

May 20, 2022

City Council Member Erik Bottcher  
224 West 30<sup>th</sup> Street, Suite 1206  
New York, NY 10001

Assemblymember Deborah J. Glick  
853 Broadway, Suite 2007  
New York, NY 10003

Senator Brad Hoylman  
322 Eighth Avenue, Suite 1700  
New York, NY 10001

Manhattan Borough President Mark Levine  
1 Centre Street, 19<sup>th</sup> Floor  
New York, NY 10007

Dear Elected Officials:

We write to share disturbing information that has come to light about the recent demolition of nine rowhouse façades in the Gansevoort Market Historic District.

Correspondence obtained from the Landmarks Preservation Commission under Freedom of Information Law shows LPC was advised by its structural consultant that it was feasible to repair the façades, and at no greater risk than would be posed by demolishing them.

We are particularly concerned that this information, presumably paid for with public funds, was withheld from LPC commissioners who continued to deliberate on the project in a public hearing on February 8th.

As ordered by the Department of Buildings, the façades of the 1840s rowhouses at 44-54 Ninth Avenue and 351-355 West 14th Street were demolished last fall. Despite the Landmarks Commission's public assurance that "DOB and LPC have been working closely on this situation," there is evidence that DOB acted independently and might order the destruction of further landmarks for the same questionable reasons.

Professional engineer Donald Friedman provided LPC an independent opinion based on his inspection of the buildings. Mr. Friedman is a principal in Old Structures Engineering, a leading consultancy in structural engineering for historic buildings. He is on retainer to advise LPC.

On September 21 of last year, following a site inspection and meeting earlier that day, Mr. Freidman emailed LPC Deputy Counsel John Weiss: "In my opinion, it is technically feasible to

repair the street façades, and to do so with no more risk than will be created by demolishing them.” His message went on to propose an eight-stage sequence of operations for doing so. Emails indicate that the site meeting Mr. Friedman had attended that day included principals from the owner's architectural and structural engineering consultants, and LPC staff. They also indicate that DOB's Chief of Forensic Engineering, Timothy Lynch, turned down an invitation.

On September 27, John Weiss emailed Donald Friedman about LPC's planned community outreach on the façade demolition and stated: “If asked, I will say you think the façades can be saved but the owner's engineers disagree and DOB remains steadfast that the buildings are an imminent threat to public safety and need to be quickly taken down.”

Despite this, John Weiss was not forthcoming about any outside professional advice LPC had received when repeatedly asked about it in a November 12th meeting of the Commission, the Department of Buildings, elected officials, Community Board 4, and preservation groups. When DOB's Timothy Lynch was asked about any alternatives to demolition that had been considered and rejected, he did not answer. When asked about established preservation methods that might be applied to the façades, he did not answer except to say of one technique, “I didn't think it was an option,” without explanation. It is troubling that Mr. Lynch presented photos of collapsing floor joists that were irrelevant to the façades and suggested that the 8-inch thickness of rowhouse façades was structurally inadequate even though these walls were original, characteristic of their period, and had stood for nearly two centuries.

Even without being apprised of Donald Friedman's dissenting professional opinion, commissioners at the project's LPC public hearing in February questioned DOB's determination. One said, “If this was Monticello, we'd figure out a way of saving it.” Their discussion might have taken a different direction had they been informed.

It is disturbing to see that experienced professional opinion indicated that demolishing the façades of these nine landmarked rowhouses was unnecessary, and that this information was kept from the public, elected officials, Community Board 4, and even members of the Landmarks Preservation Commission. In addition, it is clear that this information was overruled by the administration at large and we ask that you inquire of the agencies involved why it was in this case.

Finally, we strongly urge that measures be taken to ensure that such information is never again hidden and that there are processes in place to make sure this information is publicly accessible.

Sincerely,



Frampton Tolbert  
Historic Districts Council



Pamela Wolff  
Save Chelsea



Andrew Berman  
Village Preservation

cc: Mayor Eric Adams  
Deputy Mayor Maria Torres-Springer  
Landmarks Preservation Commission Chair Sarah Carroll  
Landmarks Commissioner Fred Bland  
Landmarks Commissioner Diana Chapin  
Landmarks Commissioner Wellington Z. Chen  
Landmarks Commissioner Michael Devonshire  
Landmarks Commissioner Michael Goldblum  
Landmarks Commissioner John Gustafsson  
Landmarks Commissioner Anne Holford-Smith  
Landmarks Commissioner Everardo Jefferson  
Landmarks Commissioner Jeanne Lutfy  
Landmarks Commissioner Adi Shamir-Baron  
Department of Buildings Commissioner Eric Ulrich  
Public Advocate Jumaane Williams  
City Council Member Gale Brewer  
Assembly Member Richard Gottfried  
Community Board 4

