



## **Frequently Asked Questions about Making Changes to a Landmarked Building, with specific guidance for adding or relocating mechanical equipment for buildings in Flood Hazard Areas**

### ***When is a Permit Required?***

Each of New York City's designated landmarks and historic districts possesses a special character or special historic, cultural, or architectural significance. The Landmarks Preservation Commission helps preserve these buildings and sites by regulating alterations to their significant features. The Landmarks Commission does not prevent owners from making changes to their designated buildings. Instead, the Landmarks Commission works with owners to make certain that alterations are appropriate and do not detract from the special character of the city's landmarks and historic districts.

### ***When do I need approval?***

The Commission must approve in advance any restoration, alteration, reconstruction, demolition, or new construction affecting any designated property, including buildings in historic districts. You need Landmarks Commission approval before you begin work on the exterior, if your proposed project requires a permit from the Department of Buildings. Landmarks Commission approval is also required for any project that will affect the exterior appearance of a designated building, even if a Department of Buildings permit is not needed for the proposed work.

Landmarks Commission approval is required for changes to the interior of the building only in the following situations:

- When a permit from the Department of Buildings is required for the work;
- When the changes will affect the exterior of the building;
- When the building's interior has been designated an interior landmark.

### ***How do I apply to the Landmarks Commission?***

You can download an application form, instructions for filing, or a materials checklist here, or you may obtain them by calling the Landmarks Commission (212-669-7700) or by picking up the materials at the Commission's offices, (The 9th Floor of the Municipal Building, 1 Centre Street, the corner of Centre Street and Chambers Street, across from City Hall.) After completing the form and adding your descriptive materials, you may mail or drop off your application.

### ***What material and information should I include with my Landmarks Commission application form?***

The descriptive materials needed to complete your application should illustrate the existing conditions of the building and the proposed changes. Depending on the type of work proposed, the descriptive materials could include drawings, photographs and photomontages of street fronts, samples of proposed materials, and/or written specifications.

### ***Who should sign the application form?***

The application form must be signed by the owner of the property. In the case of a cooperative building, the chairman or other appropriate officer of the co-op board must sign the form. If you are applying to perform work on a part of a condominium building that is in common ownership, the application must be signed by the chairman or other appropriate officer of the condominium association. An improperly signed form, such as a form signed only by the tenant or the managing agent, will delay processing of the application until the proper signature is obtained.

### ***What happens after I file my application?***

The application is given a docket number and assigned to a member of the Preservation Department staff. If

the application is incomplete, the staff member will contact you and explain what additional materials are needed. Depending on the complexity of the proposal, the staff may suggest that you and your architect or contractor come to the Commission's office to discuss the proposed project. A meeting at the property may also be arranged. The staff member will then review the proposal to evaluate the effect of the proposed changes on the architectural and historic character of the building and/or the historic district.

If the staff believes that the proposed work would detract from your building's significant architectural features, the staff may be able to suggest alternatives that would satisfy your practical requirements while maintaining the architectural integrity of the building. The staff member will also provide guidance regarding materials and restoration or construction techniques, if needed.

***What types of permits does the Landmarks Commission issue?***

The Commission issues Certificates of No Effect, Permits for Minor Work, and Certificates of Appropriateness. The type of permit issued depends upon the proposed work. After you submit the completed Application Form for Work on Designated Properties, the Landmarks Commission staff will determine which type of permit could be issued based on your description of the proposed work. The permit is issued in the form of a letter from the Landmarks Commission to the applicant. The permit describes the proposed work and explains why it has been approved. The permit must be posted prominently at the building while the work is underway.

If the permit is denied, the Landmarks Commission sends a letter to the applicant stating the reasons why the proposed work was found to be inappropriate. The applicant may then choose to revise the proposal and submit a new application.

