

FRIENDS of the Upper East Side Historic Districts

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Imagine that you have a single-family house. The sun is out and you want to cool off. You slip into a bathing suit, throw a towel over your shoulder and stroll into the backyard. You toss the towel onto a chair, you walk to the edge of your beautiful blue swimming pool and – splash – you dive in.

Peter Roth and his wife, Noreen, hope they can create that scene in the backyard of the home they own at East 73rd Street between Park and Madison avenues, in Manhattan's Silk Stocking District. Their plan is to "excavate the west half of the existing rear yard for a swimming pool," according to a resolution of Community Board 8. The applicant proposes to "enclose the swimming pool and existing roof terrace at the second floor extension with masonry walls and a glass roof," the resolution says. The enclosure would "completely enclose the entire rear yard." Since the row house lies within the Upper East Side Historic District, the proposal requires the approval of the city Landmarks Preservation Commission. The commission, established in 1965 to protect the city's architectural and historical resources, was to hold its first public hearing on the application June 24.

There are about 2,700 single-family houses in Manhattan, with 360 on the Upper East Side, according to Tom Wexler, director of town houses in the Carnegie Hill area at the real estate firm, the Corcoran Group. Of the single-family homes on the Upper East Side, 12 of them have swimming pools, Wexler said. William B. Gleckman, the Roth's architect, filed plans June 9 with the Department of Buildings, according to Ilyse Fink, spokeswoman for the department. The plans say there will be a doctor's office and an accessory swimming pool. If the home has a community facility, like a doctor's office, the architect can build to the edge of the lot line. The agency turned down the application June 14. At least one of the reasons for the disapproval was that it first needs the landmarks panel's imprimatur. Not all pools require permission from the Buildings Department. No permit is necessary if a pool either has an area of less than 400 square feet, with an existing slop sink for drainage, or is a ground pool less than 48 inches deep and with area of no more than 500 square feet, Fink said.

Community Board 8 voted June 18 to oppose the proposal. Its resolution called the pool "inappropriate to the block and the historic district." The enclosure is equal to a huge building in the yard, said Elizabeth Ashby, a member of Board 8's landmarks committee. "It's an incursion in the rear yards," said Ashby, who was not speaking on behalf of the board. She said the structure would prevent light and air from coming into the area, usurping what's called the "hole in the donut." Lisa Kersavage, executive director of **Friends of the Upper East Side**

Historic Districts, sides with the community board. **Friends of the Upper East Side** is a not-for-profit organization that strives to be the steward of the community's six historic districts and landmarks. The five-story row house at 52 E. 73rd St. was built in 1885-86 and altered by Harry Allan Jacobs in the neo-Federal style in 1916. Kersavage said it has Flemish bond facing above a limestone base. The exterior has a series of arches with columns, French windows and a third-floor iron balcony, she said. In the rear yard there is an existing two-story structure, said Kersavage, that covers half the building's width and goes back 30 feet.

Roth purchased the 22- by 102-foot lot, with the 22 by 66- foot building, on Jan. 12, 2000, for \$5.7 million, according to the 2002-03 Real Estate Directory of Manhattan. Today the house would cost at least 20 percent more, according to real estate broker Faith Hope Consolo, vice chairman at Garrick-Aug Worldwide. "This is a pretty astonishing application," Kersavage said. "It is a misuse of a community facility." She also said, "We believe it's always inappropriate to build to a lot line in a historic district."