**From:** [Donald Friedman](#)  
**To:** [John Weiss \(LPC\)](#); [Mark Silberman \(LPC\)](#); [Cory Scott Herrala \(LPC\)](#); [Emma Waterloo \(LPC\)](#); [Michelle Craren \(LPC\)](#)  
**Subject:** [EXTERNAL] 351-355 W 14, 48 Ninth  
**Date:** Tuesday, September 21, 2021 2:08:33 PM

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Per our discussion following today's walk-through, I have the following notes on conditions:

1. The floor joists at the upper floors have been damaged for a long time, and this damage was masked by the presence of closely-spaced interior partitions, which allowed for load-sharing. Removal of the partitions in the 14th Street buildings has allowed the floors to move.
2. There have been multiple alterations to the bearing walls (typically the party walls) between grade and the second floor; creating complicated and possibly improper load paths within those walls. This condition has been exposed by the interior demolition.
3. There are no ties between the interior floors and the facades.
4. The facades are not well tied to the party walls. Rather than being toothed every other brick, they are toothed in chunks, ranging from five or six bricks up to some areas where a single tooth might be close to half a story in height.
5. There is evidence of outward movement of the street facades, generally on the order of 1/2 inch. It is difficult to be accurate, as the interior finishes have left marks on the party-wall brick similar to movement marks. The greatest movement observed was the fourth floor on the 14th Street side, where the outward push from the sloped rafters has curved the wall outward something like 1/2 inch at the 4th floor to 2 inches at the masonry top.
6. There are wood nailers (to support lath) embedded in the inside face of all of the brick walls. They generally appear to be 2x4s, taking the place of a single wythe and single course of brick. The nailers are generally in poor condition, missing, or rotted below windows.
7. There has been movement and some minor rebuilding of the interior wythe of brick at the front facade where nailers have been removed.
8. The 14th street buildings, where most of the interior demolition has taken place, has floors mostly shored. Some small amounts of shoring appear to be still in progress.
9. The top floors of both groups of buildings have gable roofs with the ridge parallel to the street facade. The 14th Street gable-roof rafters rest on the top of the 4th floor masonry wall; the Ninth Ave rafters rest on a knee wall near the third floor window-sill level, with large wood-framed dormers in most areas.

In my opinion, it is technical feasible to repair the street facades, and to do so with no more risk than will be created by demolishing them. The general sequence of operations for the 14th Street buildings would be as follows:

1. Shore all interior floors for full dead load and construction (reduced) live load. This is already mostly complete.
2. Provide tie-backs for the street facades. This can be done without removals by using vertical or horizontal beams outboard of the facade and bearing against it, tied through

- the windows to the party walls. The outer beams need not be continuous.
3. Perform replacement repairs to the interior wythe of masonry. This would include infilling with clay brick at areas where brick is missing (e.g., where nailers have rotted) and where the interior wythe is failing. There is not a large amount, measured in square footage, of this form of repair, but it is scattered around in small bits all over the facade.
  4. Repoint the interior face of the facades.
  5. Install helifix pins through T joints in the front face of the street facade of the proper length to engage the inside-face wythe (11" at the piers, 7" at the spandrel panels below windows). The pins should be spaced at nominal 16 inches on center vertically and horizontally, with a minimum of two vertical columns of pines in each pier.
  6. At this point, the conditions are similar to those assumed in the original design (I.e., the street facade is tied back to the party walls and has basic cross-thickness integrity) and the structural work can proceed as planned. Since the existing floors are shored, they can be used for access for constructing the new floors, as planned.
  7. (After structural work is complete) Restore the outside face of the facades - paint removal, repointing, select brick replacement, as necessary.
  8. If the design team wishes to upgrade the walls for seismic performance, this can be accomplished with light-gage steel or similar vertical studs fastened to the inside face of masonry.

From a structural perspective, keeping the outer with of brick in place makes the repair much easier to perform. There is an aesthetic consequence to doing so.

Conditions at the Ninth Avenue buildings are probably similar to those observed at 14th Street, but this should be confined by removing portions of the interior finishes on the street facade without removing interior partitions.

Don

*Donald Friedman, PE F.APT F.ASCE*

*Old Structures Engineering PC*

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**From:** [Donald Friedman](#)  
**To:** [John Weiss \(LPC\)](#)  
**Cc:** [Mark Silberman \(LPC\)](#)  
**Subject:** [EXTERNAL] Re: West 14th St. and 9th Ave.  
**Date:** Monday, September 27, 2021 10:46:46 AM

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John -

It's fine.

