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

Madam Chair:

I am writing as the chair of the Preservation Committee of the City Club of New York, and as a homeowner in the Sunnyside Gardens Historic District, to express my deep dismay over the decision your agency made at the public hearing on December 11: the approval granted to a door and storm door installed at 48-14 39th Avenue without proper permits.

To state the obvious, this action sends the wrong message to homeowners, and mocks the good faith efforts of those residents of the historic district who follow the rules. Residents of a historic district have a right to expect that the LPC will regulate to a high standard, not the lowest common denominator, and certainly not to legalize work after the fact that surely would not have been deemed appropriate had the applicant submitted plans to the commission beforehand.

With most legalizations, the applicant is requesting approval for work that staff, and the commissioners, would never accept. That surely was the case here, for the designation report clearly notes that this home has “historic door w/ storm.” I thought the designation report was intended to guide regulatory decisions. In this historic district, it would appear irrelevant. Now, 48-14 no longer has a “historic door.”

The fact that the door on the adjacent house had been changed years ago is irrelevant. The point of comparison ought to be the original design, on the assumption that more and more houses will be so upgraded. This is a planned community, and the architects selected simple and consistent materials. Justifying a lower standard (a white metal storm door without precedent in the district, a metal door with faux wood grain) by pointing to other inappropriate changes makes it that much more difficult to maintain the historic qualities of Sunnyside Gardens.

Especially outrageous was the reasoning presented at the hearing – the door is so far from the street that the inappropriate configuration and materials are not an issue. For the record, the door is no more than 12 feet 6 inches from the sidewalk. Does the LPC apply this standard to applications for second floor windows, approving historically inappropriate configurations because they are so far from the street? If applied to mews houses in the district, the precedent established here would be especially harmful.

Despite the exhaustive research that went into the designation report, and despite the clear design standards outlined in the original deed restrictions in Sunnyside Gardens that were in effect for 40 years, it is clear that the LPC either does not understand this garden suburb, or intentionally ignores its essential design and planning principles.

It has been eleven years since the Sunnyside Gardens Historic District was designated, so ignorance on behalf of the poor homeowner is no excuse. When the Landmarks Preservation Commission rewards a homeowner who has done work in a historic district without permits, the message gallops through the neighborhood: Better to seek forgiveness than to ask permission. Such an approach compromises the integrity of one of the most historic planned communities of the twentieth century.

A single door on a single house in a historic district in Queens might seem like a small matter, but there are important principles at stake here. First, there is a mismatch between the design standards the public expects and what the LPC has approved, here and on other occasions. The decision in this instance suggests that the commission's lower standard is proper preservation practice, and that veteran preservationists are mistaken in expecting a more sophisticated design sense from the commission. I cannot accept that.

Second, citizens have a right to expect that the Landmarks Preservation Commission will stand up for the integrity of the landmarks law and the landmarks process. What we observe in this case is a rejection of your own precedents and standards, and the information set down in the designation report, to accommodate a property owner who demonstrated a flagrant disrespect for the commission's authority. That, too, is unacceptable. Together, the violation of these regulatory principles only serves to diminish public confidence in the commission.

Yours truly,

Jeffrey A. Kroessler