

May 22, 2023

Hon. Chair Sarah Carroll
Landmarks Preservation Commission
One Centre Street, 9th Floor
New York, NY 10007

RE: Comments on RL-Rule (Proposed Amendments to the Landmarks Preservation Commission Rules)

Dear Chair Carroll,

MAS supports the Landmarks Preservation Commission's efforts to update its rules to bring them in alignment with current energy codes and resiliency mandates and streamline procedures for standard applications, improving the process for applicants. MAS also supports allowing members of the public to request new rules or changes to existing rules. That said, we have questions and concerns about several of the proposals, as outlined below.

Section 2-12: Storefronts, Awnings and Canopies

Active and attractive storefronts contribute to a vibrant streetscape and help people feel welcome and safe. MAS is concerned about the increased number of empty storefronts as well as those used for non-public sorting of deliveries. The use of grey-scale translucent film can be a temporary measure to mitigate unsightly "back-of-house" elements. The long-term solution is of course not within LPC's purview. We urge LPC to do everything within its ability to minimize the covering of windows and request clarification on how the "substantial reduction" of overall transparency will be determined. The limitation of blank storefront windows must be centered in this decision-making.

Section 2-19: Sidewalks

It is imperative that we increase the number of trees planted citywide to mitigate the heat island effect and improve public health and install more bioswales to help divert rainwater from our sewers. We urge LPC to support these efforts whenever possible, even in commercial and industrial areas where trees and plantings have not historically been common. Streetscapes can be redesigned in creative and thoughtful ways that both respect historic designs and allow for more greening. Disallowing trees and plantings should be the exception to the rule, not the standard.

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

The Department of City Planning's *City of Yes for Carbon Neutrality* zoning text amendment, currently in public review, proposes to increase the height allowance for solar panel installations from 6' to 15' on flat roofs and eliminate the current 6' setback requirement. For sloped roofs, the height allowance would be increased from 18" to 60".

MAS supports the codification of solar panel regulations in the effort to increase the use of renewable energy throughout the city; however, DCP's proposed revisions to rooftop solar installations may not be appropriate for many historic structures. Given that any proposed changes with regard to the installation of solar panels in historic districts or on historic buildings will be subject to LPC review, how will the Commission reconcile the removal of coverage and setback requirements for rooftop solar with the agency's desire for minimal visibility impact over a primary or secondary façade. How will LPC weigh these competing and significant interests in historic districts?

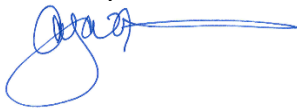
In terms of sloped roofs for solar panel installation, if there is a less prominent location available, which would still result in some solar energy being generated, but less than the amount that could be generated at the primary sloping roof,

how will these options be weighed to determine the best and least visually intrusive solution within the “infeasible” review threshold by LPC?

Finally, as the Commission evaluates these new rules, we would very much appreciate receiving an evaluation of the impacts of the 2018 rule changes, including but not limited to the number and type of applications being handled at the staff level and the number and type of applications being heard at the Commission.

Thank you for the opportunity to share MAS’s comments and questions in this written testimony.

Sincerely,

A handwritten signature in blue ink, appearing to read "Elizabeth Goldstein", with a long horizontal flourish extending to the right.

Elizabeth Goldstein
President