muntins. At large residential and commercial buildings in historic districts, spacers and interior muntins are not required.
 - (ii) Materials.
 - (A) A historic wood window or door can be replaced with wood of any species. A historic metal window or door can be replaced with a different metal, including replacing metal-clad windows with a non-metal substrate material. However, Special Windows and Special Doors may require matching the original material exactly.
 - (B) At small residential and commercial buildings in historic districts, straight- and arch-headed, double-hung wood windows for which the historic condition had no divided lights (without muntins) may be replaced with windows of a different material, including aluminum and fiberglass, but not including vinyl, provided the historic wood brickmolds are retained or replicated in wood, aluminum or fiberglass; the new windows are installed in the same plane as the historic window; and the window and brickmolds have a matching finish that replicates the historic finish;
 - (C) If the historic transom window originally or historically had stained or leaded glass but did not retain such glass at the time of designation, the replacement window does not have to match the stained glass but can be either clear glass or recall the stained or leaded glass window.
- (iii) Operation.

- (A) The upper sash of a double-hung window, or of a transom window, may be fixed, and the direction of the swing (e.g., outward or inward) of a casement, awning or hopper window may be changed.
- (B) Except at Individual Landmarks, the historic operation of the lower sash of a double-hung window may be changed to a hinged operation to meet high-performance energy-efficiency or accessibility standards or goals provided that:
- (a) The operation of the lower sash is limited to an inward tilting hopper for ventilation, except for additional inward turning capabilities for maintenance purposes only, and the plane of the lower sash approximates that of the historic sash;
- (b) The details closely match that of the historic double-hung window, with additional dimensional tolerances (typically deeper sashes and frames) to accommodate thicker insulated glazing and the change in operation at the lower sash, and such additional minor changes do not call attention to themselves or detract from the appearance of the building or adjacent buildings, if in a district; and
- (c) All windows on the primary facades eligible for this exception, excluding special windows, are being replaced at the same time or as part of an approved master plan to ensure a uniform installation and appearance.
- (C) The operation of a door must match the historic operation, except that the historic operation of a swinging door may be changed to fixed or reversed in swing or hinging; in addition, the historic operation of a swinging, sliding, roll-down or overhead garage or loading door may be substituted interchangeably;
- (D) Except at Individual Landmarks, the historic operation of a pivot window may be changed to a hinged operation matching the vertical or horizontal orientation of the pivot operation; and
- (iv) Configuration of a door. The following exception to matching the configuration of a historic door may apply if the door is not a Special Door or located on an Individual Landmark: the historic configuration of equal leaf paired doors may be changed to unequal leaves or a single leaf, if the applicant can demonstrate an inability to meet accessibility requirements through other modifications, provided that the new door(s) will match or recall the configuration and details of the historic door(s), and the work meets other relevant criteria in §2-18.
- (2) Specific criteria for primary facades.
- (i) Individual Landmarks.
- (A) Existing original or historic window and door openings. If original or historic windows or doors are deteriorated beyond reasonable repair due to physical conditions as described in a condition assessment submitted by the applicant, new windows or doors will be approved if they match the original or historic windows and doors in terms of configuration, operation, details, material and finish. The assessment should generally be prepared by a qualified architect or engineer; however, for more limited scopes of work a contractor or other professional with preservation experience may be deemed acceptable.
- (B) Existing non-original or non-historic window and door openings. If the window or door opening is not original or historic, or has been substantially modified, such as a window opening installed after the removal of a stoop and entrance door, or a door opening installed after the installation of a fire escape, a new window or door may be approved if it matches or otherwise harmonizes with the configuration, details and materials of the original or historic windows and doors on the building.
- (ii) Small residential and commercial buildings in historic districts.
- (A) Applicability. For purposes of this subparagraph, a small residential or commercial building is a building which is six stories or less in height and has a street frontage of forty (40) feet or less, and includes rowhouses, townhouses, mansions, detached and semi-detached houses and carriage houses; small apartment buildings, tenements and hotels; and small, utilitarian, commercial and loft buildings, including cast-iron fronted buildings,
- department stores, banks and office buildings. Notwithstanding the above, a corner rowhouse, town house, mansion, detached and semi-detached house and carriage house shall be deemed a small residential and commercial building regardless of the length of its longest street frontage.
- (B) Existing original or historic window and door openings. New windows installed in existing original or historic openings will be approved if they match the historic windows in terms of configuration, operation, details, material and finish. If original or historic doors are deteriorated beyond reasonable repair due to physical conditions as described in a condition assessment submitted by the applicant, new doors replacing historic doors will be approved if they match the historic doors in terms of configuration, operation, details, material and finish, and new doors replacing non-historic doors will be approved if they match the historic doors in terms of operation, material and finish, and recall the configuration and details of the historic doors. The assessment should generally be prepared by a qualified architect or engineer, however for more limited scopes of work a contractor or other professional with preservation experience may be deemed acceptable.
- (C) Existing non-original or non-historic window and door openings. If the existing window or door opening is not original or historic, or has been substantially modified, such as a window opening installed after the removal of a stoop and entrance door, or a door opening installed after the installation of a fire escape, the new window or door will be approved if it matches, or otherwise harmonizes with, the configuration, operation, details, material and finish of the historic windows and doors on the building. The design may maintain the existing opening or may include the modification of the height and width of the existing opening, and may introduce new architectural features on the area surrounding the opening, provided that:
- (a) The design of the surround is consistent with or harmonious the materials and details of the building.
- (b) For modifications to entrances at the base of the building, see §2-14(i).
- (iii) Large residential and commercial buildings in historic districts.
- (A) Applicability. For purposes of this subparagraph, a large residential or commercial building means a building that is seven or more stories in height, or has a street frontage of more than forty (40) feet, and includes large apartment buildings and hotels, and large commercial and loft buildings, including cast-iron fronted buildings, department stores, banks and office buildings.
- (B) Existing original or historic window and door openings. New windows installed in existing original or historic openings will be approved if they match the historic windows in terms of configuration, operation, details and finish. New doors installed in existing original or historic openings will be approved if they recall the historic doors in terms of configuration, operation, details and finish.
- (C) Existing non-original or non-historic window and door openings. If the existing window or door opening is not original or historic, or has been substantially modified, such as a window opening installed after the removal of a stoop and entrance door, or a door opening installed after the installation of a fire escape, the new window or door will be approved if it matches, or otherwise harmonizes with, the configuration, operation, details, material and finish of the historic windows and doors on the building. The design may maintain the existing opening or may include the modification of the height and width of the existing opening, and may introduce new architectural features on the area surrounding the opening, provided that:
- (a) The design of the surround is consistent or harmonious with the materials and details of the building.

- (b) For modifications to entrances at the base of the building, see §2-14(i).
- (iv) Other buildings in historic districts.
- (A) Applicability. For purposes of this subparagraph, "other buildings" include buildings such as churches and synagogues, hospitals, schools, libraries and the one- or two-story commercial building known as a "taxpayer."
- (B) Existing original or historic window and door openings. New windows and doors installed in existing original or historic openings will be approved if they satisfy the criteria in set forth in paragraph (2) of subdivision (f) as determined by whether the other building type is seven or more stories in height or has more than forty (40) feet of street frontage.
- (C) Existing non-original or non-historic window and door openings. If the existing window or door opening is not original or historic, or has been substantially modified, such as a window opening installed after the removal of a stoop and entrance door, or a door opening installed after the installation of a fire escape, the new window or door will be approved if it matches or otherwise harmonizes with the configuration, details, material and finish of the historic windows and doors on the building. The design may maintain the existing opening or may include the modification of the height and width of the existing opening, and may introduce new architectural features on the area surrounding the opening, provided that:
- (a) The design of the surround is consistent or harmonious with the materials and details of the building.
- (b) For modifications to entrances at the base of the building, see §2-14(i).
- (v) Buildings in Scenic Landmarks.
- (A) Applicability. This subparagraph shall apply to buildings in Scenic Landmarks that are not Individual Landmarks, and shall include such buildings as educational centers, sports-related buildings, utility buildings (including sheds and maintenance buildings), stables, carriage houses, garages, boat houses, historic houses, police stations, zoo buildings, theater and performance buildings, and comfort stations.
- (B) Existing original or historic window and door openings. New windows and doors installed in existing original or historic openings will be approved if they satisfy the criteria in set forth in paragraph (2) of subdivision (f) as follows: buildings six or less stories in height and with less than forty (40) feet of primary façade shall follow the criteria in paragraph (2)(ii) of subdivision (f), and shall follow the criteria in paragraph (2)(iii) of subdivision (f) if taller or with more than forty (40) feet of primary façade.
- (g) Secondary Facades; Visible Facades. This subdivision applies to new windows and doors, and modified and new window and door openings, at visible portions of secondary facades for all building types.
- (1) Existing window and door openings. New windows and doors installed in existing openings, whether original, historic or modified, will be approved if they match the historic windows and doors in terms of configuration and finish.
- (i) Existing window and door openings that do not contain a special window or door can be filled in provided:
- (A) If the façade is masonry, the window and door opening will be filled in with new masonry to match the surrounding masonry, except if an original or historic window opening is being filled in, the new masonry must be set flush with but not toothed into the surrounding masonry, or set slightly back of the plane of the façade, and the lintel and sill retained, provided that the filled in openings will not detract from the existing windows or doors on the secondary façade or the primary façade if such filled in windows can be seen in conjunction with the primary façade. Notwithstanding the foregoing, original or historic window openings at the top floor of a building built as part of a row of identical or similar buildings, where the building retains its original height, cannot be filled in.
- (B) If the façade is sided with wood, the window or door opening can be filled in with wood to match the existing façade, except at the top floor of a building that was built as part of a row.
- (2) Modified and new window and door openings. New windows and doors installed in existing openings being modified by enlarging or reducing the opening in height and/or width, or new windows and doors installed in newly created openings, on visible portions of secondary facades will be approved if the modified or new opening, and the window or door, meet all of the following criteria as applicable:
- (i) Modified and new window and door openings.
- (A) A modified or newly created window or door opening will retain the same general shape and pattern as existing windows and doors on the same façade, or, where there are no existing openings, the newly created opening will be located in a place and be of a size and shape where it can form the basis for a regular and consistent pattern; and that the number, size or placement of the new window or door opening does not change the character of the façade as a secondary and subservient façade with a high solid to void ratio;
- (a) With respect to proposals for creating new window or door openings at secondary facades of row houses or townhouses, mansions, detached and semi-detached houses and carriage houses, staff may approve new window openings provided that, together with the existing openings, there is no more than one window opening on a secondary façade of less than twenty (20) feet, two window openings if the façade is between twenty-one (21) and forty (40) feet, and 3 window openings if more than forty (40) feet; the placement, pattern and sizes of windows on the façade do not detract from significant architectural features of the buildings or neighboring buildings if in a district; and the original window openings on the top floor of a rear façade are not modified, with the exception of one window opening which may be lowered to provide access to an approved or grandfathered balcony, terrace or deck. However, previously altered window openings on the top floor of these building types may be enlarged or reduced to restore or more closely match the original window openings, as deemed appropriate by LPC Staff.
- (b) No opening with a special window or door may be modified.
- (ii) New windows and doors installed in modified and new window and door openings approved pursuant to subparagraph (i) of this paragraph will be approved if they match the historic windows and doors in terms of configuration and finish, and
- (A) The new window or door will not replace a Special Window or Special Door;
- (B) Except for Individual Landmarks, if there is no predominant historic window or door type on a secondary façade, the new window or door may have a simplified period-appropriate configuration (i.e., a double-hung window with equal sashes, but elimination of the muntin configuration may be acceptable, resulting in typical 1-over-1 window) that will not detract from the existing windows or doors on the secondary façade and/or front façade if adjoining. At large residential and large commercial buildings only, if all of the existing windows are non-historic, new windows may match the existing or predominant condition on that façade, if fewer than ten percent of the windows are being replaced at the same and the proposal is not for a master plan; and
- (C) The new and/or modified window or door opening, and window or door, will not detract from the significant architectural features of the building or adjacent buildings by virtue of their proximity to such features.
- (h) Secondary Facades; Nonvisible and Minimally Visible Facades. New and modified window and door openings, and new windows and doors installed in existing openings, new openings, and modified openings will be approved if the proposed work meets all of the following relevant criteria:
- (1) New windows and doors in existing openings.
- (i) LPC Staff will approve a new window or door in an existing opening, provided the window or door being removed is not a special window or special door, except that if the "Special Window" is limited to distinctive glazing, the glazing can be removed and installed in a new window and in a new location on the façade;

- (ii) Existing window and door openings that do not contain a special window or door can be filled in with new masonry to match the surrounding masonry or filled in with new façade cladding to match the surrounding façade cladding for non-masonry façades, except at the top floor of a building built as part of a row or identical or similar buildings where the building retains its historic height, and provided that the filled in opening does not detract from the existing windows or doors on the secondary façade. One (1) original or historic window opening at the top floor of a building built as part of a row may be filled in, if the new masonry is set slightly back of the plane of the façade and the lintel and sill are retained.
- (2) Modified window and door openings.
- (i) Existing window and door openings on the same floor, except as provided below for the top floor and bottom two floors, may be modified by enlarging or reducing the opening in height and/or width or combining horizontally adjacent openings, provided that at least one bay of windows is not combined and the modified opening maintains the existing masonry wall or cladding at the outer piers, other mullions or muntins break down the scale of the window and the enlarged opening does not extend above or below a floor, and there are at least eighteen (18) inches between the enlarged opening and the windows above and below;
- (A) With respect to the top floor, the historic window openings cannot be modified except that one window opening may be lowered to provide access to an approved or grandfathered balcony, terrace or deck, including a new Juliette-style balcony, and the modified window opening may be widened if necessary to meet minimum code requirements;
- (B) With respect to the bottom two floor levels of the existing building, a modified window and door opening can combine all windows and doors on a floor, and may span vertically between the bottom two floor levels to create a single large opening, if the modified opening will maintain at least twenty-four (24) inches of masonry or wall cladding at the outer piers and between the floors above the modified opening, and provided there is a spandrel or horizontal element of at least twelve (12) inches that marks the location of the missing floor and other mullions or muntins that break down the scale of the window, except that if the modified window is to be installed in an addition or extension that does not extend the full width of the building, 12 (twelve) inches of masonry or wall cladding must remain at the outer piers; and
- (ii) At intersecting façades, such as those occurring at partial rear extensions, modified and enlarged openings may not wrap continuously around the outside or inside corners and must maintain at least 12 (twelve) inches of separation with masonry or wall cladding.
- (3) New window and door openings. The new opening must:
- (i) Match or be consistent with the size and scale of existing openings and placed so as to be consistent with an existing pattern or to create a consistent pattern; or
- (ii) Match or be consistent with the modifications to existing window and door openings provided for in this section; and
- (iii) Not detract from significant architectural features of the building or adjacent buildings.
- (4) New windows and doors in modified existing openings and in new openings. LPC Staff will approve new windows and doors to be installed in new openings and existing openings modified as permitted under this subsection, provided that:
- (i) The new window or door does not detract from any significant exterior architectural feature of the building or neighboring buildings by virtue of its proximity to such feature(s); and
- (ii) If the opening has been widened, combined horizontally and/or vertically, the new windows and doors are subdivided to give the window scale and texture and, for purposes of this subparagraph, sliding glass doors may be installed in a modified or new opening if the opening faces onto a deck or the ground.
- (5) For purposes of this subdivision (h), a secondary façade is "minimally visible" if the façade is seen at such an angle that the configuration of the windows cannot be seen or is very difficult to discern, or only a small portion of the façade is seen through a gap in the streetwall and is visually disconnected from the primary façade of the building.
- (i) *Entrance Infill, Excluding Entrances in Storefront Infill.* LPC Staff will issue an approval for new entrance infill for existing entrance openings (e.g., at primary and secondary entries for lobbies, vestibules, service areas or egress), but not including entrance openings in Individual Landmarks, where no significant historic fabric exists, if the proposed work will restore the historic infill pursuant to the requirements of §2-11(f) or meets all of the relevant criteria set forth below:
- (1) Design. The design of the new infill is based on the historic entrance prototypes and details within the specific historic district and for buildings of similar age, type and style, except that entrance infill for a building that already has entrance infill approved pursuant to this section must be harmonious with the previously approved entrance infill in terms of the design, materials and finish. At commercial and mixed-use buildings where entrance infill and storefront infill was installed in similar openings historically, the entrance infill can also be removed and replaced with storefront infill pursuant to §2-12(c) of these rules.
- (2) Configuration. The configuration of the new infill is consistent with the proportions of doors, sidelights, transoms and other features of historic entrance infill or previously approved entrance infill.
- (3) Door, transom and sidelight glazing. Glazing in doors, transoms and sidelights must be clear, except that a gray-scale translucent treatment may be applied the interior face of glazing where existing interior conditions preclude the installation of clear transom windows; or at a service entrance.
- (4) Framing. Entrance framing must feature profiled trim that recalls the articulation of historic entrance framing, and the details will be traditional or contemporary, except that at small residential buildings the framing details must recall traditional framing.
- (5) Orientation. New infill must be installed parallel to the building's sidewalk and consistent with the plane of the façade, and must be set back from the face of the existing entrance surround the minimum dimension required to avoid concealing any significant architectural feature, including features previously concealed by existing entrance infill, but in no event less than four (4) inches from the face of the entrance surround.
- (6) Entrances and doors.
- (i) The new entrance will be accessible if feasible or required by law; and
- (ii) The design of the new door will maintain the design intent of new entrance infill required by this section, or will match the original or historic door pursuant to the criteria for door replacement addressed in subdivision (f) of this section.
- (7) Material. If the building was constructed prior to 1900, the material of the new infill must match the historic material, if known, or be wood; for buildings constructed in or after 1900, or built before and altered in or after 1900 to include entrances, the material of the new infill may be wood or metal or match the historic material, except that:
- (i) At small residential buildings of six (6) stories or less and with a street frontage of forty (40) feet or less, the material of the new infill must match the historic material, except that corner rowhouses, town houses, mansions, detached and semi-detached houses and carriage houses are subject to this clause regardless of the length of the façade with the longest street frontage.
- (ii) Service entrances, such as those that historically accessed freight elevators or had other utilitarian uses, may be wood or metal regardless of when the building was constructed, in keeping with similar service entrances found within the specific historic district and for buildings of similar age, type and style.
- (8) Finish. New entrance infill must have a finish that recalls the finish of historic or approved entrances or is otherwise harmonious with the building.
- (9) Removal of modern cladding. If an applicant is proposing to remove modern cladding on the entrance or the area surrounding the entrance, the applicant must first perform probes of the material to see if historic material or elements exist behind the modern cladding.

- (A) If significant historic material or elements exists underneath the cladding, the historic material must be restored and the new entrance can only be approved pursuant to § 2-11(f).
- (B) If a significant portion of the historic entrance surround exists underneath the cladding, but no historic entrance infill remains, the entrance surround must be restored, pursuant to § 2-11(f), as part of the application for new entrance infill under this paragraph.
- (10) Restoration of the original entrance opening. If the original entrance opening has been reduced or increased in size the design may maintain the existing entrance opening, or may include the restoration of the height and width of the original opening, except that where interior conditions preclude restoration to the original height (e.g., later structural elements or existing interior roll gate housing or mechanical systems):
- (i) The existing entrance opening may be enlarged or reduced to the greatest extent feasible; and
- (ii) The design of the surround is consistent with or harmonious the materials and details of the historic base of the building.
- (11) Modification of the existing entrance opening. If the existing entrance opening is not original to the building, the proposed work may maintain the existing entrance opening or may include the modification of the height and width of the existing opening, and may introduce new architectural features on the area surrounding the entrance, provided that the design of the surround is consistent or harmonious with the materials and details of the historic base of the building.

§ 9. Section 2-15 of Subchapter B of Chapter 2 of Title 63 of the Rules of the City of New York is REPEALED and a new Section 2-15 is added to read as follows:

§2-15 Additions: Rooftop and Rear Yard Additions or Enlargements.

(a) Applicability.

- (1) This section addresses LPC Staff approvals for additions to existing buildings, including rooftop, rear and side yard additions. It does not apply to additions to buildings in scenic landmarks.
- (2) This section does not apply to any building already subject to a District Master Plan that includes criteria for additions. (See Chapters 4, 6 and 12)
- (3) The design and installation of additions consisting of heating, ventilation and air-conditioning equipment must meet the requirements set forth in § 2-21. Flues and chimneys that are part of an addition or that must be raised as a result of an addition are included in this section.
- (4) For purposes of this section, “minimally visible” means the visibility of a portion of an addition or enlargement which, from its maximum point of visibility, when viewed from any public thoroughfare:
- (i) Projects into the maximum line of sight from such public thoroughfare no more than twelve (12) inches in height if the addition or enlargement is less than sixty (60) feet above the ground, projects no more than 18 inches if the addition or enlargement is between sixty-one (61) and eighty (80) feet above the ground, and projects no more than 24 inches if the addition or enlargement is between eighty-one (81) and one hundred (100) feet above the ground, and projects no more than thirty-six (36) inches if the addition is more than one hundred (100) feet above the ground, and the visible portion of the addition does not span more than fifty (50) percent of the length of the façade it is seen above unless it is an open railing or other installation with a similar open quality; or
- (ii) Otherwise does not call attention to itself or detract from any significant architectural features of the building or other buildings if in a historic district. In determining whether an addition does not call attention to itself or detract, LPC Staff will consider the following factors:
- (A) The addition is visible at a significant distance;
- (B) The addition is visible from limited vantage points, including through alleyways, yards, or similar open portions of sites which are not building sites;
- (C) The addition is visible from an oblique angle; or

- (D) The addition is visible in combination with other existing additions or structures that share a similar level of visibility.
- (b) Rooftop Additions of Occupiable Space; General Requirements. The following criteria apply to all additions of occupiable space approvable by LPC Staff, subject to specific exemptions described below. For purposes of this section, “occupiable space” means a room or enclosure and accessory installations that are intended for human occupancy or habitation.
- (1) The addition is as-of-right for bulk, massing and height under the Building Code and the Zoning Resolution;
- (2) The installation of the addition will not damage or remove a significant feature of the roof;
- (3) The addition is not on top of an existing rooftop addition but may expand an existing addition horizontally, and is not more than one story, with a maximum height of eleven (11) feet as measured from themid-point on the existing roof of the structure on which such addition is to be constructed; and
- (4) The addition is back at least three feet from the plane of the rear façade.
- (c) Rooftop Additions of Occupiable Space; Specific Requirements. In addition to the criteria set forth in subdivisions (b) and (g) of this section, the following criteria apply:
- (1) Individual landmark. LPC Staff may approve an addition of occupiable space if the addition and any chimney or flue that needs to be raised because of the addition, or any railing associated with such addition, is not visible from a public thoroughfare.
- (2) Building within a historic district. LPC Staff may approve an addition of occupiable space if:
- (i) The addition is not visible from a public thoroughfare in connection with the primary façade, except that a required enlargement of an existing chimney and/or exhaust flue associated with the construction of the addition may be minimally visible in combination with either a primary or secondary facade where:
- (A) The quantity and dimension of the flue extension will be limited to the greatest extent feasible;
- (B) The proposed chimney or exhaust flue extension will be seen in combination with other existing additions, enlargements, or other construction of a comparable size; and
- (C) The chimney or flue extension will not draw undue attention to itself or detract from significant features of the building on which it is located or neighboring buildings; and
- (ii) The addition is not visible in connection with a secondary façade of the building or neighboring buildings, except that an addition constructed on top of a building seven (7) stories or greater in height can be minimally visible over a secondary façade.
- (d) Rooftop Additions of Non-occupiable Space; Specific Requirements. In addition to the criteria set forth in subdivision (b), the following criteria apply to additions of non-occupiable space. For purposes of this subdivision, “non-occupiable space” means structures; stair and elevator bulkheads, skylights, satellite dishes, unenclosed decks, pergolas, trellises, and privacy screens, fences and railings. Criteria for the installation of heating, ventilation and air-conditioning equipment (“HVAC”) and other equipment such as alternative or distributive energy equipment (including solar panels and wind turbines), batteries, water tanks and emergency generators and their dunnage, are codified in § 2-21 (“Installation of Heating, Ventilation, Air Conditioning and Other Mechanical Equipment”) of these rules.
- (1) Individual landmarks.
- (i) The addition or structure will not be visible in connection with the primary façade, except such addition may be minimally visible if installed more than sixty (60) feet above the ground; and
- (ii) The addition or structure may be minimally visible in connection with a secondary façade if the addition:
- (A) Will not be seen in connection with a distinguishing architectural feature; and
- (B) Will be finished to blend with the predominant finish of the predominant material and/or finish of the secondary facade, or adjacent structures or comparable adjacent features so as not to call attention to itself.