***When will the Landmarks Commission make a decision about my application?***

Once the staff has confirmed that an application is complete, the Landmarks Commission will make a decision as quickly as possible. The Commission must make its decision within the following time periods:

- Certificate of No Effect - 30 working days
- Permit for Minor Work - 20 working days
- Certificate of Appropriateness - 90 working days

In most instances, a decision is made in much less time. The period of time needed to process a complete application depends on such factors as the complexity of the proposed alteration and whether a site visit is needed.

If you would like more time to prepare additional information or to revise a proposal in response to issues raised by the Commissioners or the staff, you may submit a written statement extending the Landmarks Commission's time to make a decision on the proposal.

***I need a Department of Buildings permit for my proposed project. Do I have to file with the Department of Buildings before applying to the Landmarks Commission?***

You must file with the Department of Buildings first only if you are applying to enlarge your building or to construct a new building in a historic district. For other types of work requiring permits from the Department of Buildings, such as storefront installations, cornice replacements, and interior alterations, you may file your application with the Landmarks Commission first, if you wish.

***Will the Department of Buildings issue a permit before the Landmarks Commission has approved my application?***

No. The Department of Buildings will not issue a permit in response to your application unless you have first received a Landmarks Commission permit for the proposed work.

***The Department of Buildings gave me a docket number when I filed my application. Should I include this number on my Landmarks Commission application form?***

Yes. The Department of Buildings gives each applicant a "BN" (Building Notice), "ALT" (Alteration), or "NB" (New Building) number, depending on the type of work proposed. You should include this number on your Landmarks Commission application form.

**How can I learn more about the Landmarks Preservation Commission?**

If you would like more information, call or write the Landmarks Commission at 1 Centre Street 9th Floor North, New York, NY 10007; telephone: 212-669-7700; Fax: 212-669-7960; TTY: 212-669-7788.

**What is the process for reviewing proposals for installing HVAC and other mechanical equipment?**

Installing HVAC and other Mechanical Equipment on Rooftops, Rear Yards, and Areaways