Don

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On Sep 27, 2021, at 10:25 AM, John Weiss (LPC) <[JWeiss@lpc.nyc.gov](mailto:JWeiss@lpc.nyc.gov)> wrote:

Don, I need to reach out to interested parties (local CB, preservation groups etc.) to give a heads up about these buildings probably coming down. The following are my talking points. Are they accurate as to the structural issues and am I missing anything? As always, thank you for your invaluable help on this. John

This series of buildings had a series of alterations going back decades, well before designation, that compromised the structural integrity of them; e.g. multiple openings in the party walls and large storefront openings.

The buildings had many, many small apartments on the upper floors with many partitions and sheet rock covering the brick walls. The damage to the walls and floor joists was masked by these closely spaced partitions.

There are no ties between the interior floors and the street facades.

The street facades were not constructed in a normal manner of being toothed every other brick, they are toothed in chunks with much space between the

toothing.

The street facades are only two bricks thick in many areas and the mortar is compromised.

Demolition in preparation of construction approved by a CofA revealed these conditions.

DOB has issued a Commissioner's Order for the immediate demolition of the buildings as unsafe which trumps LPC requirements.

LPC staff did a site visit with the owner's architects and engineers last week with Don Friedman. We have had almost daily contact with the owner's team since the structural problems were first discovered approximately two weeks ago.

The owner's team is preparing detailed drawings to allow for the reconstruction of the facades. Historic brick will be salvaged. It should be noted the 9th Ave. facades have been covered by stucco for years and the 14th St. facades have been painted.

There will be an LPC public hearing as part of the CofA process for reconstruction of these buildings.

If asked, I will say you think the facades can be saved but the owner's engineers disagree and DOB remains steadfast that the buildings are an imminent threat to public safety and need to be quickly taken down.

**From:** [Timothy Lynch \(Buildings\)](#)  
**To:** [Harry Kendall](#)  
**Cc:** [John Weiss \(LPC\)](#); [Dov Barnett](#); [Donald Friedman](#); [George Schieferdecker](#); [Philip Caporaso](#)  
**Subject:** RE: [EXTERNAL] 351-355 W. 14th Street / 44 9th Avenue  
**Date:** Saturday, September 18, 2021 5:34:57 PM

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I have two emergency orders on the bldgs for removal.  
The pipe and shed was installed right?

Sent Via DOB Mobile Device

----- Original message -----

From: Harry Kendall <[hkendall@bkskarch.com](mailto:hkendall@bkskarch.com)>  
Date: 9/18/21 5:10 PM (GMT-05:00)  
To: "Timothy Lynch (Buildings)" <[timlynch@buildings.nyc.gov](mailto:timlynch@buildings.nyc.gov)>  
Cc: "John Weiss (LPC)" <[JWeiss@lpc.nyc.gov](mailto:JWeiss@lpc.nyc.gov)>, Dov Barnett <[dbarnett@tavroscapital.com](mailto:dbarnett@tavroscapital.com)>, Donald Friedman <[dfriedman@oldstructures.nyc](mailto:dfriedman@oldstructures.nyc)>, George Schieferdecker <[gschief@bkskarch.com](mailto:gschief@bkskarch.com)>, Philip Caporaso <[pcaporaso@tavroscapital.com](mailto:pcaporaso@tavroscapital.com)>  
Subject: [EXTERNAL] 351-355 W. 14th Street / 44 9th Avenue

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Hello Tim,

We have scheduled a site visit to the group of buildings for which you have issued Emergency Work Orders. Attendees will include Ramon Gilsanz, our structural engineer, a representative of the owner, several of us from BSKS Architects, Don Friedman, and several LPC staff members. We would welcome your presence as well, and we look forward to a productive discussion.

Please let me know if you are able to join us.

Sincerely,

Harry Kendall, AIA, LEED BD+C

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**From:** [Harry Kendall](#)  
**To:** [John Weiss \(LPC\)](#)  
**Subject:** [EXTERNAL] RE: 14th Street and 9th Avenue  
**Date:** Monday, September 20, 2021 2:44:51 PM

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Hello John,

Shortly, everyone will receive an invitation to tomorrow's site visit. You 'll see that we are proposing to meet in one of the plaza/islands across 14<sup>th</sup> Street, as the best place for everyone to collect, and then we'll head into the buildings.

Also, you should know that Tim Lynch was invited, but won't be attending.