- (2) Building within a historic district.
- (i) The addition or structure is no more than minimally visible in connection with the primary façade, provided the applicant demonstrates that it is not feasible to make the addition not visible, except that LPC Staff will approve work that increases visibility of an existing addition or structure if such increase is required by the Building Code or Fire Code and there is no feasible alternative. For purposes of this paragraph, LPC Staff will approve an elevator bulkhead adjacent to the front façade that is more than minimally visible where the elevator shaft is in its historic location, the elevator is not being extended to service an additional floor or floors, the bulkhead is the minimum necessary to meet relevant codes, the bulkhead is in a material and with a finish that relates to the primary façade or is utilitarian and does not call undue attention to itself, and buildings with elevator bulkheads adjacent to the front façade are commonly found in the historic district, including the SoHo-Cast Iron Historic District and the SoHo-Cast Iron Extension, the Tribeca East, West, North and South Historic Districts, the NoHo Historic District, the NoHo East Historic Districts, The NoHo Extension and the Ladies Mile Historic District;
- (ii) The addition or structure may be minimally visible in connection with a secondary façade of the building or neighboring buildings.
- (e) New and Enlarged Dormers on the Rear Façade of a Building within a Historic District. LPC Staff may approve the installation of one or more non-visible dormers on a peaked or pitched roof, where such roof is considered a significant feature, where:
- (1) The design and materials of the new dormer(s) will be in keeping with the style and type of dormers on buildings of a similar age and style, and will harmonize with the building's fenestration pattern; and
- (2) The dormer(s) is to be constructed on a peaked or pitched roof facing the rear yard and:
- (i) A new dormer or an enlarged dormer does not encompass the entire width of the roof, and the historic roof pitch is maintained for at least twenty-four (24) inches at both sides of the dormer; and
- (ii) The highest point of the dormer is at least eighteen (18) inches below the existing ridgeline of the roof and set back at least eighteen (18) inches from the plane of the rear façade, unless the building is of a type or style that historically had a higher or lower dormer, and retains a portion of the roof below the dormer.
- (f) Rear Yard Additions on Buildings in Historic Districts but not including Individual Landmarks. LPC Staff may approve a rear yard addition if the addition meets the following relevant criteria:
- (1) The addition is not visible from a public thoroughfare;
- (2) The addition is as-of-right for bulk, massing and height under the Building Code and Zoning Resolution;
- (3) The proposed work satisfies the criteria for excavations (see § 2-16, "Excavation");
- (4) No significant architectural features, including but not limited to decorative lintels and/or sills, and projecting bays, but not including simple corbelled brickwork at the top of a façade or parapet, will be lost or damaged as a result of the construction of the addition;
- (5) A majority of the buildings of a similar type that share the open space within the interior of the block, within the historic district, feature rear yard additions or els;
- (6) The depth and height of the proposed addition is not deeper than the predominant depth or taller than the predominant height of additions or els on buildings of a similar type, and in no event shall the proposed addition rise to the full height of the rear façade, except that parapets and railings may extend above the predominant height of additions, up to forty-two (42) inches above the roof or deck surface of the addition required by the Building or Fire Codes, but must be at least fifty (50) percent open using railings at the façade of the addition facing the central open space of the block;
- (7) The façade(s) of the addition recall(s) the character of rear façades and additions of buildings of its type within the historic district in terms of materials and fenestration, including:
- (A) Traditional and modern materials and finishes at the façade facing the central open space, such as brick, stucco or fiber cement siding, but excluding
- exposed or painted concrete or concrete masonry units, vinyl siding, and exterior insulated finish systems ("EIFS"). The lot-line walls must have a neutral finished surface, but cannot be exposed or painted concrete or concrete masonry units or vinyl siding;
- (B) Window and door openings and configurations that will be consistent with the criteria established in § 2-14 for new and modified windows and doors at minimally or non-visible secondary façades; and
- (C) If the work involves combining adjacent buildings the addition expresses the original width of each of the historic buildings.
- (8) The proposed addition or enlargement will not extend to the rear lot line or substantially eliminate the presence of a rear yard; except an addition may be approved which fills in an enclosed central or side court that is not open to the rear yard, and the addition is no more than one story above the existing grade.
- (9) Decks. A rear façade of a building, or an existing addition or proposed addition may include a projecting wood or metal deck that is minimally visible, provided the deck projects from the ground or parlor floor and extends no more than eight (8) feet from the façade it projects from, excluding steps from the deck down to the rear yard, but in no instance shall the deck intrude into a required rear yard. If the deck is proposed to be projecting from a proposed addition, the existence of the deck shall not be a factor in determining the depth of the proposed addition, as determined by paragraph (6) above.
- (g) Rooftop and Rear Yard Additions; Cumulative Impact of Additions. LPC Staff will consider the cumulative impact of occupiable rooftop and rear yard additions when considering an application for an addition. LPC Staff will not approve a new occupiable rooftop addition if there is an existing or approved rear yard addition, but not including an original partial width "el", or a new rear yard addition if there is an existing or approved occupiable rooftop addition. For purposes of this subdivision, a deck above the rear yard off the historic rear façade shall not count as a rear addition. Nothing in this subdivision shall prevent LPC Staff from approving the rebuilding of an existing rear yard or rooftop addition.
- § 10. Section 2-16 of Subchapter B of Chapter 2 of Title 63 of the Rules of the City of New York is REPEALED and a new § 2-16 is added to read as follows:
- § 2-16 Excavation.**
- (a) Introduction. Excavation on landmark sites or within historic districts must comply with all requirements of the Department of Buildings. The purpose of this section is to ensure that applicants demonstrate they have an understanding of the physical and structural conditions of the building and, where relevant, adjacent buildings, and to protect these buildings.
- (b) Application Materials. Except for work exempt from these requirements as described in paragraph (5) of this subdivision, an application for excavation work must, in addition to any other plans and materials required for the work, include:
- (1) A structural conditions report that addresses the building's age and original construction type, and the condition of the foundations and façades;
- (2) A pre-construction site survey;
- (3) A finished draft of the Department of Buildings Structural and Support of Excavation filing drawings;
- (4) A plan for monitoring the façades of any building of six (6) stories or less which
- (i) was constructed before 1901;
- (ii) is constructed of wood;
- (iii) has an unreinforced masonry foundation; or
- (iv) has a foundation of stone or brick that is affected by or adjacent to the excavation; and
- (5) An application for excavation that does not require underpinning, or requires only limited underpinning and does not occur at or adjacent to any designated building that falls under any of the categories described in paragraph (4), will not be required to include the additional materials listed in paragraphs (1) through (4) of this subdivision.
- (c) Excavation Work. LPC Staff will issue a permit for excavation work as described below, provided the work meets all of the following criteria and pertains to:

- (1) The lowering and replacing of the lowest existing floor slab (e.g., the basement or cellar) to increase the floor-to-ceiling height to no more than ten feet from floor to ceiling.
- (2) The construction of new structural elements, or repairs to existing structural elements related to a building's infrastructure, including but not limited to footings and foundation walls, retaining walls, pits for elevators and escalators.
- (3) The construction of new architectural elements, or repairs to existing architectural elements (including but not limited to light wells, stair-wells, sunken terraces, in-ground pools or water features, planting beds and other significant landscape features and significant re-grading); provided the LPC Staff determines the effect of such work will not substantially eliminate the presence of a rear yard, will provide for at least a five (5)-foot unexcavated planting area at the rear of the lot, and will have no effect on significant architectural features of the building or adjacent buildings if the work is occurring within a historic district.
- (4) The construction of a new crawlspace or cellar or basement story below an existing addition or new, approved addition, to a depth not to exceed the lowest story of the original building, taking into account a modification approved pursuant to paragraph (1) of this subdivision.
- (5) The work will be designed and executed in compliance with Department of Buildings regulations under the supervision of a licensed professional engineer or registered architect, with the goal of protecting the building's facades and the facades of adjacent buildings.

§ 11. Section 2-17 of Subchapter B of Title 63 of the Rules of the City of New York is REPEALED and a new § 2-17 is added to read as follows:

§ 2-17 Front, Side and Rear Yards.

(a) Alterations to Front Areaways of Rowhouses, Townhouses, Flats, Tenements and Other Attached Buildings.

- (1) General. Areaways historically have been modified to address access and safety concerns, and to add greenery. This includes the addition of, and modification to, walls and fences around areaways, modification of the areaway itself, modifications to main entrances and entrances underneath stoops, and the addition of planting areas and planters.
- (2) Alterations to areaway paving, steps, or planted areas. LPC Staff will issue an approval for alterations to or involving paving, steps or planted areas if the work meets all of the following relevant criteria:
 - (i) The work will be contained within the areaway, which is defined as the area in front of a rowhouse, townhouse, flat, tenement or other attached building typically constructed without a side yard, which often is enclosed by a fence, balustrade or wall;
 - (ii) The work will not result in the removal or destruction of significant architectural features;
 - (iii) The proposed paving materials are consistent with the paving materials historically found in areaways and yards of buildings of a similar age and type, or will match the adjacent sidewalk in terms of material and color;
 - (iv) The size and placement of the planted area, including at-grade planting beds and built-in or attached planters, will not call undue attention to itself or detract from significant architectural features of the building or adjacent buildings if in a historic district;
 - (v) Adjustments to steps or planted areas will not substantially alter the apparent grade of the areaway or yard. For purposes of this subparagraph:
 - (A) Re-grading of the areaway will be approved, including the removal of one step, to allow at-grade access from the sidewalk to the areaway;
 - (B) Modest excavation to accommodate new steps or reconfiguration of existing steps to improve access to basement level entrances, including enlarging or widening steps, will be approved, provided:

- (a) The excavation and steps will occupy fifty (50) percent or less of the square footage of the areaway;
- (b) The excavation, steps and landing are in keeping with expanded basement entrances found on buildings of similar age and style within the historic district; and
- (c) The excavation, steps and landing do not detract from significant architectural features of the building or, if the building is part of a row, do not detract from adjacent buildings or the streetscape; and

(vi) The proposed areaway changes will be compatible with the special architectural and historic character of the building and the historic district.

- (3) Garbage enclosures. LPC Staff will issue an approval for new or replacement garbage enclosures that are not easily moveable if the work satisfies all of the following relevant criteria:
 - (i) The work will be contained within the areaway defined by an existing fence, balustrade or wall, and will not result in damage to or the removal of architectural fabric from the building's façade, or areaway enclosure;
 - (ii) The garbage enclosure will not be physically attached to the building, areaway fence or wall, but instead will be attached to the areaway paving, but not through historic paving material;
 - (iii) The garbage enclosure will be of a simple design and painted to match the immediately adjacent façade or areaway enclosure material, or otherwise will have a neutral or dark finish that does not call undue attention to itself;
 - (iv) The enclosure will be limited in footprint and height to the general dimensions of the garbage receptacles it contains, and its size does not detract from the overall areaway proportions and configuration, or the building.
- (4) Lampposts. LPC Staff will issue an approval for the installation of lampposts in the areaway, defined by an existing fence, balustrade or wall, if the work meets all of the following relevant criteria:

(i) The lamppost will not be installed through historic paving material;

(ii) The proposed lamppost will be situated at least several feet from the primary façade so as not to directly obscure significant architectural features;

(iii) The proposed placement of the lamppost relates to the spacing of elements within the areaway, such as the steps, planted areas and under-stoop entrance, and does not conflict with the façade's composition;

(iv) The proposed installation will not result in exposed conduit;

(v) The lamppost and lantern will be of a simple and proportional design, and will not exceed the sills of the parlor (or second) floor windows in height;

(vi) The lamppost and lantern will be metal and have a black painted finish; and

(vii) The proposed lamppost is in keeping with similar lamppost and areaway configurations within the streetscape and historic district.

- (5) Basement/cellar level access hatches. LPC Staff will issue an approval for basement/cellar access hatches if the work satisfies all of the following relevant criteria:

(i) The proposed hatch will not be installed through historic paving material where feasible;

(ii) The placement of the hatch will not damage or directly obscure any significant architectural features of the building; and

(iii) The hatch will be constructed in wood or metal with a dark or neutral finish, in keeping with similar utilitarian installations.

(b) Installation of New Ironwork.

- (1) Scope. This subdivision concerns applications for ironwork on top of areaway or stoop walls, or at alleyways, where the building has not previously had such ironwork of a type found on similar building types. For example, many stoops have been altered over time by the addition of handrails on the side or on top of stoop walls. Applications to restore or re-create original or historic ironwork must be made consistent with the criteria set forth in § 2-11.
- (2) New ironwork at areaways, stoops, service alleys or facades where no historic ironwork exists. LPC Staff will approve such work as follows:

(i) The installation of the new ironwork will not conceal, damage, or cause the removal of significant architectural features;

(ii) The new ironwork, with respect to its location on the building or property (e.g., on top of the areaway wall or stoop wall) and its scale and visual characteristics (including details and finish), will match or recall

ironwork typically found on buildings of similar age, style and type; and where the building is part of a row, it is harmonious with other ironwork in the row;

- (iii) The installation of the new ironwork will be harmonious with the special architectural and historic character of the building and the historic district.

(c) Walls and Fences.

- (1) Scope. This subdivision concerns applications for walls and fences at small residential buildings, including rowhouses, townhouses, flats, and tenement buildings. LPC Staff will approve proposals that satisfy the criteria set forth below:

(i) New areaway wall or fence.

- (A) The new wall or fence will not conceal, damage, or cause the removal of significant architectural features; and
 (B) The scale, visual characteristics and location on the building or property of the new wall or fence will be in keeping with the age and style of the building, and, where the building is part of a row, is harmonious with other walls or fences in the row.

(ii) New fences at small residential buildings, including rowhouses, townhouses, flats and tenement buildings.

- (A) LPC Staff will issue an approval for a rear yard fence if the work meets all of the following relevant criteria:

- (a) The fence will not exceed six (6) feet in height;
 (b) The fence will have a perforated or open design, which can include a portion of the fence being solid, if installed along the sidewalk at a corner building; and
 (c) The fence will be constructed in wood or iron, whichever is most compatible with the building's age and style, and finished in a dark or neutral color, or clear finish. If visible, the design and finish of a metal fence should be simple and based on ironwork found in the district on buildings of similar type. If the fence is made of wood, the finished side must face away from the property if installed at the sidewalk of a corner rowhouse.
 (d) Variations in material will be considered if the fence is not visible from a public thoroughfare and otherwise complies with applicable codes.
 (e) A masonry wall, but not including cement masonry units enclosing a rear yard shall be approved if not visible and is no more than six (6) feet in height.

- (B) LPC Staff will issue an approval for a metal picket fence at the side yard of a corner rowhouse if the work meets the following relevant criteria:

- (a) The fence will match the height of an areaway fence but shall not exceed 36 inches in height;
 (b) The fence will be simply designed and have a black or dark finish.

- (2) Garden historic districts. This paragraph applies to proposals to install walls and fences in garden-style houses and apartment buildings in districts designated in part for the relationship between gardens and plantings and the buildings, including but not limited to buildings in the Sunnyside Gardens Historic District and the Jackson Heights Historic District. LPC Staff will approve applications for walls and fences if the following relevant criteria are met:

(i) Sunnyside Gardens Historic District. In the case of the Sunnyside Gardens Historic District, a new rear yard fence will be approved by LPC Staff if the fence:

- (A) Will enclose the immediate rear yard behind the building that was not part of what was historically the shared common space. An application to enclose some or all of the rear yard that was historically part of the shared common space must be accompanied by proof that the restrictive easement providing for common space has lapsed and is no longer in place;
 (B) Will not exceed thirty-six (36) inches in height; and
 (C) Will be constructed of metal picket fencing with a dark finish.

(ii) Jackson Heights Historic District. In the case of an apartment building in the Jackson Heights Historic District, a new fence will be approved by LPC Staff if the fence:

- (A) Will be limited to the planting area around the building;

- (B) Has a black painted metal picket design that has an open quality; and
 (C) The curb and fence combined will not exceed thirty (30) inches in height.

(iii) Jackson Heights Historic District. In the case of an original single- or two-family house in the Jackson Heights Historic District, LPC Staff will approve a low brick retaining wall at the border of the sidewalk and front yard if:

- (A) The retaining wall will be as short as possible to contain erosion and in no event is higher than five brick courses, inclusive of a coping of brick or cast stone;
 (B) The brick will closely match the brick façade of the building;
 (C) The retaining wall will not feature decorative brickwork or ironwork;
 (D) The retaining wall will not incorporate a perpendicular run from the sidewalk to the house, except a return to meet the lower stairs, which would divide the continuous front lawns of the row; and
 (E) The retaining wall will match the height and design of an adjacent low garden wall that meets the requirements of this section or, if there is no adjacent retaining wall, is compatible with other low retaining walls on the block that meet the requirements of this section in terms of height and design.

(3) Free-standing houses. LPC Staff will issue an approval for the installation of a fence at free-standing houses if the work satisfies all of the following relevant criteria:

- (i) The fence will be placed in the side or rear yard, behind the street-facing façade(s);
 (ii) The fence will not exceed six (6) feet in height and is constructed of wood with the finished side facing away from the property;
 (iii) Variations in the height and material will be considered if the fence is not visible from a public thoroughfare or the fence is permanently obscured from view by vegetation and the building otherwise complies with applicable codes.

(d) Driveways.

(1) General criteria.

- (i) New driveway. LPC Staff will approve a new driveway only in districts where driveways are a common feature. As a general matter, these districts are comprised of what were historically detached single-family dwellings. If there is currently no existing curb cut, the applicant must provide documentation that the new curb cut will comply with the Zoning Resolution and the City Administrative Code, and that the applicant has filed for the curb cut with the Department of Buildings and the Department of Transportation.
 (ii) Proposals to install a driveway or parking pad within the areaway or front yard of an attached or semi-attached house, or a row house, will require review by the full Commission at a Public Hearing.

(2) Specific criteria. LPC Staff will issue an approval to repair, alter or replace an existing driveway, and for a new driveway and a curb cut at the front, side or rear yard, if the work satisfies all of the following relevant criteria:

- (i) Repair, alteration and replacement of an existing driveway.
 (A) Repairs will match the existing driveway in terms of materials, details and finish;
 (B) The existing footprint of a driveway may be altered by widening or creating a bump-out for turning or parking, provided the materials match the existing materials; the alterations do not significantly reduce the amount of green space of the yard; and the driveway is well scaled to the yard and building;
 (C) Replacing an existing driveway. The materials and design of an existing driveway may be replaced as follows:

- (a) If the existing driveway is an original or historic driveway and retains its original material and design, the replacement must match the material and design but the footprint may be altered as provided in clause (B) of this paragraph;
- (b) If the existing driveway is not an original or historic driveway, it may be replaced with a driveway with different materials and design provided the new driveway satisfies the criteria of clause (E) of subparagraph (ii) of this paragraph.
- (ii) New driveway where none currently exists.
- (A) The installation of the driveway and curb cut will not eliminate any significant architectural feature, paving, or fabric from the building or site;
- (B) The proposed location and design of the driveway and curb cut will be consistent with other buildings found in the historic district;
- (C) The driveway will not significantly reduce the open and planted space within the yard and will not result in the loss or damage of a significant landscape improvement or feature identified in the relevant designation report;
- (D) The driveway and curb cut are well scaled to the yard and building; and
- (E) The proposed driveway paving materials match the predominant paving material and pattern within the streetscape, except staff may approve a substitute paving material that recalls the predominant paving material if the substitute meets applicable standards for improving the permeability of the paved surface and otherwise does not detract or call undue attention to itself.
- (e) Accessory Ramps. LPC Staff will issue an approval for an accessory ramp for loading or other service functions that are not intended or required for barrier-free access, if the work satisfies all of the following relevant criteria:
- (1) It is located within a service alley, or side or rear yard of a large apartment, hotel, or commercial building;
- (2) The installation will be partially or fully obscured by existing masonry walls or ironwork;
- (3) The proposed installation or any required excavation will not result in damage to or the removal of significant architectural features or historic fabric, including historic paving;
- (4) The ramp will not obscure any significant architectural features of the building;
- (5) The ramp will be constructed in a material that matches the predominant paving or façade material, or is otherwise neutral in appearance and does not detract from the building or streetscape; and
- (6) The railings will be simply designed or based on existing ironwork found on the building, and will have a black or neutral finish.
- features. LPC Staff may ask an applicant to seek a waiver. Accessibility waivers may be granted by the Department of Buildings after consulting with the Mayor's Office of People with Disabilities. If no waiver is granted the application shall be reviewed by the full Commission at a Certificate of Appropriateness public hearing.
- (7) Proposed work that does not conform to these rules, such as a wheelchair platform lift on an Individual Landmark, will be reviewed by the full Commission at a Certificate of Appropriateness public hearing.
- (b) At-Grade Entrances. LPC Staff may issue a permit for a proposal to lower an existing entrance at a building in a historic district or a building in a scenic landmark that is not an individual landmark to provide an accessible at-grade entrance if the work meets all of the following relevant criteria:
- (1) The work required to bring the entrance to grade, including the removal of the existing steps, landings, ramps, or other elevated elements at the entrance point, will not result in damage to or the removal of significant architectural features of the building, except as noted below;
- (2) Except as note below in clause (4), the proposal involves dropping or raising the entrance no more than eighteen (18) inches at a prominent primary entrance and no more than thirty (30) inches at other entrances to the building;
- (3) Historic materials and features removed in connection with the work will be re-used where possible;
- (4) If the treads contain cast iron vault lights, only one tread can be removed to create the at-grade entrance and the tread is installed flush at the entry to recall the presence of the vault lights;
- (5) A sidewalk may be modified, including sloping a sidewalk to make an entrance accessible, provided the work meets the requirements of §2-19 of these rules;
- (6) A new door for the modified entrance shall have proportions that recall the historic door, which may require the addition of a transom to the door opening; and
- (7) The proposed work will allow for barrier-free access for the building in the least obtrusive manner possible.
- (c) Door and Door Surround Changes. LPC Staff may issue an approval for proposals to alter doors and door surrounds for buildings in historic districts and scenic landmarks that are not individual landmarks to meet accessibility requirements, such as clearance, if the work meets all of the following relevant criteria:
- (1) If the existing door is original or historic:
- (i) The proposed work will retain the historic fabric at the entrance, such as sidelights, door(s), transoms, framing or door surround detailing; and
- (ii) Historic doors and vestibule entrances may be altered with respect to door swing, changing hardware and hinges, and the installation of automatic opener hardware provided the door configuration and details are maintained.
- (2) If the existing door is not original or historic:

§ 12. Section 2-18 of Subchapter B of Title 63 of the Rules of the City of New York is renumbered § 2-06 and a new § 2-18 is added to read as follows:

§ 2-18 **Barrier-Free Access.**

(a) Introduction.

