

HDC Testimony on LPC Rules Amendments 5/23/23

In addition to our commentary on the proposed changes to LPC rules below, HDC formally requests that LPC issue a report on the efficacy of its previous rule changes.

Section 2-12: Storefronts, Awnings and Canopies

Regarding Section 2-12: Storefronts, Awnings and Canopies, HDC is calling for greater specificity in the number of windows and/or percentage of glazing at the building's base that must remain open/transparent.

Section 2-13: Signage

Regarding Section 2-13: Signage, HDC believes that the timeline for "temporary" vinyl decals covering entire display windows should be limited and clearly defined.

Further, according to the proposed rules, an armature for a banner or bracket sign "will be simply designed so as not to call undue attention to itself." HDC feels that "undue attention" must be more clearly defined for staff level approval.

We also wonder whether staff level approval for interior LED/tv screen signage is appropriate given the possibility that LED signage, even when set back 18", could still have a major impact on a building's exterior. (Consider the recent example of proposed LED signage at the Tammany Hall Individual Landmark during the public hearing of 4/18/23 in which Commissioners expressed concern about the LED signage's impact on the individual landmark.)

Section 2-19: Sidewalks

Regarding Section 2-19: Sidewalks, HDC believes the preservation community should not oppose interventions of greenery, especially on the street front, unless a sidewalk is of unique or historic material, in which case the proposed tree pits, planting beds or bioswales should still come to a public hearing. We do not consider newly planted trees to be "detractions" to historic districts.

Further, HDC believes it is misguided for the commission to institute rules against new tree pits and planting beds in formerly industrial historic districts. We advocate for more trees, not fewer. The historic districts in question, most notably Soho and West Chelsea, are no longer industrial, and adhering to a treeless industrial streetscape for historical purposes is neither accurate nor expedient.

Our colleagues at Soho Alliance have unearthed documentation of trees in the neighborhood in the 19th Century. They have also demonstrated that LPC fines against newly planted trees in the district did not deter residents from planting in the area. We believe that LPC stopped enforcing this rule in 1996. We do not think they should start enforcing it again.

We do not believe that bioswales in areas zoned for commercial or manufacturing use detract from historic districts or streetscapes.

Section 2-21: Installation of Heating, Ventilation, Air Conditioning and other Mechanical Equipment

Regarding Section 2:21: Installation of Heating, ventilation, AC and other Mechanical Equipment, HDC would like more clarification around the heights, percentages and distances at which HVAC rooftop additions will be eligible for staff level review.

Further, HDC wonders how the determination of a minimally visible location for solar panels will be made, and whether it is necessary. We do not believe that lack of visibility should be the goal. We believe solar panels can and should be a positive part of the streetscape. In the discussion at LPC hearing 5/2/23 around proposed solar panels in Addisleigh Park, several commissioners noted the importance of solar panels. One said, "it's crucial that we figure out how to accept these as part of these historic districts." Another noted, " we are going to have to expect more visibility if we want applicants to be able to make their homes and buildings more efficient," and a third maintained "We should be happy to see these on roofs. They are a sign that owners care about their historic buildings."

HDC welcomes and supports solar panels in historic districts and believes that public discussion around them should be lively and ongoing. We see solar panel installation as an exciting and vital design opportunity, and advocate public review while the framework is still being developed. We encourage LPC to proactively identify and publicize particularly clever and attractive design solutions.

Finally, HDC understands that LPC currently has no set definition for "designed roofs." We believe that it is necessary for LPC to clearly define "designed roofs." and to further explain how solar panels will be addressed on roofs with unique or decorative materials (such as patterned tile).

Section 2-32: Expedited Review Procedures

Regarding Section 2-32: Expedited Review Procedures, HDC is an advocate for buildings at risk of demolition or neglect, and is therefore generally opposed to self-certification, but we understand that such a process may be permissible for minor interior work. We would like further clarification around what interior work would be eligible for self-certification before we can support this rule change.

Finally, we urge the commission to wait to vote on these changes until a future Public Meeting, so that the rules may be reviewed and potentially edited to reflect and account for some of the testimony shared today.