Sincerely,

Harry Kendall, AIA, LEED BD+C

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**From:** John Weiss (LPC) <[JWeiss@lpc.nyc.gov](mailto:JWeiss@lpc.nyc.gov)>  
**Sent:** Saturday, September 18, 2021 4:56 PM  
**To:** Harry Kendall <[hkendall@bkskarch.com](mailto:hkendall@bkskarch.com)>  
**Subject:** Re: 14th Street and 9th Avenue - availability

Sounds good.

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**From:** Harry Kendall <[hkendall@bkskarch.com](mailto:hkendall@bkskarch.com)>  
**Sent:** Saturday, September 18, 2021 4:50 PM  
**To:** John Weiss (LPC) <[JWeiss@lpc.nyc.gov](mailto:JWeiss@lpc.nyc.gov)>  
**Subject:** [EXTERNAL] Re: 14th Street and 9th Avenue - availability

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That's great, John. I've asked Wei, our project manager, to send an invitation to everyone.

Now, I'll contact Tim Lynch to let him know about the meeting, and to see if he can come.

Harry Kendall, AIA, LEED BD+C

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**From:** John Weiss (LPC) <[JWeiss@lpc.nyc.gov](mailto:JWeiss@lpc.nyc.gov)>  
**Sent:** Saturday, September 18, 2021 9:38 AM  
**To:** Harry Kendall <[hkendall@bkskarch.com](mailto:hkendall@bkskarch.com)>; [dfriedman@oldstructures.nyc](mailto:dfriedman@oldstructures.nyc)  
<[dfriedman@oldstructures.nyc](mailto:dfriedman@oldstructures.nyc)>  
**Subject:** Re: 14th Street and 9th Avenue - availability

Tuesday at 10:30 works on this side.

---

**From:** Harry Kendall <[hkendall@bkskarch.com](mailto:hkendall@bkskarch.com)>  
**Sent:** Friday, September 17, 2021 5:23 PM  
**To:** John Weiss (LPC) <[JWeiss@lpc.nyc.gov](mailto:JWeiss@lpc.nyc.gov)>; Cory Scott Herrala (LPC) <[cherrala@lpc.nyc.gov](mailto:cherrala@lpc.nyc.gov)>;  
Michelle Craren (LPC) <[MCraren@lpc.nyc.gov](mailto:MCraren@lpc.nyc.gov)>; Emma Waterloo (LPC) <[ewaterloo@lpc.nyc.gov](mailto:ewaterloo@lpc.nyc.gov)>;  
[dfriedman@oldstructures.nyc](mailto:dfriedman@oldstructures.nyc) <[dfriedman@oldstructures.nyc](mailto:dfriedman@oldstructures.nyc)>  
**Subject:** [EXTERNAL] Re: 14th Street and 9th Avenue - availability

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John Weiss et al,

Sorry for a contradictory follow up. ,

Further reflection says we should target Tuesday morning at 10:30 am rather than Monday morning. Giving the builder one more day to assure safe site conditions might make a difference.

Does that work for all of you who need to attend? Once I hear back, I'll contact Tim Lynch to request his attendance as well.

Harry Kendall, AIA, LEED BD+C

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---

**From:** Harry Kendall <[hkendall@bkskarch.com](mailto:hkendall@bkskarch.com)>

**Sent:** Friday, September 17, 2021 5:08 PM

**To:** John Weiss (LPC) <[JWeiss@lpc.nyc.gov](mailto:JWeiss@lpc.nyc.gov)>; Cory Scott Herrala (LPC) <[cherrala@lpc.nyc.gov](mailto:cherrala@lpc.nyc.gov)>; [mcraren@lpc.nyc.gov](mailto:mcraren@lpc.nyc.gov) <[mcraren@lpc.nyc.gov](mailto:mcraren@lpc.nyc.gov)>; [ewaterloo@lpc.nyc.gov](mailto:ewaterloo@lpc.nyc.gov) <[ewaterloo@lpc.nyc.gov](mailto:ewaterloo@lpc.nyc.gov)>; [dfriedman@oldstructures.nyc](mailto:dfriedman@oldstructures.nyc) <[dfriedman@oldstructures.nyc](mailto:dfriedman@oldstructures.nyc)>

**Subject:** 14th Street and 9th Avenue - availability

Hello team,

We can field a full team for an on-site meeting either Monday (9/20) or Tuesday (9/21), after 10:30 am. I suggest we target Monday at 10:30 am, so this meeting happens with a minimum delay, and so it can last for the rest of the morning before various participants start to have conflicts. That said, if Tuesday at 10:30 am is better on your end, let me know.

Harry Kendall, AIA, LEED BD+C

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