- (1) Historic structures can and should be made accessible.
- (2) Accessible routes should coincide with or be located in the same general area of regular circulation paths, and the primary entrance should be accessible wherever possible.
- (3) Proposed alterations to make a building or space accessible must comply with applicable statutes and codes, including the American National Standard (ANSI), the New York City Building Code, and the Americans with Disabilities Act Standards for Accessible Design.
- (4) Applications for barrier-free access should take into consideration changes to interior spaces that may reduce grade changes at the entrance which will lessen the level of impact of, or eliminate the need for, exterior changes.
- (5) Where there is more than one acceptable approach for making a building or space accessible, LPC Staff will approve the proposal that will allow barrier-free access with the least impact on significant architectural features of the building and neighboring buildings if the work is occurring in a historic district.
- (6) Where proposed alterations to make a building accessible will have a major impact on significant architectural

- (i) The proposed work will retain a maximum amount of historic fabric at the entrance, such as sidelights, transoms, framing or door surround detailing;
- (ii) The door opening may be widened up to eight (8) inches if necessary to meet applicable codes, provided that the door surround is recreated in-kind with the necessary adjustments for the new door opening;
- (iii) The operation of replacement doors may be altered to meet required clearances, such as paired doors that may be changed to a single door with a fixed leaf or sidelight condition, or a single door with the appearance of paired doors;
- (iv) The width of operable leafs and sidelights may vary from the historic condition provided that the replacement door(s) recalls the historic detailing and general configuration;
- (v) A replacement door in an alternate material may be installed to meet force limitations in operating the leaf;
- (vi) The replacement doors and accompanying elements must recall the historic condition in terms of configuration, detailing, material (if it meets code), and finish; and

- (vii) The proposed changes to the door and door opening will not detract from the special architectural and historic character of the building.
- (d) Actuators for Automatic Doors. LPC Staff may issue an approval for proposals to install an actuator device if the work meets all of the following relevant criteria:
- (1) Door actuators installed on building facades.
 - (i) The push plate or actuator will be as small as feasible and located in the least obtrusive place possible;
 - (ii) The actuator will not be installed through decorative features or cast iron;
 - (iii) The actuator will be installed on flat unornamented masonry, brick, or metal, or at non-historic storefront infill, at a door return or side of a plain masonry pier, and will be attached through mortar joints or seams to minimize damage to historic fabric. Such proposed installation will to the greatest extent feasible not result in exposed conduit; and
 - (iv) The installation will not call undue attention to itself or otherwise detract from significant architectural features of the building or adjacent buildings.
 - (2) Door actuators installed on free-standing bollards, stanchions or posts (collectively "posts"). If the actuator cannot be installed pursuant to paragraph (1) of this subdivision due to façade conditions or other constraints, LPC Staff will approve an actuator installed on a post where the post is:
 - (i) Installed into non-historic paving;
 - (ii) Simply designed and finished to match the adjacent façade material or other neutral finish; and
 - (iii) The post will be an unobtrusive presence in conjunction with the façade and will not detract from or obscure any significant architectural features of the building.
- (e) Handrails and Areaway Alterations.
- (1) LPC Staff will issue an approval for a proposed handrail on an existing stoop or areaway steps on a building in a historic district or scenic landmark if the work meets all of the following relevant criteria:
 - (i) The installation of the handrail will not damage any decorative features of the masonry stoop walls, ironwork, or areaway enclosure;
 - (ii) The handrail will be simply designed and will not detract from the significant architectural features of the building; and
 - (iii) The handrail will be attached to the coping of the stoop wall, inside the stoop wall, or at the treads, whichever location the LPC Staff determines is the least obtrusive, taking into account other such installations on the block and the purpose of the handrail.
 - (2) LPC Staff will issue an approval for a proposal to alter an areaway enclosure to accommodate an accessible entrance:
 - (i) If the areaway enclosure consists of historic ironwork or masonry, the alterations are as minimal as possible to meet accessibility requirements and the ironwork and/or masonry is finished to match the historic condition; and
 - (ii) If no historic fabric exists in the areaway, the ironwork and/or masonry is finished to match the existing conditions.
- (f) Ramps. LPC Staff may issue an approval for certain ramps as specified below. For purposes of this subdivision, a "ramp" includes the associated landing(s) and any steps integrated into the ramp.
- (1) Ramps without handrails. Ramps that do not require a handrail may be approved on individual landmarks and buildings in historic districts and scenic landmarks if:
 - (i) The installation will not result in damage to significant historic fabric, including sidewalk paving materials or vault lights, steps and landings, or will involve the removal or modification of discrete portions of historic fabric, and the fabric that is removed is re-used in connection with the ramp work where possible;
 - (ii) The ramp will be constructed in materials to match the immediately adjacent façade material or sidewalk and threshold paving, or with utilitarian materials with a neutral finish so as to have an unobtrusive presence on the building;
 - (iii) The ramp will be as short as possible, with no switch-backs, except that LPC Staff may approve a longer ramp, with no switch-backs, if the longer ramp will have less visual impact on the façade; and
 - (2) Ramps with handrails. Ramps that require a handrail may be approved for buildings in historic districts and scenic landmarks that are not individual landmarks if:
 - (i) The installation of the ramp and handrails will not eliminate or conceal any significant architectural features of the building or sidewalk, or landscape feature if in a scenic landmark, except as provided for below;
 - (ii) The installation is obscured or partially obscured by existing architectural features where possible, such as ironwork or masonry walls;
 - (iii) The ramp will be as short as possible, with no switch-backs and intermediate landings, except that LPC Staff may approve a longer ramp, with no switch-backs, if they determine that the longer ramp will have less visual impact on the façade;
 - (iv) For storefronts, the ramp will be confined to the storefront or building associated with the entrance being made accessible;
 - (v) For buildings with deeply recessed entrance courts or areaways, a ramp must be located within the recess, unless LPC Staff determines that a different location provides equal accessibility with less impact on the building;
 - (vi) The presence and location of the ramp will not disrupt, or will be consistent with, the façade's composition. For purposes of this rule, steps and landing leading to the entryway that are extending outward to receive the ramp should retain the historic orientation where feasible, and the favored position for a ramp in a recessed court or areaway is presumed to be off to one side so that it is as inconspicuous as possible, but, depending on the façade's composition, LPC Staff may determine that another location is more consistent and harmonious with the design of the façade;
 - (vii) Minimal excavation will be permitted to facilitate barrier-free access;
 - (viii) The handrail will be simply designed with the minimum number of vertical elements permitted;
 - (ix) The ramp will be simply designed and constructed in materials to match the immediately adjacent façade material or ironwork, or with utilitarian materials with a neutral finish, whichever will result in the least obtrusive presence on the building; and
 - (x) The proposed work will not detract from the special architectural and historic character of the building, district or scenic landmark.
- (g) Lifts. LPC Staff may issue an approval for a wheelchair platform lift or a chair lift on a rail on a building in a historic district or scenic landmark, other than an individual landmark, if the proposed work meets all of the following relevant criteria:
- (1) Wheelchair platform lifts.
 - (i) The lift will not require significant alterations to existing fabric at the proposed location, and any such alterations are reversible;
 - (ii) Only minimal historic fabric will be removed to access the lift at the elevated position;
 - (iii) The lift will be located in a recessed location on the façade, or otherwise located to not disrupt the façade's composition, and will be obscured or partially obscured by existing features such as ironwork or masonry walls;
 - (iv) The lift will be stored in the down position to minimize its visual presence; and
 - (v) The lift will be finished to match the immediately adjacent façade materials, or will have a neutral finish; and
 - (vi) The proposed work will not detract from the special architectural and historic character of the building, streetscape or scenic landmark.
 - (2) Wheelchair and chair lifts on rails.
 - (i) The installation does not require any significant alterations to the existing areaway, stoop, handrail, or building façade, and is reversible;

- (ii) The installation will require minimal attachment points through non-decorative elements; and
 - (iii) The lift will be painted to match the finish of the adjacent ironwork or masonry, or will have a neutral finish.
 - (iv) The proposed work will not detract from the special architectural and historic character of the building, streetscape or scenic landmark.
- (h) Replacement or Modification of Existing Commission-Approved or Grandfathered Ramps and Lifts. If an applicant can demonstrate that it is not feasible to replace or modify an existing ramp to meet the requirements of this section, LPC Staff may issue an approval to modify or replace an existing Commission-approved or grandfathered ramp or lift to meet current accessibility codes if the work meets all of the following relevant criteria:
- (1) The replacement ramp will match or be smaller and/or shorter than the existing ramp in terms of footprint and overall rise, or is altered to the minimum degree necessary for compliance;
 - (2) The replacement ramp will be constructed using materials that either match the materials and handrail design of the existing ramp or match the adjacent façade material and/or railing, or utilitarian materials with a neutral finish. A change in handrail design to the minimum number of vertical elements required by code is permitted;
 - (3) The platform lift and guiderails will be installed in the same locations using existing penetrations in the building façade or other elements. Some additional penetrations may be approved if required to meet code.
 - (4) The lift mechanicals will be located in the same location and will match the footprint and height of the existing mechanicals, or will be reduced in size;
 - (5) The lift may be fully enclosed if necessary to meet code; and
 - (6) The previously approved finishes will be maintained or modified to better blend with the adjacent façade material.

§ 13. Section 2-19 of Subchapter B of Chapter 2 of Title 63 of the Rules of the City of New York is REPEALED and a new § 2-19 is added to read as follows:

§ 2-19 Sidewalks.

(a) General Requirements.

- (1) Scope. This section applies to sidewalk replacement in historic districts where the paving material is a significant feature (e.g., bluestone, granite and brick) or the location of the sidewalk is a significant feature (e.g., “ribbon sidewalks where there is a planted area between the curb and the sidewalk not limited to tree pits) and where the existing sidewalks adequately recall the historic paving, either by the amount of historic paving that remains or due to the combination of historic paving and tinted sidewalks that exists in the district, or the location of the sidewalk. For purposes of this section, the term “sidewalk” means the portion of the sidewalk and curb fronting upon specific property.
 - (i) Appendix A of this section sets forth the list of historic districts that are subject to the provisions of this section. These historic districts are districts where historic paving was a significant feature and where there currently exists sufficient historic or tinted paving to adequately recall this historic condition. For these districts the long-term regulatory goal is to replace non-historic paving with paving that matches the historic paving material in terms of standard characteristics or which adequately recalls the historic paving material through a tinted concrete.
 - (ii) For historic districts designated after the effective date of these rules, the designation report must explicitly state whether the sidewalk paving is a significant feature and will be subject to these rules. The Commission will maintain a list on its website and at its offices of all historic districts subject to this rule.
 - (iii) In all other historic districts no approval is required from the Commission for replacing sidewalks.
- (2) Other approvals. In addition to the requirements set forth in this section, all methods and materials for sidewalk work must conform to all applicable rules, requirements and guidelines of the Department of Transportation (“DOT”) and the Department of Design and Construction.

- (b) Repairing, Resetting and New Bluestone Sidewalks. LPC Staff will issue an approval to repair and/or reset existing bluestone pavers,

or to install new bluestone pavers, if the work satisfies all of the following relevant criteria:

- (1) Resetting and repairing existing bluestone pavers. If intact pavers exist, they must be preserved if they meet applicable DOT standards for thickness and size, and must be reset pursuant to DOT standards. Small amounts of cementitious patching, tinted to match the color of the pavers, can be applied to preserve existing pavers that have spalled, and the joint between pavers may be ground down to produce a level surface.
 - (2) New bluestone pavers. If the existing sidewalk is missing one or more bluestone pavers, or the existing bluestone pavers are beyond reasonable repair due to cracking or other conditions, or the owner is proposing to install a new bluestone sidewalk where no bluestone exists, new bluestone pavers may be installed, consistent with the DOT specifications and installation requirements, if:
 - (i) The pavers will closely match the existing bluestone pavers, if any, with respect to dimension, color and paver pattern; and
 - (ii) The edges of the pavers can be sawn, rubbed or thermal.
 - (3) Consolidation of existing bluestone pavers. If the existing sidewalk is missing bluestone pavers, or some of the existing bluestone pavers are beyond the point of reasonable repair due to cracking or other conditions, the existing bluestone pavers that meet DOT standards for thickness and size may be consolidated and tinted concrete pavers installed in the remaining area, provided:
 - (i) The maximum number of intact bluestone pavers will be consolidated within the sidewalk;
 - (ii) Resetting of bluestone pavers will meet the requirements of paragraphs (1) and (2) of this subdivision;
 - (iii) New concrete pavers are tinted and scored to match the historic bluestone pavers;
 - (iv) An existing bluestone or granite curb will be retained if possible, and any replacement curb will be granite or tinted/untinted concrete to match adjacent curbing; and
 - (v) For purposes of this paragraph (3), if the enlargement of a sidewalk tree pit requires the removal of some or all of a bluestone paver:

 - (A) The removal of bluestone will be the minimum necessary to meet the applicable requirements, and
 - (B) The bluestone paver, or the part that is removed, will be consolidated within the property lines if there are areas of the sidewalk that do not have bluestone pavers, provided the paver, or part thereof, otherwise meets applicable DOT standards.
- (c) Replacement of an Existing Non-Bluestone Sidewalk. Where the property on which the sidewalk exists is not part of a bluestone sidewalk, and the owner does not intend to install a new bluestone sidewalk consistent with the requirements of subdivision (b), the new sidewalk must:
- (1) Consist of concrete pavers scored to match the pavers on adjacent sidewalks. If the sidewalk is adjacent to a bluestone or bluestone-tinted concrete sidewalk the new sidewalk must be tinted to match the bluestone. If the sidewalk is not adjacent to a bluestone or bluestone-tinted concrete sidewalk the sidewalk may be either bluestone or bluestone-tinted concrete; and
 - (2) An existing bluestone or granite curb will be retained if possible, and any replacement curb will be bluestone, granite or tinted/untinted concrete to match adjacent curbing.
 - (3) Unique or decorative scoring patterns may be used at front entryways of large apartment buildings, hotel or commercial buildings in historic districts if there is evidence that the building once had such decorative paving or if decorative scoring is a characteristic of the building type (e.g., hotel, large apartment building or club building) and the design does not call undue attention to itself or detract from the significant architectural features of the building or streetscape.
 - (4) Metal post plates, and/or bolt holes associated with detachable flood protection barriers, may be installed in concrete sidewalks, provided the post plates are set flush with the sidewalk and the installation does not call undue attention to itself or detract from the building or streetscape.
- (d) Vault Lights. LPC Staff will issue an approval to repair or replace existing vault lights, re-create missing vault lights, or recall the

presence of missing historic vault lights with diamond plate if the proposed work satisfies all of the following relevant criteria:

- (1) New vault lights.
 - (i) New vault lights may be approved to restore missing vault lights, or to replace existing vault lights, whether uncovered or covered by diamond plate steel or concrete, that are beyond reasonable repair;
 - (ii) New vault lights will match the existing or historic vault lights in terms of approximate panel size and overall footprint, material, finish and details;
 - (iii) Where no vault lights exist, the basis for the design and materials of the new vault lights will be based on photographic or physical evidence relating to the building or adjacent buildings, or, if no documentation exists, the design and materials will be based on vault lights found at buildings of similar age, style and type;
 - (iv) New vault lights may be set flush with the existing sidewalk over the original or new metal framing or over a solid concrete substrate where the historic condition occurred at grade, or set on the original or new metal platform where the historic condition was raised above grade.
- (2) Protection of existing uncovered and deteriorated vault lights. Existing uncovered vault lights that are in a deteriorated state and are no longer water-tight may be protected by covering the vault lights with dark-finished diamond plate steel. Vault lights at vertical surfaces and lower-traffic areas such as steps and landings should remain uncovered where feasible.
- (3) Protection of existing covered vault lights.
 - (i) Existing vault lights that are covered by diamond plate steel or concrete may be re-covered with new dark-finished diamond plate steel;
 - (ii) If the existing vault lights underneath the diamond plate or concrete are highly deteriorated or broken, they may be removed and replaced with new vault lights in accordance with paragraph (1).
- (4) Replacing diamond plate. If no vault lights are present under existing diamond plate steel, the diamond plate steel will be replaced with new dark finished diamond plate steel, except that if the historic district in which the building exists is not characterized by vault lights and/or diamond plate, the staff may approve replacing the diamond plate with concrete to match the adjacent concrete.
- (e) Granite Sidewalks. LPC Staff will issue an approval to repair or reset existing granite sidewalks, or to install new granite sidewalks, and new concrete pavers tinted to match the existing granite pavers, if the work satisfies all of the following relevant criteria:
 - (1) The maximum number of intact granite pavers will be maintained or consolidated within the property lines;
 - (2) Areas no longer covered by granite pavers will be replaced with new granite pavers or concrete pavers tinted and scored to recall the historic granite pavers;
 - (3) Existing granite pavers will be sliced horizontally to create new or lighter pavers, provided that (i) the footprint of each paver is maintained and the paver is reinstalled in approximately the same location, and (ii) the resulting paver(s) will maintain a minimum of three to four (3-4) inch thickness and otherwise meet DOT requirements and comply with Department of Buildings structural requirements; and
 - (4) New granite pavers will match the color, texture, dimensions and edge treatment of the existing granite pavers and will have a slip-resistant finish in accordance with DOT requirements.
- (f) Other Sidewalk Materials. LPC Staff may issue an approval to repair, reset or replace sidewalks of different historic materials, such as brick or special concrete aggregates, provided such material is typically found in the district. For ribbon sidewalks, defined as sidewalks located with a grass or planting strip between the sidewalk and the curb, the material should match the historic material or the predominant material in the district, and the width of the sidewalk is not increased. For unique or atypical sidewalk treatments, such as a brick sidewalk in front of a carriage house in a district characterized by bluestone sidewalks, LPC Staff may require repair or in-kind replacement if the sidewalk treatment represents a significant historic alteration or if removal is deemed to result in the loss of a significant historic feature.
- (g) Accessible Sidewalks.

- (1) Pedestrian ramps at sidewalk intersections. LPC Staff will issue an approval to install accessible pedestrian ramps at sidewalk intersections if the proposed work satisfies all of the following relevant criteria:
 - (i) For new or existing concrete sidewalks, accessible pedestrian ramps will consist of tinted concrete to match the color, texture and scoring of the adjacent or predominant sidewalk paving;
 - (ii) For existing bluestone and granite sidewalks, bluestone or granite pavers may be cut, honed or otherwise modified to form the slope and flared sides of the ramp, or replaced in kind to accommodate the ramp. In addition:
 - (A) If the existing sidewalk is predominately bluestone or granite, but the portion of the sidewalk at the intersection that needs to be modified is concrete, the ramp may consist of concrete tinted to match the adjacent historic paving material;
 - (B) Existing bluestone or granite at the corner may be cut and moved within the property lines to replace missing or deteriorated bluestone pavers, and a concrete ramp, tinted to match the adjacent historic paving material, installed at the corner; or
 - (C) Existing bluestone or granite sidewalks will remain and a concrete "neckdown" (an expansion of the sidewalk at the intersection into the road to shorten the pedestrian crosswalk) tinted to match the adjacent paving installed to accommodate the ramp and preserve the historic paving material in place;
 - (iii) Detectable warning units, designed to alert people who are vision impaired that they are at an intersection, may be surface applied or imbedded into the concrete or stone; and
 - (iv) The dimensions and slope of the ramp, and color differentiation for detectable warning units comply with applicable federal, state and city codes and requirements.
- (2) Sloping sidewalks. LPC Staff will issue an approval to slope a concrete sidewalk in order to make a store or space accessible if the color and scoring pattern of the concrete matches the existing sidewalk and the work complies with all applicable federal, state and City codes and requirements, including the requirements of §2-18 of these rules, provided that the work will not result in damage to or concealment of significant architectural features of the building.

APPENDIX A

Historic Districts Having Continued Sidewalk Regulation

Addisleigh Park Historic District
 African Burial Ground and The Commons Historic District
 Audubon Terrace Historic District
 Bedford Historic District
 Bedford Stuyvesant/Expanded Stuyvesant Heights Historic District
 Boerum Hill Historic District
 Brooklyn Academy of Music Historic District
 Brooklyn Heights Historic District
 Carroll Gardens Historic District
 Charlton-King-Vandam Historic District
 Chelsea Historic District
 Chelsea Historic District Extension
 Clinton Hill Historic District
 Cobble Hill Historic District
 Cobble Hill Historic District Extension (3 buildings)
 Ditmas Park Historic District
 Douglaston Historic District
 DUMBO Historic District
 Fieldston Historic District
 Fiske Terrace-Midwood Park Historic District
 Gansevoort Market Historic District
 Governors Island Historic District
 Gramercy Park Historic District
 Gramercy Park Historic District Extension
 Greenpoint Historic District
 Greenwich Village Historic District
 Hunters Point Historic District
 Jumel Terrace Historic District
 Ladies' Mile Historic District
 Manhattan Avenue Historic District
 Metropolitan Museum Historic District
 Noho East Historic District
 NoHo Historic District
 NoHo Historic District Extension
 Park Slope Historic District
 Park Slope Historic District Extension

Park Slope Historic District Extension II
 Prospect Park South Historic District
 Riverdale Historic District
 Sniffen Court Historic District
 SoHo-Cast Iron Historic District
 SoHo-Cast Iron Historic District Extension
 South Village Historic District
 South Street Seaport Historic District
 South Street Seaport Historic District Extension
 St. George/New Brighton Historic District
 St. Mark's Historic District Extension
 St. Mark's Historic District
 St. Nicholas Historic District
 St. Paul's Avenue-Stapleton Heights Historic District
 Stone Street Historic District
 Stuyvesant Heights Historic District
 Stuyvesant Square Historic District
 Tribeca East Historic District
 Tribeca North Historic District
 Tribeca South Historic District
 Tribeca South Historic District Extension
 Tribeca West Historic District
 Vinegar Hill Historic District
 Wallabout Historic District

§ 14. Subchapter B of Chapter 2 of Title 63 of the Rules of the City of New York is amended by adding a new Section 2-20 to read as follows:

§ 2-20 Health, Safety and Utility Equipment.