**Chart A**

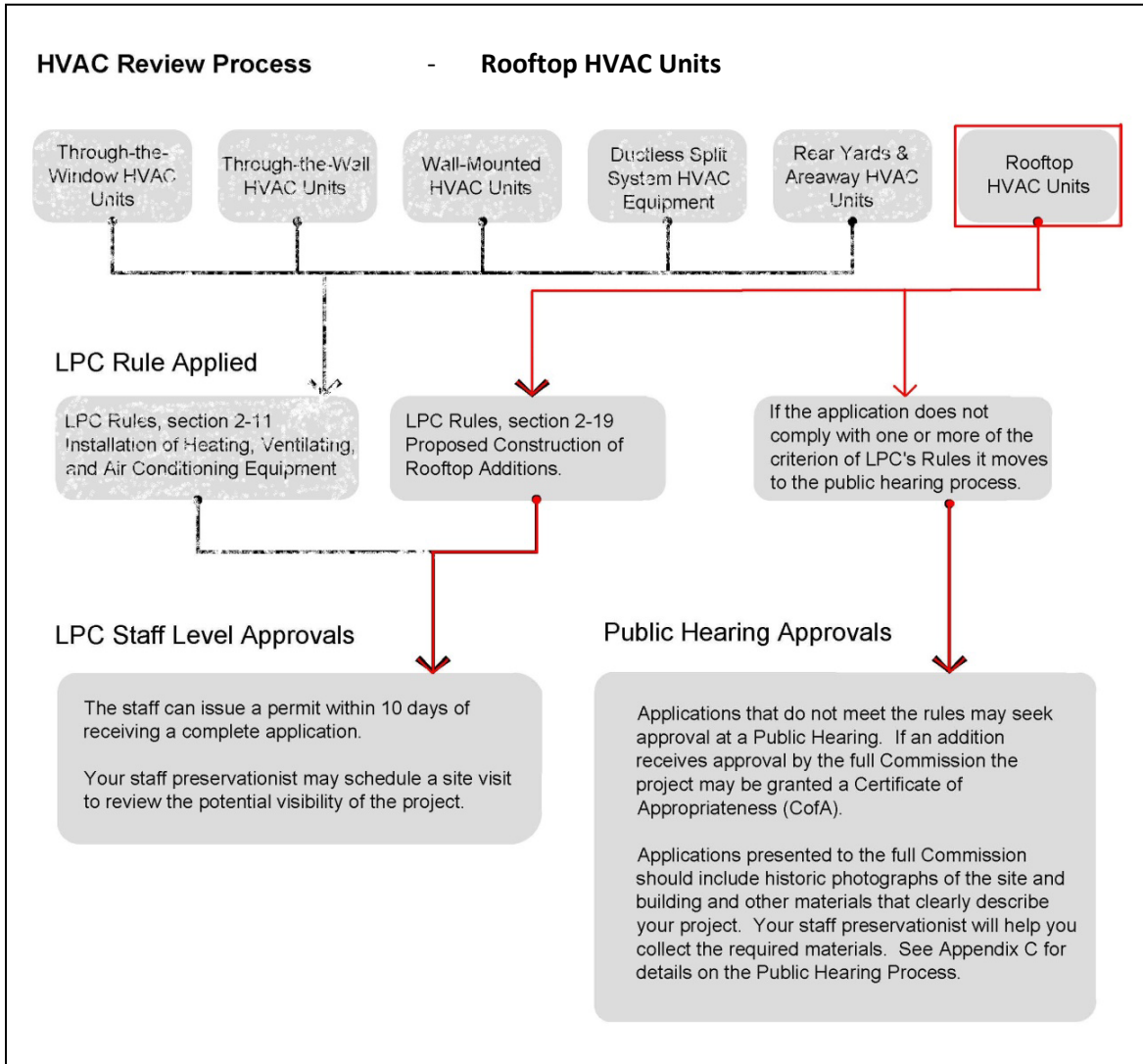
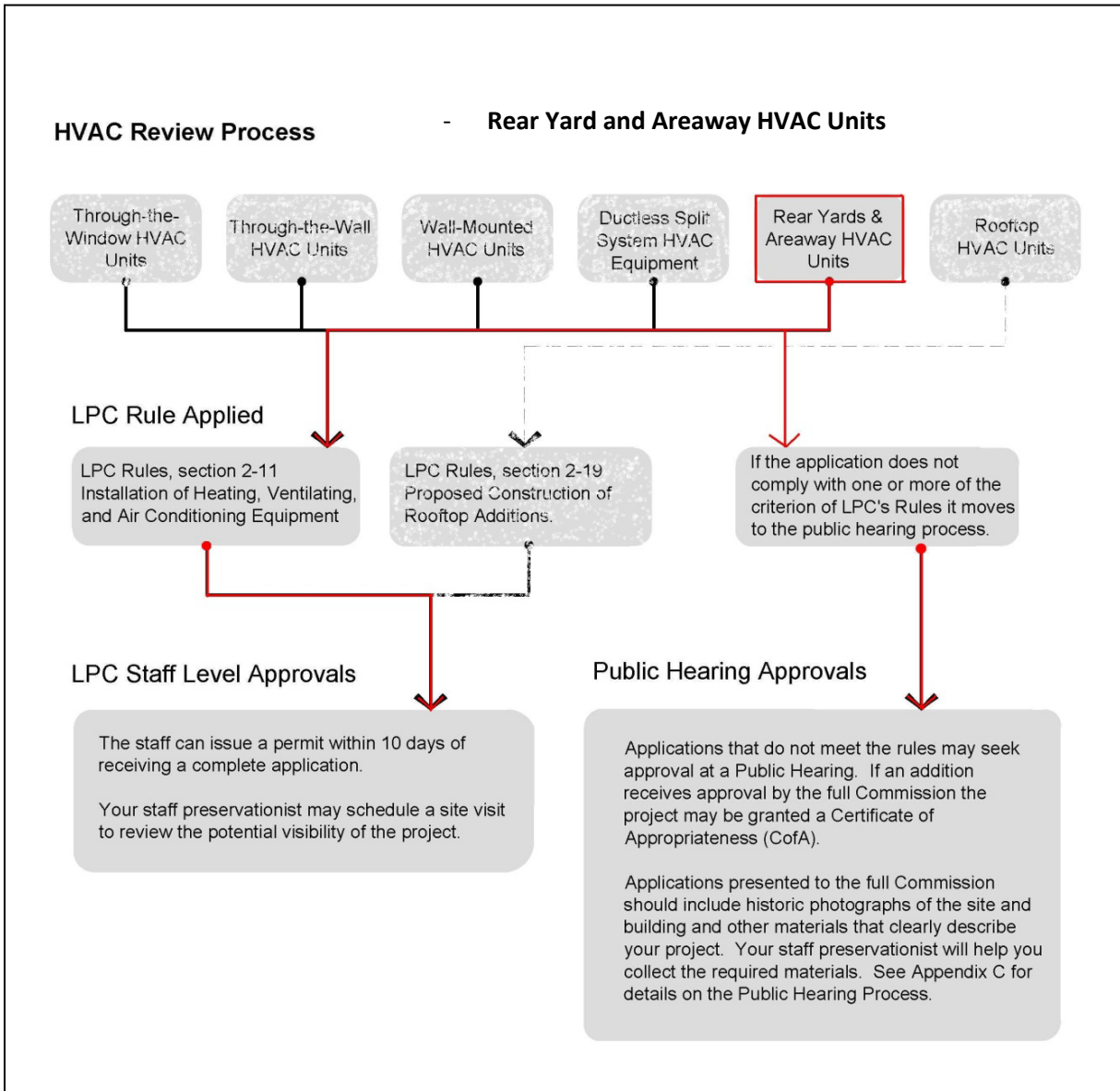