- (a) *Introduction.* Buildings may be required to have a variety of equipment related to particular health, safety and utility maintenance. These types of installations can be mandated by the Fire and Building Codes (e.g., fire alarm bells and Siamese connections) or by utilities (e.g., gas and electricity meters). Other equipment is not required by law but is commonly used for safety reasons (e.g., window security bars, security cameras, lighting and intercom panels). Given the relatively small and/or discrete nature of these types of installations, their physical requirements and constraints, and their ubiquitous presence throughout the city, these types of equipment can be installed without having a significant effect on architectural features or detracting from such features or the building or, in the case of buildings in historic districts, from adjacent buildings or the streetscape.
- (b) *General Installation Criteria.* LPC Staff may issue an approval for work on individual landmarks, buildings in historic districts and scenic landmarks to install health, safety and utility equipment, such as the examples listed below in subdivision (c), if the proposed work meets all of the following relevant criteria:
- (1) The installation will not occur on or in front of a primary façade unless there is no feasible alternative for the installation or the location is mandated by another law or rule. In making a determination that there is no feasible alternative, LPC Staff will consider whether the need for such equipment on the primary façade is necessitated by recent or related discretionary interior renovations;
 - (2) The equipment will be attached in a manner that minimizes damage to, or loss of, any significant architectural features and will be installed at mortar joints or through plain brick, stone or wood to the greatest extent possible;
 - (3) If the installation is proposed to be made through areaway or sidewalk paving, the installation will not be installed through historic paving unless there is no feasible alternative;
 - (4) If the installation is required by applicable law or rule it will be as small as feasible;
 - (5) The finish of the equipment if not otherwise required by law or rule, will match the surrounding building material or will not call undue attention to its presence;
 - (6) If the installation requires a conduit, there will be no visible conduit or, if this is not feasible, a maximum of approximately ten (10) inches of visible conduit will be permitted; the conduit will not be placed on decorative surfaces; the visible conduit will be painted to match the background surface and will be secured into mortar joints where possible; and, if there are multiple proposed or existing installations, the proposed installation of conduit will, to the maximum extent feasible, combine and minimize the amount of conduit;
 - (7) The installation will be either not visible from a public thoroughfare or as minimally visible as possible (e.g., beneath a band course, underneath a stoop, behind an areaway wall or fence, or behind plantings). Unless the installation meets the requirements of paragraph (1) of this subdivision, the installation will be on a secondary façade; and
 - (8) The proposed installation will not call undue attention to itself or detract from any significant architectural
- feature(s) of the building or of adjacent buildings if the work is occurring in a historic district, by virtue of its size or proximity to any such features or buildings.
- (c) *Certain Types of Equipment and Additional Criteria.* The following are the types of installations addressed by this section, including, where appropriate, installation criteria that are in addition to the general criteria set forth in subdivision (b) of this section:
- (1) Utility meters, including electrical, gas and water meters.
 - (2) Fire alarm bells.
 - (3) Light fixtures and intercom panels. These installations must be installed within the door opening or adjacent to the door opening, and will be limited to a maximum of two light fixtures and one intercom panel per door opening, except that an intercom panel may also be installed on a fence or wall in front of the entranceway.
 - (4) Security cameras. These installations must be as small and as limited in number as feasible, with no more than two (2) security cameras for every twenty-five (25) feet of street frontage for small residential or commercial buildings of six (6) stories or less and with a street frontage of forty (40) feet or less, and no more than three (3) security cameras for every twenty-five (25) feet of street frontage for larger commercial, residential and institutional buildings. In every case the security camera(s) will be located to avoid a cluttered or haphazard appearance, and must be attached in a manner and location that minimizes their visible impact.
 - (5) Hookups for temporary generators and boilers, electrical boxes, inverter boxes.
 - (6) Mailboxes and mail key lockboxes. These installations must be installed within or adjacent to the door opening. If a building has a stoop, the mailbox may be attached to a gate or door underneath the stoop or, provided the installation meets the requirements of paragraphs (1), (2), (3), (4), (5) and (8) of this subdivision, to the façade of the building or stoop adjacent to the doorway underneath the stoop. A mailbox may also be attached to an areaway fence, or may be free-standing in the areaway if the attachment does not damage original or historic fabric or call undue attention to itself or detract from significant features of the building or adjacent building.
 - (7) Siamese connections/standpipes, oil fill pipes, boiler and dryer vents, water spigots.
 - (8) Rooftop security fences installed between properties. These installations may be installed only on small commercial buildings or large commercial or residential buildings, provided that they:
 - (i) Will not cause damage to any significant architectural feature of any façade or the roof;
 - (ii) Will be as low as is practicable and allowed by the Fire Code or the Building Code;
 - (iii) Will not be installed in front of or below a cornice where there is a continuous cornice line; and
 - (iv) Will either not be visible or will be minimally visible, or the visibility will be in the context of other rooftop features and will not call undue attention to itself or detract from the significant architectural features of the building or adjacent buildings.
 - (9) Certain heating, venting or air-conditioning equipment ("HVAC"). HVAC (including air intakes or exhausts at basement, cellar or areaway windows, walls or floors) that, due to existing structural or other physical constraints not caused by recent or related discretionary interior changes or other provisions of law, must be installed below the second story at or in front of the primary façade or visible secondary façade.
 - (10) Window security bars installed at cellar, basement or parlor floor windows. These installations may be installed on any building, provided they:
 - (i) Will not cause damage to any significant architectural feature of any façade;
 - (ii) Will match historic ironwork or be of a simple design and will not call undue attention to themselves or detract from the significant architectural features of the building;
 - (iii) Will fasten to the window frame or surround at limited attachment points, and will not include continuous perimeter framing.

- (11) Security gates at door openings below or under stoops. These installations can be installed on any building, provided that they:
- (i) Will not cause damage to, or detract from, any significant architectural feature of any façade;
 - (ii) Will match historic ironwork or be of a simple design and will not call undue attention to itself or detract from the significant architectural features of the building;
 - (iii) Will fasten to the door surround at limited attachment points, and will not include continuous perimeter framing.
 - (iv) If replacing a grandfathered door where no door existed originally or historically, a new door may be approved if it maximizes the amount of transparency, with or without new ironwork, in keeping with the appearance of open gates below stoops.
- (12) Detachable flood protection barriers. Penetrations through plain areas of the façade (excluding decorative masonry or metalwork, and cast iron) at discrete locations for mechanical fastening of flood barriers, with plugs finished to match the surrounding material, and permanent posts at service and garage door openings and loading bays, with associated hardware finished to match the surrounding material or otherwise neutral in finish, may be installed, provided the installation does not call undue attention to itself or detract from the building or streetscape.

§ 15. Section 2-21 of Subchapter B of Chapter 2 of Title 63 of the Rules of the City of New York, entitled "Rules Relating to Installation of Public Pay Telephones and Public Communication Structures", is renumbered § 2-23.

§ 16. Section 2-11 of Subchapter B of Chapter 2 of Title 63 of the Rules of the City of New York is REPEALED and a new § 2-21 is added to read as follows:

§ 2-21 Installation of Heating, Ventilation, Air Conditioning and other Mechanical Equipment.

(a) Introduction. These rules set forth criteria for LPC Staff approval of heating, ventilation and air conditioning ("HVAC") or other mechanical equipment in buildings which are designated landmarks or are within designated historic districts or scenic landmarks. These rules are based on the following principles:

- (1) The distinguishing historical qualities or character of a building or its site should be protected. The removal or alteration of any significant architectural feature should be avoided.
- (2) The visual integrity of the building's exterior walls should be maintained.
- (3) In general, HVAC and other mechanical equipment are part of a building's infrastructure that must be installed in compliance with various building and energy codes, and health and safety standards. These codes and standards change over time due to technological advances, and as a result of the changing needs of occupants.
- (4) HVAC and other mechanical equipment play a critical role in the sustainability and resiliency of historic buildings. Applicants are encouraged to install appropriate HVAC and mechanical equipment that meet or exceed the requirements of the New York City Energy Conservation Code, even if the equipment is exempt from such standards.
- (5) Applicants are strongly encouraged to develop building master plans for the installation of HVAC equipment, which will facilitate expeditious review and approval of applications.

(b) Definitions.

Decorative masonry. The term "decorative masonry" means terra cotta, cast-stone or natural stone (such as limestone, marble, brownstone or granite) and brick facade areas and/or any ornamental feature which is a component of the facade such as belt courses, banding, water tables, cornices, corbelled brick work, medallions, enframements, and surrounds, and ornamental bonding patterns, e.g., tapestry or diaper brick patterns. The term does not include entirely plain units of stone, masonry or brick laid up with simple, non-decorative coursing.

HVAC equipment. The term "HVAC equipment" includes through-window, through-wall, rooftop, areaway, and façade and yard mounted heating, ventilation, and air conditioning equipment, including louvers, wall-mounted louvers and stove, restaurant, bathroom and/or dryer vents.

Mechanical equipment. The term "mechanical equipment" means equipment other than HVAC equipment, such as solar and wind power

equipment, batteries and emergency generators, and including any associated elements such as safety railings and sound attenuation screens, baffles and other structures.

Minimally visible. The term "minimally visible" means visibility of any portion of the HVAC or other mechanical equipment which, from its maximum point of visibility, when viewed from any public thoroughfare:

- (1) Projects into the maximum line of sight from such public thoroughfare no more than twelve (12) inches in height if the equipment is less than sixty (60) feet above the ground, projects no more than eighteen (18) inches if the equipment is between sixty-one (61) and eighty (80) feet above the ground, and projects no more than twenty-four (24) inches if the equipment is between eighty-one (81) and one hundred (100) feet above the ground, and projects no more than thirty-six (36) inches if the equipment is more than one hundred (100) feet above the ground; or
- (2) Does not call attention to itself or detract from any significant architectural features of the building or other buildings if in a historic district. In determining whether equipment does not call attention to itself or detract the LPC Staff will consider the following factors:
 - (i) The visibility meets the requirements of paragraph (1) above;
 - (ii) The equipment is visible at a significant distance;
 - (iii) The equipment is visible from very limited vantage points, including through alleyways, yards, or similar open portions of sites which are not building sites;
 - (iv) The equipment is visible from an oblique angle; or
 - (v) The equipment is visible in combination with other existing additions or structures that share a similar level of visibility.

Primary facade. The term "primary facade" means:

- (1) A facade fronting a street or a public thoroughfare;
- (2) A non-street fronting façade, such as a setback, mews or court, that possesses a level of design or significant architectural features that are commensurate with the street fronting façade; or
- (3) A façade with a primary entrance to the building.

Secondary facade. The term "secondary facade" means a facade that does not front on a street or a public thoroughfare and that does not possess significant architectural features that are commensurate with the street fronting facade.

Terms not otherwise defined in these rules have the meanings ascribed to them in the Landmarks Law.

(c) Installations of HVAC Equipment Within Window Openings.

- (1) No permit required. No permit is required for installing seasonal and non-permanent HVAC equipment in windows if the following relevant criteria are satisfied:
 - (i) Seasonal window air-conditioning unit installations.
 - (A) The installation requires only raising or lowering the sash of a double-hung window, or opening the sash of a casement, hopper or awning window or transom, and temporarily fixing the sash in place without removing it;
 - (B) The window unit and any filler panel (glazed or solid) will be installed at any location within the window frame, and will not fully rest on an architectural element of the façade outside of the window frame, such as a cornice, parapet or sill; and
 - (C) The support brackets, if required, will fasten to the window frame or the interior side of the wall opening, and/or may brace against the exterior wall without mechanical attachments.
 - (D) If the installation is visible from a public thoroughfare, the window unit does not need to be painted; however, any filler panel (if solid) must have a finish that matches or approximates the color of the window frame.
 - (ii) New non-permanent louver and vent installations.
 - (A) The installation requires only the raising or lowering of the sash of a double-hung window, or opening the sash of a casement, hopper or awning window or transom, and temporarily fixing the sash in place without removing it;

- (B) The louver or vent, and any filler panel (glazed or solid), will be installed at any location within the window frame; and
- (C) If the installation is visible from a public thoroughfare, the louver or vent, and any solid filler panel, will have a finish that matches or approximates the color of the window frame.
- (2) Permit required. A permit, certificate or report is required for all other types of HVAC equipment installations within windows in individual landmarks and buildings in historic districts and scenic landmarks.
- (i) Primary facades. Installations of HVAC equipment within window openings on primary facades of Individual Landmarks and buildings in historic districts and scenic landmarks, where there is no feasible alternative to installing the HVAC equipment on a secondary facade.
- (A) Rowhouses, detached houses, carriage houses, small apartment buildings, tenements, and hotels. Except for installations on the primary facade that meet the requirements of § 2-20, for buildings originally constructed as private residences (rowhouses, town houses, detached and semi-detached houses) or carriage houses, as well as small apartment houses and other types of multiple dwellings which are six (6) stories or less in height and with a street frontage of forty (40) feet or less, the small scale and potential for affecting the significant architectural and historic character of the buildings require that proposals for installations on primary facades be reviewed by the full Commission for a Certificate of Appropriateness ("C of A") or report.
- (B) Large apartment buildings and hotels and commercial and loft buildings. This clause (B) applies to large apartment buildings, hotels and other types of multiple dwellings that have a street frontage of more than forty (40) feet or are seven (7) or more stories in height, and all commercial and loft buildings originally designed to serve commercial, retail or warehouse uses, including cast-iron fronted buildings, department stores, banks and office buildings. LPC Staff will approve permanent installations of HVAC equipment, louvers and vents in window openings if the proposal meets the following relevant criteria:
- (a) The window is not a special window as defined in § 2-14; and
- (b) The installation involves removing only glazing or modifying or removing the window sash and retaining the window frame. At large apartment buildings and hotels, only one of the double-hung sashes or a portion of a casement window assembly may be removed. If the exterior louver is flush-mounted, it will be mounted flush with or behind the plane of the window frame and behind the existing or reinstated brickmold or panning. If the window unit is projecting, it will be mounted within the window frame. In either case, if the exterior louver or window unit fills only a part of the window frame, it can be placed anywhere within the modified or removed sash, and the remainder will be filled with a filler panel (glazed or solid) or partial height window sash to otherwise match the configuration, size permitting, of the overall window; or
- (c) The installation involves installing the exterior louver or projecting window unit in conjunction with installing a new window at the same time, and the resulting installation complies with both the criteria set forth in this clause (B) and the applicable new window criteria; and
- (d) The exterior louver and any solid filler panel will be finished to match the window frame; however, a window HVAC unit does not need to be painted; and
- (e) The installation will not damage or remove a significant architectural feature of the building and, for buildings in historic districts, will not detract from the significant architectural features of adjacent buildings.
- (ii) Secondary facades. Installations of HVAC equipment within window openings on secondary facades of Individual Landmarks and buildings within historic districts and scenic landmarks. LPC Staff will approve the installation of HVAC equipment if the proposal meets the following relevant criteria:
- (A) The window is not a "special window" as defined in § 2-14;
- (B) The installation will occur within an existing window opening, either as an exterior louver,
- projecting window unit or a small vent with a flush or minimally projecting cap and filler panel, set back from the plane of the façade to approximate the depth of the window; or
- (C) The installation will occur in conjunction with installing a new window at the same time, and the resulting installation complies with both the criteria of this subparagraph and the applicable new window criteria; and
- (D) If the installation is visible from a public thoroughfare,
- (a) The installation is only part of the full height of the sash being removed, the remainder will be filled with a filler panel (glazed or solid) or partial height window sash to otherwise match the configuration, size permitting, of the overall window; or
- (b) The installation involves an exterior louver or small vent with a flush or minimally projecting cap, the louver, vent, cap and solid filler panel will be finished to match the window frame; and
- (E) The installation will not damage or remove a significant architectural feature of the building and, for buildings in historic districts or scenic landmarks, if visible will not detract from the significant architectural features of adjacent buildings.
- (d) Installations of Through-Wall HVAC Equipment.
- (1) Primary facades. Through-wall installation of HVAC equipment on primary facades.
- (i) Individual Landmarks. Except for installations on the primary facade that meet the requirements of § 2-20, proposals for through-wall installations on primary facades must be reviewed for a C of A.
- (ii) Buildings within historic districts.
- (A) Through-wall installations approvable only by C of A. Except for installations that meet the requirements of § 2-20, proposals for installations of through-wall HVAC equipment on primary facades of the following building types must be reviewed for a C of A due to their small scale, limited areas of plain masonry and/or the potential for affecting significant the significant architectural and historical character of the buildings:
- (a) Rowhouses, townhouses, detached and semi-detached houses, carriage houses, flats, small apartment buildings, tenements, hotels and other types of multiple dwellings. For purposes of this item (a), this means buildings originally constructed as private residences, carriage houses or multiple dwellings, which are six (6) stories or less in height and with a street frontage of forty (40) feet or less, except that a corner rowhouse, townhouse, detached or semi-detached house or carriage house may have one street frontage that is larger than forty (40) feet;
- (b) Manufacturing and loft buildings, originally designed to serve commercial, retail, or warehouse uses, including cast-iron fronted buildings, department stores, and banks.
- (B) Through-wall installations approvable by LPC Staff. LPC Staff will approve through-wall installations if the proposal meets the following relevant criteria:
- (a) Large apartment buildings, hotels and other types of multiple dwellings which either have a street frontage greater than forty (40) feet or which are seven (7) or more stories in height, if the proposal meets all of the following relevant criteria:
- (1) The installation will be centered beneath the window opening, or, if the window opening is wide enough to accommodate more than one set of sashes, is placed beneath the window opening in accordance with the predominant existing pattern of through-wall installations;
- (2) The exterior louver will be a rimless type architectural louver with flat metal blades;
- (3) The exterior louver will be mounted as flush as possible with the surrounding masonry and with the minimum projection feasible;
- (4) The exterior louver will be finished to match the color of the surrounding masonry;
- (5) The location corresponds to a regular pattern of installations, or where demonstrated to be impractical or unfeasible, the location will form the basis for a new pattern of installations or will otherwise not detract from the façade or, if in a historic district, adjacent buildings; and

- (6) The installation will not damage or remove decorative masonry or a significant architectural feature of the building and will not detract from the significant architectural features of adjacent buildings. For purposes of this clause (B), removal of small areas of plain masonry to accommodate the through-wall unit shall not be considered damage or removal of a significant architectural feature.
- (iii) Other buildings. For other buildings that do not fall into any of the previously described categories, including specialized building types such as churches and synagogues, hospitals, schools, and libraries, with a street frontage of more than forty (40) feet or are seven (7) or more stories in height, LPC Staff will approve through-wall installations of HVAC equipment if they determine that:
- (A) There is no feasible alternative to installing the HVAC equipment on the primary façade;
- (B) The installation will satisfy the criteria set forth in subdivision (d)(1)(ii)(B)(a)(2)-(4) of this section; and
- (C) The installation will not damage or remove a significant architectural feature of the building, or detract from such features of the building or adjacent buildings if in a historic district. For purposes of this item (b), removal of small areas of plain masonry or non-decorative brick to accommodate the through-wall unit shall not be considered damage or removal of a significant architectural feature.
- (2) Secondary facades. LPC Staff will approve the installation of through-wall HVAC equipment on a visible secondary facade of any building if the proposal meets the following relevant criteria:
- (i) The unit will be:
- (A) Centered beneath or above a window opening if the vent or louver exceeds one hundred forty-four (144) square inches in surface area; or
- (B) Installed below, above, or to the side of a window opening if the vent or louver is one hundred forty-four (144) square inches or less in surface area; or
- (C) Installed in a uniform pattern on portions of secondary facades devoid of windows (variations from the predominant existing pattern on the building may be permitted if the applicant does not have interior space which would permit such installation in conformance with such pattern). For purposes of this paragraph (2), louvers greater than one hundred forty-four (144) square inches shall only be permitted through a masonry facade; and
- (ii) The exterior louver will be mounted as flush as possible with the exterior wall or façade cladding and with the minimum projection feasible, except that if the louver is one hundred forty-four (144) square inches or less in surface area, a minimally projecting cap may be permitted if the projection does not call undue attention to itself or otherwise have an adverse effect on the secondary façade; and
- (iii) The exterior louver will be finished in a manner which approximates the color of the surrounding façade cladding; and
- (iv) No decorative masonry or other façade cladding, or other significant architectural feature of the building, will be affected by the installation, and the installation will not detract from adjacent buildings. For purposes of this subparagraph (iv), removal of small areas of plain masonry or other façade cladding to accommodate the through-wall unit will not be considered damage or removal of a significant architectural feature.
- (3) Installation of HVAC equipment on non-visible secondary facades. LPC Staff will approve the installation of through wall HVAC equipment on a non-visible secondary facade of any building if the proposal meets the following relevant criteria:
- (i) The installation will not be visible from any public thoroughfare; and
- (ii) The exterior louver will be mounted as flush as possible with the surrounding masonry or façade cladding, except that if the opening is one hundred forty-four (144) square inches or less in surface area, a minimally projecting cap may be permitted if the projection does not have an adverse effect on the secondary facade; and
- (iii) No decorative masonry or other decorative façade cladding, or any significant architectural feature of the building, will be affected by the installation.
- (e) Wall Mounted Installations of HVAC and Other Mechanical Equipment on Secondary Facades. LPC Staff will approve the installation of wall mounted HVAC and other mechanical equipment on secondary facades if the proposal meets the following relevant criteria:
- (1) Visibility.
- (i) Wall mounted HVAC, such as ductless split system HVAC equipment and other mechanical equipment on platforms and/or brackets, will be no more than minimally visible from a public thoroughfare. In scenic landmarks, such installations may be made minimally visible by the introduction and maintenance of plantings;
- (ii) Wall-mounted flues and ducts required by applicable governmental laws and rules (including, but not limited, to Building, Fire and Health Codes) may be minimally visible from a public thoroughfare, or where more than minimally visible, will be located in the least visible location and so as to not disrupt the composition of the façade, and will not extend higher than required by such laws or rules;
- (2) The attachment of associated platforms, brackets and straps to the façade will be designed to maximize reversibility and minimize damage to the building fabric (e.g., installed through the mortar joints where possible in masonry walls);
- (3) Any penetrations for associated conduits or ducts through the facade will be as small as possible in conformance with the manufacturer's recommended dimensions;
- (4) If the installation is visible from a public thoroughfare, the HVAC and other mechanical equipment, flues and ducts, and associated platforms, brackets and straps, will have a finish that matches the color of the underlying material, or is otherwise neutral so as to not call attention to itself; and
- (5) The installation will not damage or remove a significant architectural feature of the building and, for buildings in historic districts, if visible will not detract from the significant architectural features of adjacent buildings.
- (f) Installation of HVAC Equipment in Storefronts and Storefront Doors. LPC Staff will approve the installation of HVAC equipment in storefronts and storefront doors if:
- (1) The installation involves removing only glazing, or modifying or removing the transom window sash and retaining the storefront or door frame.
- (i) The exterior louver will be mounted flush with or behind the plane of the transom window frame and behind the existing or reinstated brickmold or panning, and
- (ii) If the exterior louver will replace only part of the transom window sash being removed, the remainder of the space will be filled with a flat panel (glazed or solid) or partial height transom window sash to otherwise match the finish and configuration, size permitting, of the overall transom window; or
- (2) At recessed storefront entrances only, the installation involves removing only glazing, or modifying or removing the transom window sash and retaining the storefront or door frame, and the window unit (projecting or flush) will be mounted within the transom window frame, and if the window unit only fills part of the opening, it can be placed anywhere within the modified or removed transom window sash, the remainder will be filled with a filler panel (glazed or solid) or partial height transom window sash finished to otherwise match the finish and configuration, size permitting, of the overall transom window; or
- (3) The installation involves installing the exterior louver in conjunction with installing a new storefront or door at the same time, and the resulting installation complies with both the criteria in this subdivision and the applicable new storefront or door criteria set forth in §2-12; and
- (4) The exterior louver and any solid filler panel will be finished to match the storefront or door frame; or
- (5) The installation will be through a non-historic storefront bulkhead, integrated into the design of the bulkhead or will otherwise not detract from the storefront; and
- (6) The exterior louver will be rimless with horizontal blades finished to match the color of the surrounding storefront bulkhead, and will be mounted as flush as possible with the

surrounding masonry and the minimum projection feasible; and

- (7) The installation will not damage or remove a significant architectural feature of the building and, for buildings in historic districts, will not detract from the significant architectural features of adjacent buildings.
- (g) Installation of HVAC and Other Mechanical Equipment on Rooftops or Terraces. With respect to Individual Landmarks and buildings in historic districts and scenic landmarks, LPC Staff may approve the installation of HVAC and other mechanical equipment on rooftops and terraces if the proposal satisfies the following relevant criteria:
- (1) Primary façade.
- (i) The installation will not damage or remove significant architectural features.
- (ii) The installation will not be visible. If it is not practicable or feasible to make the installation invisible, and the visibility is not caused by the equipment being placed on an LPC-approved addition, LPC Staff may approve a minimally visible installation.
- (iii) With respect to existing grandfathered or approved HVAC installations, LPC Staff may (A) approve work that increases existing visibility slightly if such increase is required by building or fire codes and there is no feasible alternative; and (B) approve replacement of a grandfathered or approved installation with a smaller one even if the new installation is more than minimally visible, provided there is no feasible alternative location that would be not visible or minimally visible, and the visibility of the new installation is less than the existing installation.
- (2) Secondary façade. The installation will not be visible, or will not be more than minimally visible, over a secondary façade. If the installation is occurring within a scenic landmark, the visibility will be controlled by existing or new trees, plantings or other foliage.
- (h) Installation of HVAC Equipment and Mechanical Equipment in Yards and Areaways of Landmarks and Buildings in Historic Districts and Scenic Landmarks. LPC Staff will approve the installation of HVAC and mechanical equipment in the front, side or rear yard if the proposal meets the following relevant criteria:
- (1) Primary facades. Installations fronting primary facades of individual landmarks and buildings in historic districts and scenic landmarks:
- (i) There is no practical or feasible alternative to installing the equipment in front of the primary façade;
- (ii) The installation of HVAC and other mechanical equipment, at grade or on platforms, will not be visible from a public thoroughfare, or will be minimally visible due to location and/or screening by architectural or hardscape features of the building (e.g., behind an areaway wall or within a below-grade light-well);
- (iii) Any penetrations for associated conduits or ducts through the facade will be as small as possible in conformance with the manufacturer's recommended dimensions;
- (iv) For buildings in historic districts and scenic landmarks, not including Individual Landmarks, if there is any visibility of the installation from a public thoroughfare, the HVAC and other mechanical equipment, and associated platforms, will have a finish that matches the color of the underlying material, or is otherwise neutral so as to not call attention to itself; and
- (v) The installation will not damage or remove a significant architectural feature of the building and, for buildings in historic districts and scenic landmarks, will not detract from the significant architectural features of adjacent buildings or significant landscape features.
- (2) Secondary facades. Installations fronting secondary facades:
- (i) The installation of HVAC and other mechanical equipment at grade or on platforms will not be visible from a public thoroughfare, or will be minimally visible to the greatest extent possible. For purposes of this subparagraph (i), visibility can be reduced or eliminated through the use of permanent plantings;
- (ii) The installation is set back from the public thoroughfare to the greatest extent feasible;
- (iii) Any penetrations for associated conduits or ducts through the facade will be as small as possible in

conformance with the manufacturer's recommended dimensions;

- (iv) If the installation is visible from a public thoroughfare, the HVAC and other mechanical equipment, and associated platforms, will have a finish that matches the color of the underlying material, or is otherwise neutral so as to not call attention to itself; and
- (v) The installation will not damage or remove a significant architectural feature of the building and, for buildings in historic districts and scenic landmarks, detract from the significant architectural features of adjacent buildings or significant landscape features.

§ 17. Section 2-13 of Subchapter B of Chapter 2 of Title 63 of the Rules of the City of New York is renumbered § 2-22 and as renumbered is amended to read follows:

§ 2-22 **[Removal of] Fire Escapes.**

[The following will clarify instances in which staff may issue a Certificate of No Effect (CNE) for the removal of fire escapes from designated buildings.

The removal of a fire escape requires either a CNE or a Certificate of Appropriateness (C of A). If the fire escape is a significant protected feature, then a C of A is required to approve its removal. However, staff may issue a CNE for a fire escape removal if it determines:

- (a) That the fire escape is not a significant protected feature on the building based on the finding that:
- (1) the fire escape is not original to the building, and
- (2) the fire escape does not have architectural merit in itself, and
- (3) the fire escape is not mentioned in the LPC designation report, and
- (4) the building with the fire escape is not located within an historic district in which fire escapes are significant architectural elements that contribute to the special architectural and historic character for which that historic district was designated.
- (b) That any damage to the facade will be repaired to match the adjacent fabric (patching any holes would be invisible enough to have "no effect" on the significant protected feature of the building);
- (c) that the removal of the fire escape will not leave gaps, holes, or unsightly conditions on the facade. Occasionally, the installation of a fire escape requires the removal of architectural elements or portions of architectural elements (e.g. cornices). If the applicant is not prepared to remedy these conditions in connection with the removal of the fire escape, staff will have to make a judgment as to whether or not it would be desirable to allow the removal. If the applicant is willing to make restorative repairs, staff will have to decide whether these would require a Permit for Minor Work (PMW) or a C of A. It would be inappropriate to include these restorative repairs on a CNE since obviously they would have an effect on the significant protected features of the building. If the level of restoration requires a C of A, a CNE should not be issued for the removal, but rather the removal should be calendared for a public hearing with the restoration.]
- (a) Removal of an Existing Fire Escape. LPC Staff will approve the removal of an existing fire escape if the proposal satisfies the following relevant criteria:
- (1) The fire escape is not a significant protected feature of the building based on a finding that:
- (i) The fire escape is not original to the building;
- (ii) The fire escape does not have architectural merit in itself; and
- (iii) The fire escape is not mentioned or otherwise called out as significant in the LPC designation report; or
- (iv) The fire escape is not located on a building within a historic district in which fire escapes are identified as significant architectural features that contribute to the special architectural and historic character of the district.
- (2) Damage to the façade caused by the installation, presence or removal of, or exposed by the removal of, the fire escape will be repaired to match the historic fabric; and
- (3) Architectural elements removed, damaged or altered by the installation of the fire escape will be reinstated, repaired or, if beyond repair, replaced or replicated.
- (b) Alteration, Restoration and Maintenance of an Existing Fire Escape. LPC Staff will approve work on an existing fire escape if the proposal satisfies the following relevant criteria:

- (1) Replacement of a fire escape drop ladder with a swing stair or a swing stair with a drop ladder matches the material, general details and color of the existing fire escape;
- (2) Installation of a horizontal and/or vertical extension matches the material, details, color and dimensions of the existing fire escape, provided the installation will not conceal or damage any significant architectural features of the building; and
- (3) Restoration and maintenance, including replacing any parts in kind with parts, match the existing fire escape in terms of material, details and color, or repainting of the existing color, a dark color such as black or brown that is typical of the historic district, or a color that matches or is similar in hue to the existing color of the façade.
- (c) Installation of New Fire Escapes. LPC Staff will approve the installation of a new fire escape if the proposed work satisfies all of the following relevant criteria:
- (1) Primary façade of a building in a historic district.
- (i) Similar installations are commonly found on historic buildings in the district;
- (ii) The fire escape is simple and utilitarian in design;
- (iii) The installation will not cause the removal or, or damage to, any significant architectural features of the building;
- (iv) The installation will not detract from the special historic and architectural character of the building or adjacent buildings;
- (v) The fire escape cannot be located on a secondary façade; and
- (vi) There is no feasible alternative to installing the fire escape. In making a determination that there is no feasible alternative, LPC Staff will consider whether the need for a fire escape on the primary façade is necessitated by recent or approved interior renovations.
- (2) Visible secondary façade of a building in a historic district.
- (i) The fire escape is simple and utilitarian in design;
- (ii) The installation will not cause the removal or, or damage to, any significant architectural feature of the façade;
- (iii) The installation will not detract from the special historic and architectural character of the building or adjacent buildings;
- (iv) The fire escape cannot be located on a nonvisible secondary façade; and
- (v) There is no feasible alternative to installing the fire escape. In making a determination that there is no feasible alternative, LPC Staff will consider whether the need for a fire escape on a visible secondary façade is necessitated by recent or approved interior renovations.
- (3) Nonvisible secondary façade of any building.
- (i) The fire escape is simple and utilitarian in design; and
- (ii) The installation will not cause the removal of, or damage to, any significant architectural feature of the façade.

§ 18. Subchapter C of Chapter 2 of Title 63 of the Rules of the City of New York is amended to read as follows:

**SUBCHAPTER C
EXPEDITED REVIEW OF CERTAIN APPLICATIONS
FOR CERTIFICATES OF NO EFFECT**

§ 2-31. Definitions.

As used in these Rules, the following terms [shall] have the following meanings:

Architect. "Architect" [shall mean] means an individual, partnership, corporation or other legal entity licensed to practice the profession of architecture under the education law of the State of New York.

CNE. "CNE" [shall mean] means a Certificate of No Effect as defined by §25-306 of the Landmarks Law.

Day. "Day" [shall mean] means any day other than a Saturday or Sunday or legal holiday.

Engineer. "Engineer" [shall mean] means any individual, partnership, corporation or other legal entity licensed to practice the profession of engineering under the education law of the State of New York.

Landmarks Law. "Landmarks Law" [shall refer] refers to New York City Charter §3020 and Chapter 3 of Title 25 of the Administrative Code of the City of New York.

Landmarks Preservation Commission. "Landmarks Preservation Commission" [shall mean] means the Commission acting in its agency capacity to implement the Landmarks Law.

LPC staff. "LPC Staff" means the staff of the Landmarks Preservation Commission acting in the Commission's agency capacity.

[Notice of Violation. "Notice of Violation" shall mean] **Summons.** "Summons" means a notice from the Landmarks Preservation Commission that work on a landmark site or within an historic district was performed without a permit or was not performed in accordance with a permit issued by the Landmarks Preservation Commission. With respect to Chapter 63 of the Rules of the City of New York and Sections 25-301 through 25-322 of the Administrative Code, the term "Summons" will be construed to include and apply to any previously issued "Notice of Violation."

Story. "Story" [shall be] is defined as a habitable floor level, including a basement but not including a cellar.

Terms not otherwise defined in these rules [shall] have the meaning given them in the Landmarks Law.

§2-32 Expedited Review Procedures.

- (a) *General.* [An applicant may request that an application for interior work above the second story or in the cellar or basement in any landmark or building within an Historic District, other than an application for interior work on a part of the building which has been designated an [interior landmark] Interior Landmark, be reviewed on an expedited basis.] The expedited review procedures set forth in this section are available for certain interior work as detailed below. Expedited review is predicated upon the statements and representations of the architect or engineer and the owner and upon the satisfaction of certain terms and conditions, all as set forth in this [§2-32] section.
- (b) *Work [eligible for expedited review] Eligible for Expedited Review.* The following work is eligible for expedited review:
- (1) Interior work which is to be performed [above the second story or in the cellar or basement] at or above the third full story and which does not involve any [excavation, except for minimal excavation related to elevator or mechanical work, or] change to, replacement of, or penetration of, an exterior wall, window, skylight or roof, including but not limited to penetrations, replacements or changes for ducts, grilles, exhaust intakes, vents or pipes, may qualify for an expedited review;
- (2) Interior work which is to be performed at or below the second full story in a building where there is no commercial use below the second full story, where the proposed work does not involve change to, replacement of, or penetration of an exterior wall, window, skylight or roof, including but not limited to penetrations, replacements or changes for ducts, grilles, exhaust intakes, vents or pipes;
- (3) Interior work which is to be performed in the cellar or basement, provided the work does not require excavation, except for minimal excavation related to elevator or mechanical work that does not require underpinning, and the work does not involve any change to, replacement of, or penetration of, a visible exterior wall or window;
- (4) Expedited review will not be permitted for work proposed to be performed within a designated Interior Landmark.
- (c) *[Conditions to expedited review] Criteria and Conditions for Expedited Review.* Each of the following conditions must be satisfied in order to obtain an expedited review:
- (1) The work [shall] will be eligible work as described in §2-32(b) above.
- (2) The application for which an expedited review is requested [shall] will be accompanied by a completed Landmarks Preservation Commission expedited review form which [shall] must include:
- (i) a statement signed and sealed by the architect or engineer that:
- (A) the architect or engineer has prepared, or supervised the preparation of, the plans and specifications submitted with the application;
- (B) all work shown on such plans and specifications is:
- (a) interior work only,
- (b) to be performed only at or above the [second] third full story or in the cellar or basement, or at or below the second full story in a building where there is no commercial use on the ground floor,
- (c) not to be performed on any portion of a space designated as an Interior Landmark,

- (d) does not involve excavation, except for minimal excavation related to elevator or mechanical work, or any change to, replacement of, or penetration of, a window, skylight, exterior wall or roof or any portion thereof, and
- (e) for floors [3-6] one through six (1-6) does not involve a dropped ceiling [or a partition] greater than one foot (1'0") below the head of a window, a perpendicular partition abutting a window, or a parallel partition blocking more than one foot (1'0") of a window, any of which is less than a minimum of one foot (1'-0") back from interior window sill or frame, whichever is further from the glass.
- (C) that where there are associate architects or engineers, that they likewise join in the request for an expedited review of the application;
- (D) that the architect or engineer and associate architects or engineers, if any, are aware that the Landmarks Preservation Commission will rely upon the truth and accuracy of the statements contained in the application made by them, and any amendments submitted in connection therewith, as to compliance with the provisions of the Landmarks Law and these rules;
- (ii) a sworn statement executed by the owner of the property that:
- (A) the proposed work [described is of the type] meets the criteria for expedited review as described in §2-32] subdivision (b);
- (B) no change to, or modification of, the proposed work [shall] will be undertaken by the owner, his or her architect or engineer or any other agent of the owner without the prior approval of the Landmarks Preservation Commission; and
- (C) the necessary remedial measures to obtain compliance will be taken, if the same becomes necessary;
- (3) No ["Notice of Violation"] Summons from the Landmarks Preservation Commission [shall] is in effect against the property which is the subject of the proposed work for which an expedited review is requested; and
- (4) The application is complete in all other respects.
- (5) The architect or engineer and associate architects or engineers, if applicable, have not been excluded by:
- (i) the Chair of the Landmarks Preservation Commission from the procedures for expedited review pursuant to §2-34 of these rules; or
- (ii) the Commissioner of the Department of Buildings from the Department's procedures for limited supervisory check of applications and plans set forth in 1 RCNY §21-02.
- (d) *Issuance of [permit] Permit.* If all conditions to an expedited review have been satisfied, [the Landmarks Preservation Commission shall] LPC Staff will:
- (1) issue a CNE to the applicant within five business days of receipt of a complete application; and
- (2) [shall] perforate all drawings accompanying such application to indicate approval thereof.

§2-34 Remedies for False Statements and Procedures for Action.

- (a) *Grounds for action.* (1) The Chair of the Landmarks Preservation Commission may exclude any architect or engineer from the procedures for expedited review of applications if the Chair of the Landmarks Preservation Commission finds that:
- (i) In connection with the Landmarks Preservation Commission expedited review form described in §2-32(c) (1) of these rules the architect or engineer has:
- (A) knowingly or negligently made any false or misleading statement; or
- (B) knowingly or negligently omitted a statement or failed to state a material fact; or
- (C) knowingly or negligently falsified or allowed to be falsified any fact; or
- (D) willfully induced another person to do any of the above; or
- (ii) A ["Notice of Violation"] Summons, a previously issued Notice of Violation, or "Notice to Stop Work" has been issued by the Landmarks Preservation Commission against work performed pursuant to any plans, prepared by or under the supervision of such architect or engineer,

and such architect or engineer knew, or had reason to know, that the work performed pursuant to such application, plan, certification, or report was not carried out in accordance with approved plans or exceeded the scope of such approved plans and such architect or engineer failed to act to stop such work and/or correct such work.

- (2) The powers, rights and remedies of the Landmarks Preservation Commission set forth in this §2-34(a) are non-exclusive and [shall] will not be deemed to limit or supersede any other power, right or remedy of the Landmarks Preservation Commission.
- (b) *Procedures.* (1) Written notice of a preliminary determination, together with the basis for such action to exclude from expedited review [shall] must be served on the Architect or Engineer of record pursuant to the provisions of New York State Civil Practice Law and Rules §308.
- (2) The Architect or Engineer notified under §2-34(b)(1) [shall] will be entitled to, and scheduled for, a hearing on the preliminary determination in accordance with §2-34(c) if written objection to the preliminary determination and the grounds for such objection are submitted to the Chair of the Landmarks Preservation Commission within fifteen (15) [Days] days after the date that the notice of preliminary determination is served.
- (3) If no hearing is requested pursuant to §2-34(b)(2) above, the preliminary determination of the Chair of the Landmarks Preservation Commission [shall] will be deemed confirmed and [shall] will become final and effective on the sixteenth [(16) Day] 16th day after the preliminary notice of determination is served.
- (4) If after a hearing in accordance with §2-34(c), the Chair of the Landmarks Preservation Commission confirms the preliminary determination, the Chair [shall] must notify the Architect or Engineer of such decision and such notice [shall] must include a written statement indicating the reason for his or her determination.
- (5) On or after the effective date of the final determination to exclude an Architect or Engineer from participation in expedited review procedures all of the plans prepared by or under the supervision of such Architect or Engineer [shall] must be subject to full review by the Landmarks Preservation Commission.
- (c) *Hearing.* (1) Any hearing described in §2-34(b)(2) will be held at, and conducted by the Office of Administrative Trials and Hearings in accordance with their rules and procedures.
- (2) The Architect or Engineer may be represented by counsel and may present evidence in his or her behalf. A transcribed or tape-recorded record [shall] must be kept of the hearing.
- (3) The Chair of the Landmarks Preservation Commission [shall] must notify the respondent of the final determination within ten (10) [Days] days after the receipt of the findings of fact from the Office of Administrative Trials and Hearings on such matters. The determination of the Landmarks Preservation Commission [shall] must be supported by substantial evidence.
- (d) *Review of Determination.* At the expiration of two (2) years from the date of the initial determination to exclude an Architect or Engineer from participation in the procedures for expedited review of applications, and at intervals of no more than six months thereafter, upon request of the Architect or Engineer, the Chair of the Landmarks Preservation Commission [shall] must reexamine such determination. If the Architect or Engineer has not committed any of the acts described in clause (2) of §2-34(a) above during such period, the Chair of the Landmarks Preservation Commission may rescind such determination.

§2-35. Miscellaneous.

Any application submitted on or after the effective date hereof shall be subject to these Rules.]

§ 19. Chapter 3 of Title 63 of the Rules of the City of New York is REPEALED.

§ 20. Chapter 5 of Title 63 of the Rules of the City of New York is amended to read as follows:

CHAPTER 5 HISTORIC PRESERVATION GRANT PROGRAM

§5-01 Introduction.

The Historic Preservation Grant Program provides grants to eligible nonprofit organizations and homeowners for the preservation of designated landmark properties through restoration, repair and rehabilitation work. All grants must meet the guidelines laid out for

historic preservation activities under the federal Community Block Grant program regulations. 24 CFR Sec. 570.202(d).

Application forms and fact sheets for the Historic Preservation Grant Program may be obtained from the Commission's website or by contacting the Commission's Director of the Historic Preservation Grant Program.

§5-02 General Eligibility Requirements.

In addition to any applicable federal regulations regarding the Community Block Grant Program, grant applicants [shall] must also meet the following criteria:

- (a) Eligible [structures] Structures. Structures which are designated or calendared individual landmarks, are located in designated historic districts, or contain [interior landmarks] Interior Landmarks. Eligible structures may also include those improvements located in New York City that are listed or eligible for listing on the National Register. [The premises cannot be in arrears for unpaid real estate taxes, water/sewage charges, or have any unrescinded notice of violations issued by the Landmarks Preservation Commission or the Department of Buildings.]
- (b) Eligible [repairs] Repairs. Grants [shall] may be made for the following work:
- (1) [to] To repair and restore exterior features of an eligible structure;
 - (2) [to] To address structural damage or severe deterioration that threatens to undermine the integrity of an eligible structure;
 - (3) [to] To repair and restore eligible interiors;
 - (4) To make alterations which will protect the landmark from physical damage, including the installation of appropriate flood barriers; and
 - (5) To make alterations that will make the landmark more energy efficient.
- (c) Ownership / [occupancy] Occupancy. (1) Homeowners. Owners of eligible residential properties may receive grant funds if the owner and/or occupants meet §8 income limits as they appear in the federal Community Block Grant Program regulations. 24 CFR §570.208(a)(2)(i)(B) and (C).
- (2) Nonprofit organizations.
- (i) Nonprofit organizations applying for grant funds must either own or hold a long term lease on the property for which funds are sought.
 - (ii) To be eligible for consideration as a non-profit organization, the applicant must be a charitable, cultural, educational, scientific, literary, or other entity organized under §501(c)(3) of the Internal Revenue Code.
- (d) Grant [beneficiaries] Beneficiaries. All grant-funded work must (1) principally benefit low and moderate income persons or (2) address slum and blight conditions as set forth in and defined under the federal Community Block Grant Program regulations. 24 CFR §570.208.

§5-03 [Application Requirements and] Selection Board and Criteria.

- (a) Grant applications will be evaluated and funds will be awarded by a board composed of the director of the Historic Preservation Grant Program and other staff members of the Landmarks Preservation Commission as the [Chairman] Chair shall in his or her discretion appoint.
- (b) In awarding grants, the Historic Preservation Grant Program board will give preference to properties designated or calendared by the Landmarks Preservation Commission and will consider the following factors, among others:
- (1) [the] The architectural and historical importance of the building; [and]
 - (2) [the] The condition of the building and the degree to which the proposed work will materially address the building's condition; [and]
 - (3) [the] The applicant's financial resources; [and]
 - (4) Whether the applicant is proposing to use other funds along with the grant to pay for the proposed work; and
- [the] (5) The effect the grant will have on improving the building and/or the district.
- (c) Application forms and fact sheets for the Historic Preservation Grant Program may be obtained by contacting the Commission's Director of the Historic Preservation Grant Program.]

§5-04 Application Materials.

In addition to any other material required by LPC Staff, the following documents, as applicable, must be submitted in support of an application for a grant:

- (a) Individuals. An applicant who is an individual, or is comprised of multiple individuals, must submit for each individual, as applicable, the following documents:
- (1) Signed current federal tax forms, or, if no tax return was required to be filed, a signed statement with an explanation. If income has changed substantially, the applicant must submit relevant tax forms for the last three (3) years;
 - (2) W-2 Forms and Schedules A, B, C, D, and E filed with each 1040 Tax Form;
 - (3) A signed list of all properties owned and related rent receipts in lieu of Schedule E;
 - (4) Pension receipts;
 - (5) Notification of Social Security, disability or other benefits;
 - (6) Records of all other income or distributions;
 - (7) List of sources of funding for restoration project; and
 - (8) The property deed in the name(s) of the applicant(s).
- (b) Non-Profit Entity. An applicant that is a nonprofit organization must submit the following documentation:
- (1) A copy of the articles of incorporation and confirmation from the Internal Revenue Service of its non-profit status; and
 - (2) the property deed or long-term lease in the name of the applicant.
- (c) Conditions. In addition to any other condition required or imposed by law or rule, the following conditions apply to every grant:
- (1) The grant pays for specific work items;
 - (2) Work cannot begin until:
 - (i) LPC Staff and the grant recipient sign a contract;
 - (ii) Re-sale and insurance clauses of the contract have been satisfied;
 - (iii) LPC issues approval(s) for the work; and
 - (iv) LPC Staff notifies the contractor that work can begin;
 - (3) Except under unusual circumstances, at least three (3) competitive bids must be obtained for proposed work; bids will be solicited by the LPC Staff and work must be approved by the Commission before funds are disbursed to the contractor;
 - (4) Depending on the scope of work, the property may be inspected for the presence of lead-based paint. If lead-based paint hazards are found, the grant recipient will be responsible for the remediation of those hazards pursuant to City and/or federal law;
 - (5) Preference is given to extremely low-, low-, and moderate-income ownersthat use other funds along with the grant to restore the façade of their building;
 - (6) Grantees cannot have unpaid real estate taxes or water or sewer charges; and
 - (7) If there are Landmarks Preservation Commission or Department of Buildings violations on an otherwise eligible property, the presence of such violations, the nature of the violations and any plans to address the violations, will be considered.
 - (8) Occupancy requirement/resale restriction:
 - (i) The grant recipient must continuously occupy at least one Unit on the property that is the subject of the grant as his or her primary residence, for a period of five (5) years from the date of final payment to the contractor for the work performed pursuant to the grant.
 - (ii) If the grant recipient transfers the property within such five-year period, the grant recipient must return to the Landmarks Preservation Commission the grant on a pro-rated basis as follows: one hundred (100) percent of the grant if the property is transferred during the first year after final payment; eighty (80) percent if transferred during the second year; sixty (60) percent if transferred during the third year; forty (40) percent if transferred during the fourth year; and twenty (20) percent if transferred during the fifth year after the final payment.

§ 21. Section 7-05 of Chapter 7 of Title 63 of the Rules of the City of New York is REPEALED, section 7-06 is renumbered 7-05, and the title and sections 7-01 through 7-04 of such are amended to read as follows:

CHAPTER 7: PERMIT [EXPIRATION AND] DURATION, RENEWAL AND REVOCATION

§7-01 Definitions.

As used in [these Rules] this section, the following terms [shall] have the following meanings:

Day. The term “day” [“Day” shall mean] means any day other than a Saturday or Sunday or legal holiday.

Landmarks law. The term “Landmarks Law” [“Landmarks law” shall be understood to refer] refers to §3020 of the New York City Charter and Chapter 3 of Title 25 of the Administrative Code of the City of New York.

Landmarks [preservation commission] Preservation Commission. The term “Landmarks Preservation Commission” [“Landmarks preservation commission” shall mean] means the [commission] Commission acting in its agency capacity to implement the [landmarkslaw] Landmarks Law.

Permit. The term “permit” [“Permit” shall mean any permit] means an approval, other than a Notice to Proceed, issued by the Landmarks Preservation Commission, in accordance with the provisions of the Landmarks [law] Law and §854(h) of the New York City Charter:

- (1) “PMW” [shall mean] means a [permit for minor work] Permit for Minor Work as defined by §25-310 of the Landmarks [law] Law.
- (2) “CNE” [shall mean] means a Certificate of No Effect [certificate of no effect] as defined by §25-306 of the Landmarks [law] Law.
- (3) “C of A” [shall mean] means a Certificate of Appropriateness [certificate of appropriateness] as defined by §25-307 of the Landmarks [law] Law and shall not refer to a Certificate of Appropriateness [certificate of appropriateness] as defined by §25-309.
- (4) “MOU” means a modification of use or bulk issued by the Commission in connection with an application by an applicant to the City Planning Commission pursuant to the Zoning Resolution, including but not limited to §§ 74-11 and 74-79, and as required by such sections of the Zoning Resolution.
- (5) “Report” means an Advisory or Binding Report as defined by §25-218 of the Landmarks Law and as referenced in §854(h) of the New York City Charter.

§7-02 Duration of Permits.

- (a) *General.* (1) [All permits shall] A permit will be of limited duration as provided in these rules.
- (2) [Each] A permit [shall] must clearly state the expiration date of such permit on the permit.
- (3) Work approved by a permit must be substantially completed within the time period for such permit.
- (b) *Duration of Approvals.* The following [permits shall] types have the following durations:
 - (1) PMW. Each PMW [shall] will be valid for four (4) years from the date of issuance for such PMW, or six (6) years from the date of issuance if issued in connection with an approval for a Modification of Use or Bulk.
 - (2) CNE. Each CNE [shall] will be valid for four (4) years from the date of issuance for such CNE, or six (6) years from the date of issuance if issued in connection with an approval for a Modification of Use or Bulk.
 - (3) [Each] C of A. Except as provided in paragraph (7), each C of A [shall] will be valid for six (6) years from the date of a Commission vote [on] to approve such C of A.
 - (4) Report. Each Report, whether Binding or Advisory and whether issued by LPC Staff or the Commission, will be valid for six (6) years from the date of issuance for such Report.
 - (4) (5) Master Plan. Any PMW, CNE [or], C of A or Report issued for a master plan [shall] will be valid indefinitely.
 - (6) MOU. Each MOU will be valid for eight (8) years from the date the Commission votes to approve the application.
 - (7) Conceptual approval; extension of approval for C of A. If an applicant is also applying to the Commission for a Modification of Use or Bulk, or otherwise applies to the City Planning Commission for a special permit or authorization, or to the Board of Standards and Appeals

for a variance, the Commission will issue a conceptual or design C of A with a watermark for the sole purpose of allowing the City Planning Commission and/or the Board of Standards and Appeals, pursuant to §25-305(b)(1) of the Administrative Code, to act on the application. Upon approval of the special permit, authorization or variance, and submission of all required drawings and materials to the LPC staff, the Commission will issue the final C of A, and the expiration of the final C of A will be eight years from the Commission’s vote to approve the application.

- (c) *Shorter Period of Time to Cure a Condition Subject to a Warning Letter or Summons.* Without limiting the time periods for permit duration set forth in [subsection] subdivision 7-02(b), where a permit or certificate has been issued to [cure a violation] address conditions subject to a warning letter or Summons issued pursuant to Chapter 11 of Title 63, the Commission may require by the terms of such permit or certificate that the work be performed within a specified time period. The failure to perform the work and [cure the violation] remedy the conditions within the specified time period [shall mean] means that the Chair may serve a warning letter[,] or a first, second or subsequent [NOV] Summons in accordance with the provisions of §§[25-317.1b] 25-317.1(b) and 25-317.2 of the Administrative Code.

§7-03 Renewal and Reinstatement of Permits.

- (a) [The landmarks preservation commission may issue a renewal of a permit only upon the satisfaction of all of the following conditions:
 - (1) An application requesting a renewal shall be filed with the landmarks preservation commission no later than sixty (60) days prior to the expiration date shown on such permit.
 - (2) The application requesting a renewal shall include (i) a copy of a signed contract which is binding on the parties thereto for the work which is the subject of the permit then expiring and which specifies that work thereunder is to be commenced by a date which is at least sixty (60) days prior to the expiration date of such permit and (ii) if a building permit is required for the work which is the subject of the expiring permit, a copy of a valid building permit based on the landmarks commission’s permit for the work which is the subject of the permit then expiring.
 - (3) No “Notice of Violation” from the landmarks preservation commission shall be in effect against the property subject to the permit for which a renewal is requested; provided, however, that if the landmarks preservation commission shall find that (i) the work which is the subject of the permit for which a renewal is requested (A) will correct a hazardous condition or (B) prevent deterioration affecting the building; or (ii) an escrow agreement, or other acceptable form of assurance, has been established to provide a mechanism, acceptable to the landmarks preservation commission, to ensure that work approved to correct the notice of violation will be completed within a specified time period, then this subsection (3) shall not apply.
- (b) If all conditions to the renewal of a permit have been met on or before the expiration date of such permit, the landmarks preservation commission shall issue a renewal permit to the applicant which shall be valid for (i) two (2) years from the date of the expiration of the original permit if the permit renewed in either a PMW or a CNE or (ii) three (3) years from the date of the expiration of the original permit if the permit renewed is a C of A.
- (c) (1) Notwithstanding the foregoing provisions, the chair of the landmarks preservation commission shall have the discretion, based on extraordinary circumstances, to allow the renewal of any permit. Such circumstances may include, but shall not be limited to, (i) delays resulting from the inability to obtain other governmental approvals, licenses or permits or (ii) an inability to complete construction of a project for which work has begun and is continuing with due diligence.
 - (2) Request for any such discretionary extension shall be made in writing no later than sixty (60) days prior to the expiration date of the permit or within ten (10) days after receipt of notice that the permit will not be renewed, and may include supporting documentation. The chair shall respond to such request within twenty (20) days of receipt of the request. If the chair of the landmarks preservation commission determines that a renewal of the permit should be allowed, the landmarks preservation commission shall renew the permit for a stated term of years.
 - (3) In allowing the renewal, the chair may set reasonable conditions including clearing up any outstanding violations within a reasonable stated time.
- (d) The expiration of any permit shall be tolled if judicial proceedings to review the decision to grant the permit, or any

other governmental approval, license, permit or similar action applied for, or granted in connection with, the project have been instituted until the date of the entry of a final order in such proceedings, including all appeals.) Number of Renewals. An approval may be renewed twice, as set forth below: once by LPC Staff renewal and once by a Chair's renewal. An expired approval may be reinstated one time.

(b) Conditions for LPC Staff Renewal.

(1) Requirements. LPC Staff will issue a renewal of an LPC Staff or Commission approval upon satisfaction of all of the following conditions:

(i) An application requesting a renewal is filed with the Commission prior to the expiration date shown on such permit;

(ii) The application requesting a renewal includes the following documents:

(A) In the case of an approval that does not require a building permit for the work which is the subject of the approval, a copy of a signed contract that is binding on the parties for the work which is the subject of the approval then expiring and which specifies that work is to be commenced by a date which is no more than one hundred and eighty (180) days after the expiration date of such approval, or

(B) In the case of an approval that does require a building permit for the work which is the subject of the approval, either:

(a) A copy of a valid building permit for all of the work approved in the Commission's approval for the work which is the subject of the permit then expiring, or

(b) A copy of a valid building permit for a substantial portion of the work approved in the Commission's approval for the work which is the subject of the approval then expiring. This must also include proof that work has commenced on such building permit, and proof that the applicant has applied for a building permit for all of the remaining work approved in Commission's approval for the work which is the subject of the approval then expiring; and

(iii) No Summons or previously issued Notice of Violation from the Landmarks Preservation Commission is in effect against the property subject to the approval for which a renewal is requested, except that this requirement will not apply if:

(A) The Commission finds that the work which is the subject of the approval for which a renewal is requested will correct a hazardous condition or prevent deterioration affecting the building; or

(B) An escrow agreement, or other form of assurance acceptable to LPC Staff, has been established to provide a mechanism to ensure that work approved to correct the Summons or previously issued Notice of Violation will be completed within a specified time period.

(2) Duration of renewal. If all conditions required for the renewal of an approval have been met, LPC Staff will renew the approval for an additional:

(i) Two years from the date of expiration of the original approval if the original approval is either a PMW or a CNE, or

(ii) Three years from the date of the expiration of the original approval if the original approval is a C of A, an advisory or binding report, or a MOU.

(c) Conditions for Chair's Discretionary Renewal.

(1) Extraordinary circumstances. Notwithstanding the foregoing provisions, the Chair of the Commission has the discretion, based on extraordinary circumstances, to allow the renewal of any LPC Staff or Commission approval. Such circumstances may include, but are not limited to:

(i) Delays resulting from the inability to obtain other governmental approvals, licenses or permits, but not including time spent in connection with applying for an approval from the City Planning Commission that is subject to the Uniform Land Use Review Procedure ("ULURP") or from the Board of Standards and Appeals, or

(ii) An inability, due to factors beyond the control of the applicant, to complete construction of a project within

the term of such permit, where work has begun and is continuing with due diligence.

(iii) In making a finding with respect to this subdivision, the Chair may consider whether the applicant has already obtained an LPC Staff renewal pursuant to paragraph 7-03(b)(2) of this section and, if there was an LPC Staff renewal, whether there has been a significant change in Commission policy or practice since the LPC Staff renewal was granted.

(2) Timing. A request for an extension under this subdivision (c) must be made in writing prior to the expiration date of the approval or within ten (10) days after receipt of notice that the approval will not be renewed pursuant to subparagraph (a) above. A request must include supporting documentation explaining the extraordinary circumstances. The Chair will respond in writing to such request within twenty (20) days of receipt of the request. If the Chair determines that a renewal of the approval is appropriate, the Chair will extend the approval for a stated period of time.

(3) Reasonable conditions. In allowing the renewal, the Chair may set reasonable conditions, including removal of any conditions related to outstanding Summons, warning letters or Notices of Violation within a reasonable stated time.

(d) Tolling of the Expiration Date. The expiration of any approval will be tolled if a judicial proceeding to review the Commission's decision to grant the approval, or any other governmental approval, license, permit or similar action applied for, or granted in connection with, the project has been instituted until the date of the entry of a final order in such proceeding, including all appeals.

(e) Conditions for the Chair's Discretionary Reinstatement of Expired Permit.

(1) Requirements. The Chair of the Commission has the discretion to reinstate a permit that has expired where:

(i) The applicant demonstrates that substantial work has occurred prior to the expiration;

(ii) The work is continuing with due diligence;

(iii) The applicant has all necessary permits to finish the work;

(iv) There is no Summons or previously issued Notice of Violation in effect against the property or that part of the property subject to the permit;

(v) The work will be substantially complete within thirty-six (36) months of the expiration date of the permit; and

(vi) The Chair determines that it would be unreasonable to require the applicant to stop the work in order to obtain a new permit pursuant to these rules.

(2) Timing. A request to reinstate an expired permit under subdivision (e)(1) must be made in writing no more than ninety (90) days from the expiration of the permit, and must include supporting documentation, including the status of the work, documentation that the work that has already occurred is in compliance with the permit, and the reasons it would be unreasonable if the work had to stop. If the Chair determines that reinstatement is appropriate, the Chair will reinstate the expired permit for a stated period of time not to exceed three years after expiration of the permit and may impose reasonable conditions.

(f) No Renewal or Reinstatement if a Summons or Previously Issued Notice of Violation is in Effect Against Property. Any person who has been notified by the [commission] Commission that a permit will not be renewed or reinstated because [a "notice of violation"] a Summons or previously issued Notice of Violation from the [landmarks commission] Commission is in effect against the property may request that the [chair] Chair of the [commission] Commission, or the Chair's designee, review whether the notice of violation is properly in effect against the property. Such request [shall] must be made in writing within ten (10) days from the date of the notification that the permit will not be renewed and may include supporting documentation. The [chair] Chair of the [landmarks preservation commission shall] Commission will respond to such request within twenty (20) days of receipt of the request. If the [chair] Chair or the Chair's designee determines that [a notice of violation] a Summons or previously issued Notice of Violation was not properly in effect against the property, the [landmarks preservation commission shall] Chair will issue a renewed permit or reinstate an expired permit if it finds that all other conditions set forth in these rules have been met.

§7-04 Effect of Expiration of Permits.

- (a) Upon expiration of any permit, such permit [shall] will terminate and be of no further effect, except if the permit is renewed or reinstated pursuant to §7-03 or otherwise complies with the provisions of §7-02(a)(3). Work done after an approval has expired, except for reasonable and necessary work undertaken to stabilize and secure the site pending application for and issuance of a renewed or reinstated approval subject to §7-03, or a new approval, will constitute a violation of the Landmarks Law and may be subject to enforcement proceedings. A renewed or reinstated permit will not be a defense against any enforcement proceedings related to work occurring after the expiration and before such renewal or reinstatement.
- (b) An applicant may apply for a new permit for work which is the subject of an expired permit. The [landmarks preservation commission shall] Commission will treat such application [for a renewal which does not meet the condition for the renewal of permits] as a new application in all respects and it will be subject to all applicable procedures, rules and guidelines in effect at the time of such application [for renewal].

§22. Chapter 11 of Title 63 of the Rules of the City of New York is amended to read as follows:

CHAPTER 11 ADMINISTRATIVE ENFORCEMENT

Introduction. These rules [are promulgated to] implement the provisions of Sections 25-317.1 and 25-317.2 of the Administrative Code, insofar as such sections concern the issuance of [notices of violation] Summonses and previously issued Notices of Violation, warning letters and stop work orders and the enforcement of the requirements of chapter 3, title 25 of the Administrative Code in administrative tribunals, including the imposition and adjudication of administrative penalties. For purposes of the Administrative Code and the rules of the Landmarks Preservation Commission, the term "Notice of Violation" or "NOV" means "Summonses".

§11-01 Definitions.

The following definitions shall apply to this chapter:

- (a) The term "Landmarks Law" [shall mean] means Chapter 3 of title 25 of the Administrative Code of the City of New York.
- (b) The term "respondent" [shall mean] means a person who is alleged to have violated the Landmarks Law by creating, authorizing, performing or maintaining work on a landmarks site, within the boundaries of a historic district or to any part of an [interior landmark] Interior Landmark without, or in violation of, a permit from the Landmarks Preservation Commission ("Commission").
- (c) The term "stop work order" [shall mean] means an order, issued pursuant to section 25-317.2 of the Administrative Code.
- (d) A violation is "corrected" by removing the illegal condition, only where such condition can be easily removed without damage to underlying building material and where such removal does not require a permit from the Commission. For example, a violation for the installation of a sign or awning without a permit may be corrected by removing the sign or awning, if such removal does not result in damage to the underlying building material. Correcting a violation does not include or otherwise permit the reinstallation of a preexisting condition or the installation of a substitute condition. For example, a violation for the installation of a sign or awning without a permit, where such installation involved the removal of a preexisting sign or awning, may not be corrected by reinstalling the prior sign or awning, or installing a different sign or awning. A violation is not corrected for purposes of section 25-317.1b(6) of the Landmarks Law if the same or a similar illegal condition is installed within 180 days of the respondent's representation to the Commission that the violation has been corrected.
- (e) A violation is "legalized" when the Commission issues a permit approving and authorizing the work that was done without a permit.
- (f) A violation is "cured" where the Commission issues a permit authorizing modifications to the illegal condition to make it appropriate, or where the Commission authorizes work to replace the illegal work, and the modification or replacement work is completed and the Commission has issued a Notice of Compliance.
- (g) For purposes of sections 11-03, 11-04 and 11-06, the term "mail," "mailed" and "mailing" [shall mean] means first class United States mail or express or overnight delivery to a respondent as follows:
- (1) Where the respondent is an owner, the warning letter, [notice of violation] Summonses or stop work order shall be mailed to the owner's address as contained in the records of the Department of Finance for purposes of the assessment or

collection of real estate taxes or as contained in the records of the Commission for purposes of the implementation or enforcement of the relevant portions of the charter or administrative code.

- (2) Where the respondent is a tenant or occupant of the premises where the violation occurred, the warning letter, [notice of violation] Summonses or stop work order shall be mailed to the address where the violation occurred.
- (3) Where the respondent is a contractor or other person who performed or was in charge of overseeing the work that was done without, or in violation of, a permit, the warning letter, [notice of violation] Summonses or stop work order shall be mailed to the contractor's or person's business address as generally advertised or represented to the public, unless such contractor or other person is the owner, tenant or occupant.
- (4) Where the respondent is any other person in charge of a designated improvement or improvement parcel, the warning letter, [notice of violation] Summonses or stop work order shall be mailed to such person's business address, as generally advertised or represented to the public, or as such address is contained in the records of the Department of Finance for purposes of the assessment or collection of real estate taxes or as contained in the records of the Commission for purposes of the implementation or enforcement of the relevant portions of the [charter] Charter or [administrative code] Administrative Code.

§11-02 Enforcement of [Notices of Violation] Summonses.

All [first Notices of Violation ("NOV") issued after July 5, 1998 for a Type A or Type B Violation shall] Summonses or previously issued Notices of Violation will be heard at the [Environmental Control Board ("ECB")] Office of Administrative Trials and Hearings-Hearing Division ("OATH") or its successor. [For Type A Violations, all second and subsequent NOV's for the same condition shall be heard at the Office of Administrative Trials and Hearings ("OATH") or its successor.] For purposes of this subchapter, OATH [shall be] is authorized to issue final, binding decisions. [For Type B Violations, second and subsequent NOV's shall be heard at the ECB. Notices of violation for violating a stop work order may be heard at either ECB or OATH.]

§11-03 Service of [Notice of Violation] Summonses.

In addition to the service requirements of the court or tribunal at which a [NOV] Summonses is to be heard, a [NOV] Summonses may be served by mailing such [notice of violation] Summonses to a respondent.

§11-04 Warning Letter.

Subject to the exceptions set forth in Section 25-317.1b(1) of the Administrative Code, the LPC shall mail a warning letter to a respondent prior to the issuance of a [NOV] Summonses. The warning letter shall inform the respondent that the LPC believes a violation of the Landmarks Law has occurred at the subject premises and shall also: (1) describe the violation in general detail; (2) warn the respondent that the law authorizes civil and criminal penalties for violations; (3) notify the respondent that a [NOV] Summonses may be served unless, within 20 working days of the date of the warning letter, the violation is corrected or an application to legalize or cure the violation is received by the Commission.

§11-05 [Notice of Violation] Summonses; Grace Period.

- (a) A respondent [shall] will qualify for the grace period set forth in section 25-317.1 [b] (b)(6) of the Administrative Code, and not be subject to a fine, by delivering, at least fourteen (14) days prior to the hearing date set forth in the [NOV] Summonses or previously issued Notice of Violation, the following to the Commission:
- (1) Admission of liability, and
 - (2) proof, satisfactory to the Commission, that the violation has been corrected, or
 - (3) an application to legalize or cure the violation.
- (b) For purposes of [subsection] paragraph (2), "proof" [shall mean] means the submission of an affidavit or other sworn statement describing the violation and the work performed to correct the violation. The affidavit or sworn statement [shall] must be supplemented by photographs and any other supporting material that demonstrates that the illegal condition has been corrected. The Commission may reject the proof submitted if it does not unequivocally demonstrate that the illegal condition has been corrected.
- (c) OATH will determine penalties for violations based on the Schedule attached as Appendix A to this Chapter.

§11-06 Stop Work Order.

Service. A stop work order may be served: (1) by mailing the stop work order to the respondent; (2) by affixing the stop work order to the place where the violation is occurring[. Where the stop work order is affixed,

a copy of the order shall also be mailed to the respondent]; or (3) [or] orally. Where the stop work order is affixed or given orally, the Commission [shall] must within [48 hours] two (2) business days thereof mail a copy of the stop work order to the respondent.

APPENDIX A: Penalty Schedule

Section of Law	Violation Description	TYPE	1st Offense Penalty	1st Offense Mitigated	1st Offense Default	2nd Offense Penalty	2nd Offense Default
25-305	Work w/o or in violation of a C of A or CNE - Alteration to exterior architectural feature	Type A	500	250	3,000	5,000	5,000
25-305	Work w/o or in violation of a C of A or CNE - Alteration to storefront	Type A	1,500	750	3,000	5,000	5,000
25-305	Work w/o or in violation of a C of A or CNE - Alteration to Interior Landmark	Type A	1,000	500	3,000	5,000	5,000
25-305	Work w/o or in violation of a C of A or CNE - Modification of existing bulk of building – Type A	Type A	1,500	750	3,000	5,000	5,000
25-305	Work w/o or in violation of a C of A or CNE - Elimination of greenspace	Type A	500	250	3,000	5,000	5,000
25-305	Work w/o or in violation of a C of A or CNE – Alternation to non-building improvement	Type A	500	250	3,000	5,000	5,000
25-305	Work w/o or in violation of a C of A or CNE - Failure to submit periodic inspection reports	Type A	2,500	1,250	3,000	5,000	5,000
25-305	Work w/o or in violation of a C of A or CNE - flag, signs, banners, awnings	Type C	250	125	500	500	500
25-305	Work w/o or in violation of a C of A or CNE - Miscellaneous violations	Type C	100	50	500	500	500
25-310	Work without or in violation of a PMW - Alteration to exterior architectural feature	Type A	500	250	3,000	5,000	5,000
25-310	Work without or in violation of a PMW - Alteration to storefront	Type A	1,500	750	3,000	5,000	5,000
25-310	Work without or in violation of a PMW - Alteration to Interior Landmark	Type A	1,000	500	3,000	5,000	5,000
25-310	Work without or in violation of a PMW - Modification of existing bulk of building	Type A	1,500	750	3,000	5,000	5,000
25-310	Work without or in violation of a PMW - Elimination of greenspace	Type A	500	250	3,000	5,000	5,000
25-310	Work without or in violation of a PMW - Alteration to non-building improvement	Type A	500	250	3,000	5,000	5,000
25-310	Work without or in violation of a PMW - Failure to submit periodic inspection reports	Type A	2,500	1,250	3,000	5,000	5,000
25-310	Work w/o or in violation of a PMW- flag, signs, banners, awnings	Type C	250	125	500	500	500
25-310	Work w/o or in violation of a PMW - Miscellaneous violations	Type C	100	50	500	500	500
25-311	Failure to maintain an improvement in good repair	Type B	3,500	1,750	5,000	5,000	5,000
25-322 (b)	Failing to notify lessee of Landmark status in Commercial space		250	125	500	500	500

“C of A” means “Certificate of Appropriateness”; “CNE” means “Certificate of No Effect”; “PMW” means “Permit for Minor Work”

**NEW YORK CITY LAW DEPARTMENT
DIVISION OF LEGAL COUNSEL
100 CHURCH STREET
NEW YORK, NY 10007
(212) 356-4028**

**CERTIFICATION PURSUANT TO
CHARTER §1043(d)**

RULE TITLE: Omnibus Amendments to the Landmarks Preservation Commission Rules

REFERENCE NUMBER: 2018 RG 005

RULEMAKING AGENCY: Landmarks Preservation Commission

I certify that this office has reviewed the above-referenced proposed rule as required by Section 1043(d) of the New York City Charter, and that the above-referenced proposed rule:

- (i) is drafted so as to accomplish the purpose of the authorizing provisions of law;

- (ii) is not in conflict with other applicable rules;
- (iii) to the extent practicable and appropriate, is narrowly drawn to achieve its stated purpose; and
- (iv) to the extent practicable and appropriate, contains a statement of basis and purpose that provides a clear explanation of the rule and the requirements imposed by the rule.

/s/ STEVEN GOULDEN
Acting Corporation

Date: July 27, 2018

**NEW YORK CITY MAYOR'S OFFICE OF OPERATIONS
253 BROADWAY, 10th FLOOR
NEW YORK, NY 10007
(212) 788-1400**

**CERTIFICATION/ANALYSIS
PURSUANT TO CHARTER SECTION 1043(d)**

RULE TITLE: Omnibus Amendments to the Landmarks Preservation Commission Rules

REFERENCE NUMBER: LPC-5

RULEMAKING AGENCY: Landmarks Preservation Commission

I certify that this office has analyzed the proposed rule referenced above as required by Section 1043(d) of the New York City Charter, and that the proposed rule referenced above:

- (i) Is understandable and written in plain language for the discrete regulated community or communities;
(ii) Minimizes compliance costs for the discrete regulated community or communities consistent with achieving the stated purpose of the rule; and
(iii) The current rules contain a provision for a number of grace periods to cure most noncompliance with the rules/law.

/s/ Francisco X. Navarro
Mayor's Office of Operations

July 27, 2018
Date

Accessibility questions: Amber Nowak, (212) 669-7817, by: Tuesday, October 9, 2018, 4:00 P.M.



a9

SPECIAL MATERIALS

CHANGES IN PERSONNEL

COMMUNITY COLLEGE (KINGSBORO)
FOR PERIOD ENDING 07/13/18

Table with columns: NAME, TITLE, NUM, SALARY, ACTION, PROV, EFF DATE, AGENCY. Lists personnel changes for Community College (Kingsboro).

COMMUNITY COLLEGE (MANHATTAN)
FOR PERIOD ENDING 07/13/18

Table with columns: NAME, TITLE, NUM, SALARY, ACTION, PROV, EFF DATE, AGENCY. Lists personnel changes for Community College (Manhattan).

COMMUNITY COLLEGE (MANHATTAN)
FOR PERIOD ENDING 07/13/18

Table with columns: NAME, TITLE, NUM, SALARY, ACTION, PROV, EFF DATE, AGENCY. Lists personnel changes for Community College (Manhattan).

Table with columns: NAME, TITLE, NUM, SALARY, ACTION, PROV, EFF DATE, AGENCY. Lists personnel changes for CUNY Central Office.

CUNY CENTRAL OFFICE
FOR PERIOD ENDING 07/13/18

Table with columns: NAME, TITLE, NUM, SALARY, ACTION, PROV, EFF DATE, AGENCY. Lists personnel changes for CUNY Central Office.

COMMUNITY COLLEGE (HOSTOS)
FOR PERIOD ENDING 07/13/18

Table with columns: NAME, TITLE, NUM, SALARY, ACTION, PROV, EFF DATE, AGENCY. Lists personnel changes for Community College (Hostos).

COMMUNITY COLLEGE (HOSTOS)
FOR PERIOD ENDING 07/13/18

Table with columns: NAME, TITLE, NUM, SALARY, ACTION, PROV, EFF DATE, AGENCY. Lists personnel changes for Community College (Hostos).

COMMUNITY COLLEGE (LAGUARDIA)
FOR PERIOD ENDING 07/13/18

Table with columns: NAME, TITLE, NUM, SALARY, ACTION, PROV, EFF DATE, AGENCY. Lists personnel changes for Community College (LaGuardia).

BUZZELL	PATRICK	04294	\$71.5900	APPOINTED	YES	06/18/18	469
CHABLA	JULIO C	10102	\$13.5000	APPOINTED	YES	07/01/18	469
DAVIS	CLAUDETT P	04607	\$81.2000	APPOINTED	YES	06/18/18	469
DEL RIO	CHELSEA	04607	\$81.2000	APPOINTED	YES	06/18/18	469
FARIA	RACHEL C	10102	\$13.5000	APPOINTED	YES	06/05/18	469
GARCIA ROJAS	ESTEFANI	10102	\$13.5000	APPOINTED	YES	06/19/18	469
HAYSLEY	SAMANTHA Q	04294	\$71.5900	APPOINTED	YES	07/02/18	469
HUSMANN	ANNE K	10102	\$13.5000	APPOINTED	YES	07/01/18	469
ISLAR	COUTUREL	10102	\$15.0000	APPOINTED	YES	06/18/18	469
KAUSHIK	NEETU	04607	\$81.2000	APPOINTED	YES	06/18/18	469
LAGHMARI	ISSAM	04689	\$48.5600	APPOINTED	YES	03/07/18	469
LEON	FARANOT	04689	\$42.9500	APPOINTED	YES	03/07/18	469
MATHURIN JR	FRITZ G	04689	\$46.4800	APPOINTED	YES	03/07/18	469
MBOUP	PAPA S	04689	\$53.4400	APPOINTED	YES	03/07/18	469
MESULAM	LISA R	04689	\$53.4400	APPOINTED	YES	03/07/18	469
MONVIL	EVENS	04689	\$42.9500	APPOINTED	YES	03/07/18	469

COMMUNITY COLLEGE (LAGUARDIA)
FOR PERIOD ENDING 07/13/18

TITLE							
NAME		NUM	SALARY	ACTION	PROV	EFF DATE	AGENCY
NAUJOKAITYTE	JONE	04294	\$71.5900	APPOINTED	YES	06/18/18	469
ORGAS	PETER B	04689	\$42.9500	APPOINTED	YES	03/07/18	469
PACHECO PINTO	JOSE	10102	\$13.5000	APPOINTED	YES	06/25/18	469
PEREZ	KEVIN	10102	\$13.5000	APPOINTED	YES	06/18/18	469
RODRIGUEZ	EDUARDO	04689	\$42.9500	APPOINTED	YES	03/07/18	469
RUIZ	STACY	04840	\$32.5000	APPOINTED	YES	06/18/18	469
SINGER	JOSEPH	04293	\$81.2000	APPOINTED	YES	06/18/18	469
TAN	JOSHUA P	04607	\$81.2000	APPOINTED	YES	06/18/18	469
XU	NA	04606	\$87.5400	APPOINTED	YES	06/18/18	469

HUNTER COLLEGE HIGH SCHOOL
FOR PERIOD ENDING 07/13/18

TITLE							
NAME		NUM	SALARY	ACTION	PROV	EFF DATE	AGENCY
DEVITO	TAYLOR D	04617	\$176.2100	APPOINTED	YES	03/15/18	470
HEARD	SARAH	04602	\$122567.0000	APPOINTED	YES	07/01/18	470
MARTINEZDEUSBAGO	GABRIELA	04140	\$44658.0000	APPOINTED	YES	07/01/18	470

BROOKLYN COMMUNITY BOARD #5
FOR PERIOD ENDING 07/13/18

TITLE							
NAME		NUM	SALARY	ACTION	PROV	EFF DATE	AGENCY
PERKINS	MELINDA R	56086	\$93500.0000	INCREASE	YES	10/01/17	475

BROOKLYN COMMUNITY BOARD #14
FOR PERIOD ENDING 07/13/18

TITLE							
NAME		NUM	SALARY	ACTION	PROV	EFF DATE	AGENCY
CAMPBELL	SHAWN A	56086	\$106155.0000	INCREASE	YES	07/02/17	484

DEPARTMENT OF EDUCATION ADMIN
FOR PERIOD ENDING 07/13/18

TITLE							
NAME		NUM	SALARY	ACTION	PROV	EFF DATE	AGENCY
ABAD-SANCHEZ	ANNALEE	50910	\$58.1300	APPOINTED	YES	06/27/18	740
ABADI	AMY L	51221	\$61.8000	APPOINTED	NO	06/27/18	740
ABADIA-DONA	SHEILA M G	51222	\$62.1500	APPOINTED	NO	06/27/18	740
ABARCA	MARIA CO G	51222	\$61.8000	APPOINTED	NO	06/27/18	740
ABAYEV	YELENA	51222	\$62.1500	APPOINTED	NO	06/27/18	740
ABBASI	HUMA	51221	\$60.7500	APPOINTED	NO	06/27/18	740
ABBAZIO	RAYMOND	51221	\$62.1500	APPOINTED	NO	06/27/18	740
ABBI	REENA	51221	\$62.1500	APPOINTED	NO	06/27/18	740
ABDELRAHMAN	ADEL	51222	\$62.1500	APPOINTED	NO	06/27/18	740
ABDULLAH	MOHAMED	51222	\$62.1500	APPOINTED	NO	06/27/18	740
ABDULLAH	MUMTAZA	51221	\$56.1900	APPOINTED	NO	06/27/18	740
ABDUR RAHMAN	BADRIYAH H	50910	\$55.6200	APPOINTED	YES	06/27/18	740
ABELLA	MARIA VI	51222	\$62.1500	APPOINTED	NO	06/27/18	740
ABILDNES	LOIS	50910	\$58.1300	APPOINTED	YES	06/27/18	740
ABRAHAM	ABHILASH	51222	\$61.4500	APPOINTED	NO	06/27/18	740
ABRAHAM	BINDU	51221	\$62.1500	APPOINTED	NO	06/27/18	740
ABRAHAM	GRACE C	50910	\$58.1300	APPOINTED	YES	06/27/18	740
ABRAHAM	LENI	51222	\$62.1500	APPOINTED	NO	06/27/18	740
ABRAHAM	MICHAL	51221	\$60.7500	APPOINTED	NO	06/27/18	740
ABRAHAM	SARAH	51221	\$60.7500	APPOINTED	NO	06/27/18	740
ABRAHAM	SHINY	50910	\$56.6400	APPOINTED	YES	06/27/18	740
ABRAHAM	SUJITH	51221	\$61.8000	APPOINTED	NO	06/27/18	740
ABRAMOV	ESTER	51221	\$56.1900	APPOINTED	NO	06/27/18	740
ABRAMOVICH	CRISTINA	51221	\$62.1500	APPOINTED	NO	06/27/18	740
ABRUZZO WAJDA	AUDRA	51221	\$62.1500	APPOINTED	NO	06/27/18	740
ABT	SABINA	51221	\$60.7500	APPOINTED	NO	06/27/18	740
ACEVEDO	NANCY	51221	\$61.8000	APPOINTED	NO	06/27/18	740
ACKERMAN	BRITTANY	51221	\$56.1900	APPOINTED	NO	06/27/18	740
ACQUAVITA	STEVEN	51222	\$60.7500	APPOINTED	NO	06/27/18	740
ACQUAYE	MAVIS J	50910	\$57.8100	APPOINTED	YES	06/27/18	740
ACRES	FLORENCE M	50910	\$56.6400	APPOINTED	YES	06/27/18	740
ACRICHEMENSURE	RUTH	51221	\$62.1500	APPOINTED	NO	06/27/18	740
ADABI	BITA	51221	\$56.1900	APPOINTED	YES	06/27/18	740
ADADE POKU	KWAKU	51221	\$61.8000	APPOINTED	NO	06/27/18	740
ADAM	STEPHANI	51221	\$56.1900	APPOINTED	NO	06/27/18	740
ADE SALU	RAIMI	1006B	\$90922.0000	RESIGNED	YES	07/03/18	740
ADEGBESAN	SAMSON	50910	\$56.2300	APPOINTED	YES	06/27/18	740
ADEGBOYEGA	TOSIN	51221	\$62.1500	APPOINTED	NO	06/27/18	740
ADEGUNLE	ADELAJU R	50910	\$56.6400	APPOINTED	YES	06/27/18	740
ADEGUNLE	MOBOLANL T	50910	\$54.3900	APPOINTED	YES	06/27/18	740

DEPARTMENT OF EDUCATION ADMIN
FOR PERIOD ENDING 07/13/18

TITLE							
NAME		NUM	SALARY	ACTION	PROV	EFF DATE	AGENCY
ADELABU	MURAINA A	06165	\$71.2200	APPOINTED	YES	06/27/18	740
ADEOSUN	SHERRI A	06165	\$69.3800	APPOINTED	YES	06/27/18	740
ADETOLA	ADENIYI O	06165	\$71.2200	APPOINTED	YES	06/27/18	740
ADETOLA	FAUSAT A	50910	\$58.1300	APPOINTED	YES	06/27/18	740
ADEWOLU	ADEKUNBI O	50910	\$57.4900	APPOINTED	YES	06/27/18	740
ADGATE	RYAN A	51221	\$60.7500	APPOINTED	NO	06/27/18	740
ADIBE	CHEERY C	51222	\$60.7500	APPOINTED	NO	06/27/18	740
ADIKA	YONA S	51221	\$62.1500	APPOINTED	NO	06/27/18	740
ADJETEY	DIONNE	50910	\$56.2300	APPOINTED	YES	06/27/18	740
ADJEWODA	VICTOR E	50910	\$58.1300	APPOINTED	YES	06/27/18	740
ADJIVON	KOMI A	50910	\$55.0100	APPOINTED	YES	06/27/18	740
ADLAM	VAUGHN	51221	\$61.4500	APPOINTED	YES	06/27/18	740
ADLER	RENA E	51221	\$60.7500	APPOINTED	NO	06/27/18	740
ADRIANO-FILATOV	SARAH JA H	51221	\$61.8000	APPOINTED	NO	06/27/18	740
ADRIEN	MAGALIE L	51221	\$62.1500	APPOINTED	NO	06/27/18	740
AGARONNIK	VIKTORIA	51222	\$62.1500	APPOINTED	NO	06/27/18	740
AGHAEI	MARJAN	51221	\$56.1900	APPOINTED	NO	06/27/18	740
AGHAHOWA	OMOSIVIE M	50910	\$58.1300	APPOINTED	YES	06/27/18	740
AGNESE	SAMANTHA M	51221	\$56.1900	APPOINTED	NO	06/27/18	740
AGOSTINI	PAUL A	51221	\$56.1900	APPOINTED	NO	06/27/18	740
AGUILAR	JOCELYN	51222	\$62.1500	APPOINTED	NO	06/27/18	740
AGYEMANG SAEED	LINDA	50910	\$55.0100	APPOINTED	YES	06/27/18	740
AHMED	NOHA	51222	\$61.8000	APPOINTED	NO	06/27/18	740
AHR	DEBRA	50910	\$56.8400	APPOINTED	YES	06/27/18	740
AIELLO	SUSANNE	50910	\$58.1300	APPOINTED	YES	06/27/18	740
AIGBOJIE	FELICITY E	50910	\$58.1300	APPOINTED	YES	06/27/18	740
AITKEN DOUYON	KAREN	51222	\$62.1500	APPOINTED	NO	06/27/18	740
AJALA	ADEOLU	51222	\$61.8000	APPOINTED	NO	06/27/18	740
AJISOGUN	FESTUS F	50910	\$57.8100	APPOINTED	YES	06/27/18	740
AKINOLA	OMOLOLA	50910	\$54.3900	APPOINTED	YES	06/27/18	740
AKINTUNDE	FOLASADE A	51222	\$61.4500	APPOINTED	NO	06/27/18	740
AKYURT	MA LOURD M	51222	\$60.7500	APPOINTED	NO	06/27/18	740
AL-BALUSHI	NAGELLA Y	51221	\$56.1900	APPOINTED	YES	06/27/18	740
ALAGOR	MARGARET	51222	\$62.1500	APPOINTED	NO	06/27/18	740
ALAIN	CHRISTIA	51221	\$62.1500	APPOINTED	NO	06/27/18	740
ALAMANDY	OLIVER	51222	\$62.1500	APPOINTED	NO	06/27/18	740
ALBANESE	TONINA	51221	\$62.1500	APPOINTED	NO	06/27/18	740
ALBRECHT	STEPHANI M	51222	\$61.8000	APPOINTED	NO	06/27/18	740
ALCY	MYRNA	51221	\$62.1500	APPOINTED	NO	06/27/18	740
ALDEEN	NOHA	51221	\$61.4500	APPOINTED	NO	06/27/18	740
ALEJANDRO	YESEMIA	51221	\$62.1500	APPOINTED	NO	06/27/18	740
ALEMAN	JAIME	51221	\$61.8000	APPOINTED	NO	06/27/18	740
ALEXIS	CHERRIN M	51222	\$62.1500	APPOINTED	NO	06/27/18	740
ALEXIS	MARIE	50910	\$58.1300	APPOINTED	YES	06/27/18	740
ALFONSO GUTIERR	MARIFE	51222	\$62.1500	APPOINTED	NO	06/27/18	740
ALI	ADEM	1263A	\$66981.0000	INCREASE	YES	05/29/18	740
ALI	DIANA A	51221	\$62.1500	APPOINTED	NO	06/27/18	740
ALI	SHABEENA	50910	\$56.2300	APPOINTED	YES	06/27/18	740
ALIBERTE	NICOLE	51222	\$61.4500	APPOINTED	NO	06/27/18	740
ALIPPIO	ARLEEN S	51222	\$62.1500	APPOINTED	NO	06/27/18	740
ALLCOCK	THOMAS	51221	\$62.1500	APPOINTED	NO	06/27/18	740

DEPARTMENT OF EDUCATION ADMIN
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TITLE							
NAME		NUM	SALARY	ACTION	PROV	EFF DATE	AGENCY
ALLEN	JASMINE G	50910	\$55.6200	APPOINTED	YES	06/27/18	740
ALLEN	LINDA	51222	\$62.1500	APPOINTED	NO	06/27/18	740
ALLEN	UNA JANE	50910	\$58.1300	APPOINTED	YES	06/27/18	740
ALMEIDA	LORRAINE A	50910	\$57.8100	APPOINTED	YES	06/27/18	740
ALMEIDA	REBECCA F	51221	\$61.4500	APPOINTED	NO	06/27/18	740
ALMERO	JANE	51222	\$62.1500	APPOINTED	NO	06/27/18	740
ALMONTE	JOSE A	56057	\$40600.0000	RESIGNED	YES	11/10/14	740
ALONZO	DONNY	51222	\$62.0000	APPOINTED	NO	06/27/18	740
ALPER	MICHELLE M	51221	\$60.7500	APPOINTED	NO	06/27/18	740
ALTMARK	STEPHEN R	51221	\$62.1500	APPOINTED	NO	06/27/18	740
ALVAREZ	MARISOL	51221	\$62.1500	APPOINTED	NO	06/27/18	740
AMAR	LEAH	51222	\$62.1500	APPOINTED	NO	06/27/18	740
AMATYA	MARY	51221	\$60.7500	APPOINTED	NO	06/27/18	740
AMBA	CLAIRE G	51221	\$62.1500	APPOINTED	NO	06/27/18	740
AMBROSINI	NICOLE M	51221	\$61.4500	APPOINTED	NO	06/27/18	740
AMINOV	YOEL	51221	\$56.1900	APPOINTED	NO	06/27/18	740
AMOROSO	MARY	51222	\$60.7500	APPOINTED	NO	06/27/18	740
AMOSU	OLUWAYEM	51221	\$60.7500	APPOINTED	NO	06/27/18	740
AMPONIN	MARYSOL	51222	\$62.1500	APPOINTED	NO	06/27/18	740

APPLEBAUM	ALLA	51222	\$62.1500	APPOINTED	NO	06/27/18	740
ARANBAEV	ILANA	51222	\$62.1500	APPOINTED	YES	06/27/18	740
ARANGO	PAULA-AN	51221	\$61.8000	APPOINTED	NO	06/27/18	740
ARCHANGEL	AMY	51221	\$62.1500	APPOINTED	NO	06/27/18	740
ARCHER	PENDA A	51222	\$61.8000	APPOINTED	NO	06/27/18	740
ARDEN	ESTHER	51221	\$60.7500	APPOINTED	NO	06/27/18	740
ARELLANO	CRISTINA S	51222	\$61.8000	APPOINTED	NO	06/27/18	740
ARES	ERFEL	51222	\$61.8000	APPOINTED	NO	06/27/18	740
AREVALO	VICTORIA M	50910	\$58.1300	APPOINTED	YES	06/27/18	740

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TITLE							
NAME		NUM	SALARY	ACTION	PROV	EFF DATE	AGENCY
ARIDAS	CYNTHIA	5124A	\$70.1300	APPOINTED	NO	06/27/18	740
ARISTORENAS	JENNIE	51222	\$62.1500	APPOINTED	NO	06/27/18	740
ARLUCK	LESLEIE D	51222	\$62.1500	APPOINTED	NO	06/27/18	740
ARMSTRONG	WANDA	50910	\$58.1300	APPOINTED	YES	06/27/18	740
ARNALDO	EVELYN D	51222	\$60.7500	APPOINTED	NO	06/27/18	740
ARNDT	DIANE C	51221	\$62.1500	APPOINTED	NO	06/27/18	740
ARNOLD	ELKA B	51221	\$62.1500	APPOINTED	NO	06/27/18	740
ARNOLD	JEAN M	50910	\$58.1300	APPOINTED	YES	06/27/18	740
ARNOLD	JENNIFER	51221	\$62.1500	APPOINTED	NO	06/27/18	740
ARONIS	ALEXANDE	51221	\$56.1900	APPOINTED	NO	06/27/18	740
ARONOVA	SOFIYA	51221	\$56.1900	APPOINTED	NO	06/27/18	740
ARRIGO	NATASHA R	50910	\$55.8200	APPOINTED	YES	06/27/18	740
ARROYO	SHIRI	51221	\$62.1500	APPOINTED	NO	06/27/18	740
ARTES	ROMMEL	51222	\$62.1500	APPOINTED	NO	06/27/18	740
ARTY	WENDY J	51221	\$61.8000	APPOINTED	NO	06/27/18	740
ASANTE	EMMANUEL	51222	\$62.1500	APPOINTED	NO	06/27/18	740
ASHBY	JANINE	51221	\$61.8000	APPOINTED	NO	06/27/18	740
ASHEROVA	TATYANA	51221	\$61.4500	APPOINTED	NO	06/27/18	740
ASHKENAS	RANDI	51221	\$62.1500	APPOINTED	NO	06/27/18	740
ASKARINAM	MIRIAM	51221	\$61.4500	APPOINTED	NO	06/27/18	740
ASPIR	NORA	51221	\$61.8000	APPOINTED	NO	06/27/18	740
ASPURU-ROVNER	MELISSA	51222	\$60.7500	APPOINTED	YES	06/27/18	740
ASUNTO	ARCHIE	51221	\$62.1500	APPOINTED	NO	06/27/18	740
ASUNTO	CRISTOPH M	51221	\$62.1500	APPOINTED	NO	06/27/18	740
ATAALLA	AYMAN E	51222	\$62.1500	APPOINTED	NO	06/27/18	740
ATKINSON	MONISE	51221	\$62.1500	APPOINTED	NO	06/27/18	740
ATLACH	GEMMA	50910	\$58.1300	APPOINTED	YES	06/27/18	740
ATLAK	CORINNE	51222	\$60.7500	APPOINTED	NO	06/27/18	740
ATTARIAN	DENISE A	50910	\$58.1300	APPOINTED	YES	06/27/18	740
ATTERBURY	KAMANTHA	51221	\$61.8000	APPOINTED	NO	06/27/18	740
ATTIAS	IRINA Z	50910	\$54.3900	APPOINTED	YES	06/27/18	740
ATTIAS	LETTIE	50910	\$58.1300	APPOINTED	YES	06/27/18	740
ATTYA	MOHAMED	51222	\$62.1500	APPOINTED	NO	06/27/18	740
AUFFREY	EMILY S	50910	\$55.0100	APPOINTED	YES	06/27/18	740
AUGUSTINE	MERINA	50910	\$58.1300	APPOINTED	YES	06/27/18	740
AUGUSTUS BARRO	OMEGA	50910	\$55.6200	APPOINTED	YES	06/27/18	740
AUSTIN	JULIETTE A	50910	\$54.3900	APPOINTED	YES	06/27/18	740
AVALONE	JENNIFER	51222	\$62.1500	APPOINTED	YES	06/27/18	740
AVELINO	EDSEL R	51222	\$61.8000	APPOINTED	NO	06/27/18	740
AVELLINO	RALPH	51221	\$62.1500	APPOINTED	NO	06/27/18	740
AVERSANO	MICHELIN	54503	\$3320.0000	RETIRED	YES	06/27/18	740
AVES	ISAGANI	51222	\$61.8000	APPOINTED	NO	06/27/18	740
AVILA	MEGAN	51221	\$61.8000	APPOINTED	NO	06/27/18	740
AVISSATO	JUSTINE M	50910	\$56.2300	APPOINTED	YES	06/27/18	740
AVITABILE	JUDITH	51222	\$62.1500	APPOINTED	NO	06/27/18	740
AVITUS	MARJORIE V	51221	\$60.7500	APPOINTED	NO	06/27/18	740
AYROVAINEN	THOMAS	51221	\$62.1500	APPOINTED	NO	06/27/18	740
AYYAD	ADEL	51222	\$62.1500	APPOINTED	NO	06/27/18	740
AZEER	SAKINAT	50910	\$55.0100	APPOINTED	YES	06/27/18	740
BABAIEV	ALBINA	51221	\$61.8000	APPOINTED	NO	06/27/18	740
BABICK	ANN D	51222	\$62.1500	APPOINTED	NO	06/27/18	740

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TITLE							
NAME		NUM	SALARY	ACTION	PROV	EFF DATE	AGENCY
BACCHUS	MICHELLE W	50910	\$56.2300	APPOINTED	YES	06/27/18	740
BACHMAN	MARIANNE	50910	\$54.3900	APPOINTED	YES	06/27/18	740
BACKENROTH	DEVORA	51221	\$61.8000	APPOINTED	NO	06/27/18	740
BACON	MIRIAM	51222	\$62.1500	APPOINTED	NO	06/27/18	740
BACUS	JANETH	51222	\$62.1500	APPOINTED	NO	06/27/18	740
BADAL	DIANA J	51221	\$61.8000	APPOINTED	NO	06/27/18	740
BADMUS	RAFEU A	50910	\$54.3900	APPOINTED	YES	06/27/18	740
BAE	CHRISTY	51221	\$56.1900	APPOINTED	YES	06/27/18	740
BAHAT	ARIELLA E	51221	\$61.4500	APPOINTED	NO	06/27/18	740
BAHR	ELISABET	51221	\$56.1900	APPOINTED	YES	06/27/18	740
BAHR	ROBIN M	51222	\$62.1500	APPOINTED	NO	06/27/18	740
BAILLEY	SHANNON	51221	\$61.4500	APPOINTED	NO	06/27/18	740
BAILLEY	SHARONDA C	51221	\$62.1500	APPOINTED	NO	06/27/18	740
BAIN	GLENDIA	50910	\$58.1300	APPOINTED	YES	06/27/18	740
BAL	SONALI	51221	\$61.8000	APPOINTED	NO	06/27/18	740
BALANOVSKY	INGA	51221	\$61.4500	APPOINTED	NO	06/27/18	740
BALDOVINO	ELOISA	51222	\$62.1500	APPOINTED	NO	06/27/18	740
BALDOVINO	RICHE	51222	\$62.1500	APPOINTED	NO	06/27/18	740
BALI-KEYES	NIKOLETT	51222	\$62.1500	APPOINTED	NO	06/27/18	740
BALOGH	SARAH J	51221	\$61.8000	APPOINTED	NO	06/27/18	740
BALSAM	CHERYL	51222	\$62.1500	APPOINTED	NO	06/27/18	740
BANATTE	CLAUDE M	50910	\$58.1300	APPOINTED	YES	06/27/18	740
BANDEALY	ZEHRA	51221	\$61.8000	APPOINTED	NO	06/27/18	740
BANKS	TYRA M	51221	\$62.1500	APPOINTED	NO	06/27/18	740
BANNER	JESSICA	51221	\$61.8000	APPOINTED	NO	06/27/18	740
BAPTISTE	AL	51222	\$62.1500	APPOINTED	NO	06/27/18	740
BAPTISTE	LUCKNISE F	50910	\$57.8100	APPOINTED	YES	06/27/18	740
BAQUIRAN	KIMBERLY	51222	\$62.1500	APPOINTED	NO	06/27/18	740
BARANGAN	VICTOR	51222	\$62.1500	APPOINTED	NO	06/27/18	740
BARASCH	SHOSHANA	51221	\$61.8000	APPOINTED	NO	06/27/18	740
BARBIERI	CHRISTIN	51221	\$62.1500	APPOINTED	NO	06/27/18	740
BARCLAY	TRACEY-A N	51221	\$62.1500	APPOINTED	NO	06/27/18	740

BARGAMENTO	ALMA	51222	\$62.1500	APPOINTED	NO	06/27/18	740
BARKER	LYDIA	50910	\$55.8200	APPOINTED	YES	06/27/18	740
BARNES	CHRISTIN A	51221	\$61.4500	APPOINTED	NO	06/27/18	740
BARON	EVELYN	51222	\$62.1500	APPOINTED	NO	06/27/18	740
BARONE VACCARO	FRANCES	51222	\$62.1500	APPOINTED	NO	06/27/18	740
BARRETO	MARISOL	56057	\$40929.0000	RESIGNED	YES	06/29/18	740
BARROS	TATIANA	51221	\$61.4500	APPOINTED	NO	06/27/18	740
BARRY	JAMES P	51221	\$62.1500	APPOINTED	NO	06/27/18	740
BARUCH	BELLA	51221	\$62.1500	APPOINTED	NO	06/27/18	740
BASILE	LINDA	50910	\$57.4900	APPOINTED	YES	06/27/18	740
BASTIANI	ANGELA	51222	\$62.1500	APPOINTED	NO	06/27/18	740
BATALIA	MELISSA A	51222	\$62.1500	APPOINTED	NO	06/27/18	740
BATION	LUDIVINA	51222	\$62.1500	APPOINTED	NO	06/27/18	740
BATTINELLI	MATTHEW	51222	\$62.1500	APPOINTED	NO	06/27/18	740
BAUM	GOLDIE	51222	\$60.7500	APPOINTED	NO	06/27/18	740
BAWA	SONIA	51221	\$61.8000	APPOINTED	NO	06/27/18	740
BAZALAIS	MARVELIN	51221	\$56.1900	APPOINTED	NO	06/27/18	740
BEADLE	DANEITH	51222	\$60.7500	APPOINTED	NO	06/27/18	740
BEAUCHEMIN	DIANE A	51221	\$62.1500	APPOINTED	NO	06/27/18	740

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TITLE							
NAME		NUM	SALARY	ACTION	PROV	EFF DATE	AGENCY
BEAUVIL	LEONIDE J	50910	\$56.2300	APPOINTED	YES	06/27/18	740
BECCERRA	ESPERANZ	06165	\$71.2200	APPOINTED	YES	06/27/18	740
BECKER	DENISE	51221	\$62.1500	APPOINTED	NO	06/27/18	740
BECKER	JEANINE	51221	\$62.1500	APPOINTED	NO	06/27/18	740
BECKER III	JOHN J	51222	\$62.1500	APPOINTED	NO	06/27/18	740
BECKFORD	DEBBIE R	51222	\$61.8000	APPOINTED	NO	06/27/18	740
BECKMANN	KATHRYN A	51221	\$61.8000	APPOINTED	NO	06/27/18	740
BECKOFF	ALANA	51221	\$61.8000	APPOINTED	NO	06/27/18	740
BEER	JEFFREY	51221	\$62.1500	APPOINTED	NO	06/27/18	740
BEHM DAPONTE	ALISON	51221	\$61.4500	APPOINTED	NO	06/27/18	740
BEXHET	AHMED	51222	\$62.1500	APPOINTED	NO	06/27/18	740
BELCASTRO	LYNDA	51222	\$62.1500	APPOINTED	NO	06/27/18	740
BELINFANTI	DESLIN	51221	\$61.8000	APPOINTED	NO	06/27/18	740
BELZLAIRE	FAVIER	51221	\$62.1500	APPOINTED	NO	06/27/18	740
BELZLAIRE	JUDITH	51221	\$61.8000	APPOINTED	NO	06/27/18	740
BELKIN	ADAM	51222	\$62.1500	APPOINTED	NO	06/27/18	740
BELLAFLO	MARIE	51222	\$62.1500	APPOINTED	NO	06/27/18	740
BELLE	PHYLLIS	50910	\$58.1300	APPOINTED	YES	06/27/18	740
BELLEH	LEWIS D	51222	\$62.1500	APPOINTED	NO	06/27/18	740
BELLOMO	JENNA S	51221	\$61.4500	APPOINTED	NO	06/27/18	740
BELLUOMO	BARBARA A	50910	\$58.1300	APPOINTED	YES	06/27/18	740
BELZAGUY	VALERIE	51221	\$62.1500	APPOINTED	NO	06/27/18	740
BENINTEENDO	JENNA	51221	\$62.1500	APPOINTED	NO	06/27/18	740
BENJAMIN	AUDREY	50910	\$55.6200	APPOINTED	YES	06/27/18	740
BENNETT	CYNTHIA	50910	\$58.1300	APPOINTED	YES	06/27/18	740
BENNETT	RACQUEL	51221	\$61.8000	APPOINTED	NO	06/27/18	740
BENOIT	PATRICIA	50910	\$58.1300	APPOINTED	YES	06/27/18	740
BENONS	DAMIAN	51222	\$62.1500	APPOINTED	NO	06/27/18	740
BENSON	FLORIANN	51222	\$62.1500	APPOINTED	NO	06/27/18	740
BENSON	GAIL	51221	\$62.1500	APPOINTED	NO	06/27/18	740
BERGER	YEVGENIY	51222	\$62.1500	APPOINTED	NO	06/27/18	740
BERKOVICH	VALERIE	51222	\$62.1500	APPOINTED	NO	06/27/18	740
BERKOVITS	SHAINDEL M	51221	\$61.8000	APPOINTED	NO	06/27/18	740
BERKOWITZ	ILANA	51221	\$61.8000	APPOINTED	NO	06/27/18	740
BERMAN	SERENA B	51221	\$61.8000	APPOINTED	NO	06/27/18	740
BERMAN	YONINA	51221	\$62.1500	APPOINTED	NO	06/27/18	740
BERNADSKAYA	JENNY A	51221	\$61.8000	APPOINTED	NO	06/27/18	740
BERNARD-FLEURIM	NANCY	50910	\$54.3900	APPOINTED	YES	06/27/18	740
BERNARDEZ	SHARON R D	51222	\$62.1500	APPOINTED	YES	06/	

BOGUSLAWSKI	GABRIEL D	50910	\$55.6200	APPOINTED	YES	06/27/18	740
BOLDIN	SVETLANA	50910	\$55.8200	APPOINTED	YES	06/27/18	740
BOLLINGER	IDA MARI U	51222	\$62.1500	APPOINTED	NO	06/27/18	740
BONANNO	AMY L	51221	\$61.4500	APPOINTED	NO	06/27/18	740
BONNER	CAROL A	50910	\$58.1300	APPOINTED	YES	06/27/18	740
BONNY	KYISHA L	51221	\$61.8000	APPOINTED	NO	06/27/18	740
BONO	LEA	51221	\$61.8000	APPOINTED	NO	06/27/18	740
BONOMI	DONNA	51222	\$62.1500	APPOINTED	NO	06/27/18	740
BOODHOO	DEBONAUTH	91769	\$419.9300	PROMOTED	NO	06/17/18	740
BOOKBINDER	SEEMA	51222	\$62.1500	APPOINTED	NO	06/27/18	740
BOOMER	ZELDA	50910	\$58.1300	APPOINTED	YES	06/27/18	740
BORDONE-BACAREL	KRISTEN	50910	\$55.6200	APPOINTED	YES	06/27/18	740
BORECKI	YVETTE	51221	\$61.4500	APPOINTED	NO	06/27/18	740
BORGELLA	NATACHA	50910	\$56.6400	APPOINTED	YES	06/27/18	740
BORGEN ROVITZ	INGER M	51221	\$62.1500	APPOINTED	NO	06/27/18	740
BORRES	RIZZA	51222	\$61.4500	APPOINTED	NO	06/27/18	740
BORRI	MARY C	50910	\$58.1300	APPOINTED	YES	06/27/18	740
BORRIELLO	SARAH	51222	\$62.1500	APPOINTED	NO	06/27/18	740
BOSOMPEN	MARY	50910	\$58.1300	APPOINTED	YES	06/27/18	740
BOSSE-COLASME	KETISIA	51221	\$56.1900	APPOINTED	YES	06/27/18	740
BOTOS	ANNA A	51222	\$62.1500	APPOINTED	NO	06/27/18	740
BOTWINICK	JESSICA	51221	\$61.4500	APPOINTED	NO	06/27/18	740
BOURGOING	PHILIPPE	51221	\$62.1500	APPOINTED	NO	06/27/18	740
BOURNE	ELMA	50910	\$58.1300	APPOINTED	YES	06/27/18	740
BOURNIAS	GEORGE	51222	\$62.1500	APPOINTED	NO	06/27/18	740
BOWDEN	SAIDAH	50910	\$55.8200	APPOINTED	YES	06/27/18	740
BOWEN	SARAH D	51221	\$61.8000	APPOINTED	NO	06/27/18	740
BOYD	JENNIFER A	50910	\$58.1300	APPOINTED	YES	06/27/18	740
BOYD	SAMINA	51221	\$60.7500	APPOINTED	NO	06/27/18	740

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NAME	TITLE	NUM	SALARY	ACTION	PROV	EFF DATE	AGENCY
BOYD	VANESSA B	51221	\$62.1500	APPOINTED	NO	06/27/18	740
BOYEA	BARBARA	50910	\$57.8100	APPOINTED	YES	06/27/18	740
BOYLE	NANCY	50910	\$58.1300	APPOINTED	YES	06/27/18	740
BOYLE	ROXANNE	51221	\$62.1500	APPOINTED	NO	06/27/18	740
BRADLEY	LAUREN	51221	\$61.4500	APPOINTED	NO	06/27/18	740
BRADY	LORETTA	51221	\$61.8000	APPOINTED	NO	06/27/18	740
BRAND	JOSETTE I	51221	\$61.8000	APPOINTED	NO	06/27/18	740
BRANDLER	ALLISON	51221	\$62.1500	APPOINTED	NO	06/27/18	740
BRANDSDORFER	EILREEN M	51221	\$56.1900	APPOINTED	NO	06/27/18	740
BRATHWAITE	AYANNA	51221	\$62.1500	APPOINTED	NO	06/27/18	740
BRATHWAITE	PATRICIA	51221	\$62.1500	APPOINTED	NO	06/27/18	740
BRATHWAITE	SARA M	51221	\$62.1500	APPOINTED	NO	06/27/18	740
BRAUN	KEVIN J	51221	\$62.1500	APPOINTED	NO	06/27/18	740
BRAVERMAN	MARINA	51221	\$56.1900	APPOINTED	NO	06/27/18	740
BRAVIN	ELEONORA	51221	\$62.1500	APPOINTED	NO	06/27/18	740
BREEN	BONNIE S	51221	\$62.1500	APPOINTED	NO	06/27/18	740
BRENNAN	SARAH	50910	\$58.1300	APPOINTED	YES	06/27/18	740
BRENNAN	TARA A	50910	\$58.1300	APPOINTED	YES	06/27/18	740
BRESSLER	DIANE C	51221	\$62.1500	APPOINTED	NO	06/27/18	740
BRETOUS	MALICA D	51221	\$61.4500	APPOINTED	NO	06/27/18	740
BRUEER	MEIR	51221	\$62.1500	APPOINTED	NO	06/27/18	740
BREWSTER	SAMANTHA M	51221	\$62.1500	APPOINTED	NO	06/27/18	740
BRIGGS	BEVERLY	50910	\$56.6400	APPOINTED	YES	06/27/18	740
BRIGGS JR.	KONJU	51221	\$60.7500	APPOINTED	NO	06/27/18	740
BRIODY	KATHRION	51221	\$62.1500	APPOINTED	NO	06/27/18	740
BRIONES	JOSEPH R	51222	\$62.1500	APPOINTED	NO	06/27/18	740
BROCK	LYNDA	51221	\$61.8000	APPOINTED	NO	06/27/18	740
BRONNER	SANDRA R	51221	\$62.1500	APPOINTED	NO	06/27/18	740
BRONS	ZULY	50910	\$58.1300	APPOINTED	YES	06/27/18	740
BRONSKY	JONATHAN	51222	\$62.1500	APPOINTED	NO	06/27/18	740
BROOKS	YVETTE M	50910	\$58.1300	APPOINTED	YES	06/27/18	740
BROOKS BLANK	ALISSA	51221	\$62.1500	APPOINTED	NO	06/27/18	740
BROWN	CHANA	51221	\$62.1500	APPOINTED	NO	06/27/18	740
BROWN	CLAUDETTE	51221	\$62.1500	APPOINTED	NO	06/27/18	740
BROWN	ERNA	1003B	\$96640.0000	INCREASE	YES	04/01/18	740
BROWN	GEORGIA L	50910	\$56.2300	APPOINTED	YES	06/27/18	740
BROWN	LAUREN A	51221	\$61.8000	APPOINTED	NO	06/27/18	740
BROWN	LEAH A	50910	\$57.8100	APPOINTED	YES	06/27/18	740
BROWN	MARVA	50910	\$58.1300	APPOINTED	YES	06/27/18	740
BROWN	ROBERTA	51221	\$62.1500	APPOINTED	NO	06/27/18	740
BROWN	SHENA	51221	\$61.8000	APPOINTED	NO	06/27/18	740
BROWN	TIFFANY J	51221	\$61.8000	APPOINTED	NO	06/27/18	740
BROWN	TSHURA	51221	\$61.8000	APPOINTED	NO	06/27/18	740
BROWN WASSINGER	CAROL A	51221	\$61.4500	APPOINTED	NO	06/27/18	740
BROWNE	KARAN L	50910	\$58.1300	APPOINTED	YES	06/27/18	740
BROWNE	VIOLA	50910	\$58.1300	APPOINTED	YES	06/27/18	740
BROWNSTEIN	WENDY	5124A	\$70.1300	APPOINTED	NO	06/27/18	740
BROZEK	URSZULA	51222	\$62.1500	APPOINTED	NO	06/27/18	740
BRUKNER	LAUREN	51221	\$61.8000	APPOINTED	NO	06/27/18	740
BRUN	MARIA F	51222	\$62.1500	APPOINTED	NO	06/27/18	740
BRUNO	MARIA E	51221	\$60.7500	APPOINTED	NO	06/27/18	740

DEPARTMENT OF EDUCATION ADMIN
FOR PERIOD ENDING 07/13/18

NAME	TITLE	NUM	SALARY	ACTION	PROV	EFF DATE	AGENCY
BRUTUS	NATASHA	51221	\$62.1500	APPOINTED	NO	06/27/18	740
BRUZZESE-AURDAH	DELIA F	51221	\$62.1500	APPOINTED	NO	06/27/18	740
BUCHANAN	KAMAL	51221	\$61.8000	APPOINTED	NO	06/27/18	740
BUCHINGER	ESTHER	51222	\$61.8000	APPOINTED	NO	06/27/18	740
BUDHU	PRYA M	50910	\$57.8100	APPOINTED	YES	06/27/18	740
BUDIYANSKIY	YEVA A	51221	\$61.4500	APPOINTED	NO	06/27/18	740
BUENCAMINO	SVETLANA	51221	\$61.4500	APPOINTED	NO	06/27/18	740
BULANOV	TATIANA	51222	\$62.1500	APPOINTED	NO	06/27/18	740
BULLOCK	STEPHANI	51222	\$62.1500	APPOINTED	NO	06/27/18	740
BULMASH	IRINA	51221	\$62.1500	APPOINTED	NO	06/27/18	740
BUNCHE	DONNA D	51221	\$62.1500	APPOINTED	NO	06/27/18	740
BUNNICELLI	JOSEPHIN	51222	\$62.1500	APPOINTED	NO	06/27/18	740

BURDO	MARGARET M	51221	\$61.8000	APPOINTED	NO	06/27/18	740
BURK	SUSAN	50910	\$58.1300	APPOINTED	YES	06/27/18	740
BURKE	ANGELA G	06165	\$71.2200	APPOINTED	YES	06/27/18	740
BURKETT FUNG	PATRICIA	51221	\$62.1500	APPOINTED	NO	06/27/18	740
BURKLEY	NATALIE	51221	\$62.1500	APPOINTED	NO	06/27/18	740
BUTLER	IFEKANW	50910	\$56.2300	APPOINTED	YES	06/27/18	740
CABILDO	GLENN	51222	\$62.1500	APPOINTED	NO	06/27/18	740
CABONARGI	PAOLA	51221	\$60.7500	APPOINTED	NO	06/27/18	740
CABRERA	ALEGNIS	50910	\$55.0100	APPOINTED	YES	06/27/18	740
CACACE	ARLENE	51221	\$62.1500	APPOINTED	NO	06/27/18	740
CACERES-KELLY	MARIA	51222	\$62.1500	APPOINTED	NO	06/27/18	740
CAFFREY	MONIKA X	51221	\$61.8000	APPOINTED	NO	06/27/18	740
CAGGIANO	DONNA J	50910	\$57.8100	APPOINTED	YES	06/27/18	740
CALBERTO	ESTHER	51221	\$61.8000	APPOINTED	NO	06/27/18	740
CALBITAZA	RODOLFO	51222	\$62.1500	APPOINTED	NO	06/27/18	740
CALDERON	JOEL	51222	\$62.1500	APPOINTED	NO	06/27/18	740
CALDERON WAYNER	ANNA	51222	\$62.1500	APPOINTED	NO	06/27/18	740
CALFATE	JANINE M	51221	\$61.8000	APPOINTED	NO	06/27/18	740
CALISE	SUSAN D	51222	\$62.1500	APPOINTED	NO	06/27/18	740
CALLAGHAN	MARIA	51221	\$62.1500	APPOINTED	NO	06/27/18	740
CALLIS	KEESHA T	51221	\$59.6600	APPOINTED	NO	06/27/18	740
CAMIGUEL	JAIMEE	51221	\$62.1500	APPOINTED	NO	06/27/18	740
CAMILO	DIANA	51221	\$56.1900	APPOINTED	NO	06/27/18	740
CAMPANELLA	JEANETTE C	51221	\$62.1500	APPOINTED	NO	06/27/18	740
CAMPBELL	DAX	51222	\$61.8000	APPOINTED	NO	06/27/18	740
CAMPBELL	EULA	50910	\$58.1300	APPOINTED	YES	06/27/18	740
CAMPBELL	SUSAN	51221	\$62.1500	APPOINTED	NO	06/27/18	740
CAMPBELL THOMAS	MICHELLE A	50910	\$55.8200	APPOINTED	YES	06/27/18	740
CAMPO	JAMES M	51222	\$61.8000	APPOINTED	NO	06/27/18	740
CAMPO	JOHANNA	51221	\$61.8000	APPOINTED	NO	06/27/18	740
CANARIA-WILLIAM	MICHELLE	51222	\$61.4500	APPOINTED	NO	06/27/18	740
CANETE	GLENDIA	51221	\$60.7500	APPOINTED	NO	06/27/18	740
CANNY	SUSAN	51221	\$61.8000	APPOINTED	NO	06/27/18	740
CANTARA	MICHAEL J	51222	\$62.1500	APPOINTED	NO	06/27/18	740
CANTWELL	LAURA	51221	\$62.1500	APPOINTED	NO	06/27/18	740
CANTY-SANTIAGO	LISA A	50910	\$56.8400	APPOINTED	YES	06/27/18	740
CAPUTO	SUSAN E	50910	\$58.1300	APPOINTED	YES	06/27/18	740



OFFICE OF THE MAYOR

NOTICE

OFFICE OF THE MAYOR
NOTICE OF A PUBLIC HEARING
ON PROPOSED LOCAL LAWS

PURSUANT TO STATUTORY REQUIREMENT, NOTICE IS HEREBY GIVEN that proposed local laws numbered and titled hereinafter have been passed by the Council and that a public hearing on such proposed local laws will be held in the Blue Room at City Hall, Borough of Manhattan, New York City, on August 14, 2018 at 1:00 P.M.:

Int. 144-B - A Local Law to amend the administrative code of the City of New York, in relation to conducting a study of the impact vehicles for hire have on the City of New York, and authorizing the commission to establish and revise vehicle utilization standards for high-volume, for-hire services and to regulate the issuance of new licenses to for-hire vehicles.

Int. 634-B - A Local Law to amend the administrative code of the City of New York, in relation to the waiver of licensing fees for accessible taxicabs and for-hire vehicles.

Int. 838-C - A Local Law to amend the administrative code of the City of New York, in relation to the licensing and regulation of high-volume for-hire transportation services.

Int. 890-B - A Local Law to amend the administrative code of the City of New York, in relation to establishing minimum payments to for-hire vehicle drivers and authorizing the establishment of minimum rates of fare.

Int. 958-A - A Local Law to amend the administrative code of the City of New York, in relation to reducing penalties for unauthorized street hails by licensed for-hire vehicle drivers.

Bill de Blasio
Mayor

NOTE: Individuals requesting Sign Language Interpreters should contact the Mayor's Office of City Legislative Affairs, 253 Broadway, 4th Floor, New York, NY 10007, (212) 788-3678, no later than five days prior to the public hearing.