Chart B



***What are some guidelines for how the Commission reviews proposals?***

Guidelines for Installing HVAC and other Mechanical Equipment on Rooftops, Rear Yards, and Areaways

The Commission considers rooftop HVAC units to be mechanical rooftop additions. It is important to note that HVAC units installed on rooftops are **not** covered by Section 2-11 of the Landmarks Preservation Commission's Rules, which covers the installation of heating, ventilation, and air conditioning elsewhere on the landmark site.

Mechanical additions include, but are not limited to, heating, venting and air conditioning equipment, water tanks and their supporting structures, satellite dishes, stair and elevator bulkheads, screens, dunnages, baffles and other accessory installations, unenclosed decks, garden trellises, pergolas, or associated railings, and solar and wind technologies.

When reviewing proposed rooftop-mounted mechanical equipment, the Commission considers the relationship of the addition to the building in terms of scale, visibility, form and materials, as well as on the

significant features of the building. If the building is in a historic district, the Commission also considers the relationship to the surrounding buildings and rear yards. In addition, there are different specifications for individual landmarks and buildings that are located in historic districts.

*A staff-level permit can be issued if the proposed rooftop mechanical equipment:*

- Does not result in damage to, or the demolition of a significant architectural feature of the historic building, such as a pitched roof, a historic dormer or skylight
- Is not visible or is minimally from a public thoroughfare
- Does not adversely affect significant architectural features of adjacent improvements

*A staff-level permit can be issued for installations in areaways, rear yards and side yards if:*

- The installation will not be visible from any public thoroughfare
- The installation will not affect any significant architectural feature of the landmark or building in a historic district

## **Appendix**

Rules:

[§2-11 Installation of Heating, Ventilating and Air Conditioning Equipment](#) (LINKS TO PDF)

[§2-19 Proposed Construction of Rooftop Additions](#) (LINKS TO PDF)

Sample drawings:

