

DISTRICT MASTER PLAN FOR THE FIELDSTON HISTORIC DISTRICT

1. Introduction

(a) The Fieldston Historic District was designated a New York City historic district by the Landmarks Preservation Commission (the “Commission”) on January 10, 2006. As a result, the Commission must approve work on, or modifications to, buildings, other improvements, such as fences and paving, and landscape improvements within the boundaries of the historic district. This District Master Plan for the Fieldston Historic District (the “Master Plan”) will govern certain types of alterations to buildings, other improvements and landscape improvements within the Fieldston Historic District, and authorizes the staff to approve such work if it meets the requirements of the Master Plan. In particular, the Master Plan will govern certain additions to buildings, outbuildings and other new construction.

Work that is not covered by the Master Plan may be subject to the Commission’s existing rules. Certain work may be eligible for a staff-level permit as set forth in Title 63 of the Rules of the City of New York. Work that does not meet the requirements of either this Master Plan or the rules in Title 63 must be approved by the full, eleven-member Commission at a Certificate of Appropriateness public hearing.

(b) Description of the District

The Fieldston Historic District contains 257 houses and related structures set amidst a varied topography of winding tree-lined streets and dramatic rock outcroppings on a 140 acre development in the Riverdale section in the northwest Bronx. The houses in the historic district were built as part of a romantically planned suburb developed by the Delafield Estate. The layout was finalized in 1914 by engineer Albert Wheeler based on recommendations made by Frederick Law Olmsted and James R. Croe who surveyed the area in 1876. The district is characterized by an eclectic variety of residential styles including variants of the Colonial Revival, Craftsman, various picturesque revivals including Medieval, Tudor, and Mediterranean, as well as formal modernist houses. Because a large number of the houses were designed by a few architects, the district has visual consistency. Many of the architects who designed homes in Fieldston were well-respected and well-known home designers of the early decades of the 20th century and include Dwight James Baum, Julius Gregory, and W. Stanwood Phillips. One house in was designed by the prominent architectural firm McKim, Mead and White. The Fieldston Historic District survives today as a rare, largely intact example of a romantic planned suburban community that has evolved over time. The stylistically varied suburban residences, the distinctive topography and the landscaped setting create a distinct sense of place and give the district its special character. More information about the Fieldston Historic District can be found in the designation report, which is available on the Commission’s website at www.nyc.gov/landmarks.

2. Statement of Regulatory Policy.

The Master Plan is premised on the following regulatory principles:

As described in the designation report for the Fieldston Historic District, which contains entries for every building in the district, the Commission finds that the houses and other structures which are identified in the designation report by a particular style make a significant architectural contribution to the Fieldston Historic District. Houses and other structures, whose style is designated as “none”, do not make a significant contribution to the historic district. Consequently, the Master Plan provides greater flexibility for approving changes or additions to the latter structures.

The Commission also finds that significant landscape improvements contribute to the unique and special character of the Fieldston Historic District. These landscape improvements include rock outcroppings, stone retaining walls and steps, bluestone and concrete sidewalks and bluestone curbs.

Finally, because of its unusual and special topography, the Commission notes that houses in the Fieldston Historic District can be seen in part from many different viewpoints. Unlike in traditional row house districts, the sides, rears and even tops of houses can be seen from Commonly Accessible Thoroughfares. This visibility is further complicated by the heavily wooded character of the district, which means that visibility is often seasonal, partial, at oblique angles and/or from great distances.

As a result of the visibility and topography factors, the Master Plan differentiates between what was the historical Main Entrance Façade, facades that face (are parallel to) a Commonly Accessible Thoroughfare, and facades that do not face such a thoroughfare. Different rules may apply to these different types of facades. A plan illustrating these different facades, and noting some of the different rules that apply to different facades, is attached as Appendix 1.

The changes permitted in the Master Plan acknowledge these special conditions. The criteria for staff approvals ensure that staff approvals will have no effect on protected architectural and landscape features, will not detract from the special character of the historic district, and are otherwise always appropriate to the buildings and the historic district.

3. Special Natural Area.

The Fieldston Historic District is subject to the Special Natural Area District (“SNAD”) requirements set forth in Article 10, Chapter 5 of the city’s Zoning Resolution. This zoning classification is designed to protect outstanding natural features or areas of natural beauty. Most types of development or work, including development of a new building or structure, an enlargement to an existing building or structure, changes to grade, drainage, tree cover, or other natural features, require the approval by the Department of City Planning (“DCP”) or the City Planning Commission (“CPC”).

Applicants for work in the Fieldston Historic District are encouraged to work closely with DCP and LPC staff when developing a project. To this end, applicants seeking an approval pursuant to this Master Plan for work that involves new construction or alterations or changes to existing landscape or hardscape features, must present the proposed work to DCP staff for their review with respect to consistency with the SNAD before the LPC Staff may approve work. To the extent that the proposed work is inconsistent with the SNAD, the applicant shall make it clear to the LPC Staff that s/he proposes to seek a waiver or other approval from the DCP or the CPC. Compliance or consistency with the SNAD rules shall not be binding on the LPC Staff, and approvals pursuant to this Master Plan shall be granted solely based on the standards and criteria set forth herein.

4. Fieldston Property Owners Association (“FPOA”).

Fieldston was developed according to a comprehensive plan established by the developers, which included private streets and other rights of way controlled by the homeowners association, the FPOA. The streets and, in many cases, areas of yards abutting the streets, including sidewalks, are owned and controlled by the FPOA. Applications for new construction, building additions and site work must be accompanied by a letter from the FPOA stating that the proposed work does not encroach on FPOA property or a site survey submitted by a surveyor showing the work is not occurring on FPOA property. All applications for work that encroaches on property owned by the FPOA must have a letter from the FPOA indicating that it does not object to the proposed work. Nothing in this Master Plan is intended to change, affect or alter the FPOA’s right to control and regulate use of, and access to, such streets and other property owned or controlled by FPOA.

5. Definitions.

"Addition" shall mean an extension or increase in the floor area or change in height of an existing building, or part of a building, that increases its external dimensions.

"Commission" shall mean the New York City Landmarks Preservation Commission as established by Section 3020 of the New York City Charter.

"Commonly Accessible Thoroughfare" shall mean any right of way including, but not limited to, a street, sidewalk, public park, path, and easement that is commonly accessible to Fieldston residents and members of the public.

“Configuration” shall mean the muntin pattern of the window sash (i.e., the pattern of window panes).

“Contributing Building” shall mean a building in the Fieldston Historic District which is identified by a style in the Designation Report. In addition, a new building or a building with a substantial addition or modification approved by the Commission shall be deemed a Contributing Building for purposes of the master plan.

"Demolition" shall mean the dismantling or razing of all or part of an existing Improvement or Significant Landscape Improvement.

"Details" shall mean the profiles and dimensions of an architectural feature.

"Distinctive Building Material" is a material identified in the designation report as contributing to the historic district and shall include but not be limited to fieldstone, half-timbering, heavily textured stucco, decorative or patterned brickwork, slate and ceramic tile, terra cotta and decorative shingle.

"Façade that Faces a Commonly Accessible Thoroughfare" shall mean a façade that is parallel to a Commonly Accessible Thoroughfare. See Appendix 1 for an illustration.

"Fence" shall mean all fences of whatever material but shall not include fencing designed to delineate planting areas where the proposed fencing is less than 18 inches in height.

"Improvement" shall mean any building, structure, work of art or other object constituting a physical betterment of real property, or any part of such betterment, other than a Landscape Improvement.

"Landscape Improvement" shall mean a physical betterment of real property or any part thereof, consisting of natural or artificial landscape, including but not limited to grade, terrace, body of water, stream, mature tree, path, walkway, road, plaza, wall, fence, step, fountain, or sculpture.

"Landmarks Law" shall refer to New York City Charter Section 3020 and Chapter 3 of Title 25 of the Administrative Code of the City of New York.

"LPC" shall mean the Landmarks Preservation Commission acting in its agency capacity to implement the Landmarks Law.

"LPC Staff" shall mean the staff of the Landmarks Preservation Commission.

"Main Entrance Façade" shall mean the façade that contains the building's historic primary entrance, and that possesses Significant Architectural Features.

"Minimally Visible" shall mean that something is barely or partially visible or does not call attention to itself or detract from any Significant Architectural Features. Visibility is assessed from a Commonly Accessible Thoroughfare. For the purposes of determining visibility, the staff may take into account the distance and angle at which the addition becomes visible, and seasonal foliage.

"Non-Contributing Building" shall mean a building in the Fieldston Historic

District whose style is designated as “none” in the Designation Report.

“Other Façade” shall mean any façade that is not the Main Entrance Façade.

"Outbuildings" shall refer to any permanent structure, such as a garage or carriage house, studio, gazebo, garden or tool shed, detached from, but dependent on and appertaining to, the main house.

"Permanent Fixture" shall mean a structure, ornament, or equipment that is anchored to the ground structurally, is plumbed for water circulation, or too heavy or massive to be easily moved.

"Permit" shall mean any permit or approval, other than an Authorization to Proceed, issued by the Landmarks Preservation Commission in accordance with the Landmarks Law.

- (1) "PMW" shall mean a Permit for Minor Work as defined by Section 25-310 of the Landmarks Law.
- (2) "CNE" shall mean a Certificate of No Effect as defined by Section 25-306 of the Landmarks Law.
- (3) "CofA" shall mean a Certificate of Appropriateness as defined by Section 25-307 of the Landmarks Law.

"Portable Furniture or Equipment" shall mean small items such as benches, bird baths, art, sculpture, or play equipment that are not anchored structurally to the ground, which can be easily moved because of their weight and size or by the removal of a few screws or other attachments, and/or are not plumbed for water circulation.

"Significant Architectural Feature" shall mean any character-defining external architectural component of a building, including but not limited to an architectural ornament (such as decorative ironwork), roof, entranceway, porch, Distinctive Building Material (including the kind, color, and texture of the material), and the type and style of any window, door or light.

"Significant Landscape Improvement" shall mean any Landscape Improvement that is a character-defining element in the historic district, contributing to the special aesthetic and historic character for which the district was designated, including but not limited to those Landscape Improvements identified in the Designation Report and mature trees located in the front and side yards.

6. Alterations to Buildings.

(a) Additions and Outbuildings.

- (1) Rear and side yard Additions to Contributing Buildings. A proposal to

add an Addition at the rear or side yard of a building shall meet all of the following criteria applicable to the design of the proposal:

- (i) The Addition is not on a Façade that Faces a Commonly Accessible Thoroughfare or is a Main Entrance Façade.
- (ii) The Addition would not result in the alteration or loss of Significant Architectural Features, except that some Distinctive Building Materials and roofing material may be removed if necessary to integrate the proposed addition into the existing building.
- (iii) The Addition is subordinate to and harmonious with the roof line of the existing building, and is at least 18 inches lower than the peak of the roof of the main portion of the house. However, LPC Staff may approve a roofline that is less than 18 inches to avoid affecting or detracting from a Significant Architectural Feature or if it determines that the Addition will relate more harmoniously with the historic building if the roofline is slightly higher, but in no event shall the roofline be less than 12 inches lower than the peak of the roofline of the main portion of the building.
- (iv) The Addition is set back at least two feet from the main entrance façade.
- (v) The Addition will be designed to match or be harmonious with the original building in terms of massing, orientation, materials, Details, fenestration, Window Configuration, and finish.
- (vi) If the Addition is a second floor addition to an existing one-story addition, the Addition shall be subordinate to and harmonious with the design of the main portion of the house, applying the standards set forth in subsection (iii) above, and the slope of the roof shall be consistent with the style of the main portion of the house. The second floor shall match the setback, if any, of the existing first floor addition from an adjacent façade.
- (vii) Dormers added to the roof of the main portion of the building shall match the existing dormer type in terms of shape, Details, material and location, or, if no dormer is present, the new dormer(s) has a design that is consistent with the style of the building, is set back from the edges of the roof by at least two feet, and matches the existing roofing material.

- (viii) The Addition will not result in the loss of or damage to Significant Landscape Improvements, and will be set harmoniously within the existing grading and terracing of the site.
 - (ix) The Addition, excluding decks, will increase the gross floor area of the original house no more than 15% if on a side elevation, or 20% if on a rear elevation, but in no event shall the staff approve Additions that cumulatively increase the size of the floor area by more than 25% of the gross floor area of the building at the time of designation. In applying these criteria the staff shall include in its calculations the size of Additions previously approved by the Commission or LPC Staff.
 - (x) The lot coverage of the house with the Addition will be comparable to other properties on the street and in the immediate vicinity.
 - (xi) An unenclosed Addition, such as a porch, may align with the plane of the Main Entrance Facade.
 - (xii) An existing porch may be enclosed provided the enclosure is highly transparent, the existing columns and posts remain, and there is a significant reveal between the existing columns and posts and the new infill. Enclosing a porch shall be included in determining the overall increase in the floor area of a building set forth in subsection (ix) above.
- (2) Outbuildings to Contributing Buildings. Proposals to add an Outbuilding shall meet all of the following criteria applicable to the design of the proposal:
- (i) The Outbuilding, excluding a garage, is no more than one story and less than 100 square feet in floor area, is situated in the side or rear yard of the property, or elsewhere so as not to call undue attention to itself or detract from the main house, and is set behind the plane of the Main Entrance Facade of the existing building and is subordinate to such building.
 - (ii) If the Outbuilding is a garage, it must be no more than one story and less than 500 square feet, and is located in a side or rear yard as far behind the house as possible. If zoning requirements make that impractical, the new garage must be located as far back as possible from a Façade Facing a Commonly Accessible Thoroughfare, consistent with the zoning, and the staff determines that the location of the garage will not detract from Significant Architectural Features of the building or adjacent buildings. An

application for a garage shall not be approved if construction of the garage would significantly increase the lot coverage on the site as compared to other lots that front on the street or are in the vicinity

- (iii) The Outbuilding is lower than the original building and the roof slope and configuration match or are harmonious with the original structure.
 - (iv) The Outbuilding is designed to match or be harmonious with the original house in terms of materials, Details, and finish, though substitute materials that closely match the appearance of the original are acceptable.
 - (v) The construction of the Outbuilding will not result in the loss of or damage to Significant Landscape Improvements, and the Outbuilding will be set harmoniously within the existing grading and terracing of the site.
 - (vi) The approval of an Outbuilding under this subsection shall be included in the gross floor area calculations for staff approvals under section 6(1)(ix).
- (3) Additions and Outbuildings to Non-Contributing Buildings.
- (i) The work does not increase the overall height of the building, as measured from the highest roof ridge line.
 - (ii) The Addition, excluding decks, will increase the floor area of the building at the time of designation by no more than 30%. In applying this criterion the staff shall include in its calculations the size of Additions previously approved by the Commission or LPC Staff.
 - (iii) The Addition is not to be added to the Main Entrance Façade, except that a vestibule for a front door may be approved if it meets the following criteria:
 - (1) It is no greater than 30 square feet;
 - (2) It is subordinate and relates to the composition of the primary facade; and
 - (3) It does not change the orientation of the front door.

The proposed materials and finishes shall match the materials and finishes on the existing structure, or be harmonious with the façade

materials of contributing structures. For example, if the existing house has a brick veneer, this veneer may be matched and used at the Addition. Alternatively, wood shingle or stucco, materials typically found at the Contributing Buildings within the district, may be employed in the Addition, if the LPC Staff determines that the material will be compatible with that of the existing structure.

- (v) The roof profile shall match the profile of the existing structure or is compatible with the character of the historic district.
 - (vi) The work is otherwise compatible with the massing and form (i.e., symmetry or asymmetry) of the existing building and the scale of the Addition will not overwhelm the existing building.
 - (vii) The lot coverage of the existing house with the new Addition will be comparable to other properties on the street and in the vicinity.
 - (viii) The work does not adversely affect any Significant Landscape Improvement and will be set harmoniously within the existing grading and terracing of the site.
 - (ix) Outbuildings. Proposals to add Outbuildings shall follow the criteria listed in Section 6(a)(2) of these rules.
- (b) Alterations to Windows. The LPC's window guidelines, as set forth in Title 63, sections 3-01 through 3-04, of the Rules of the City of New York shall apply with the exceptions noted below. Consistent with the policy in the window guidelines, historic windows may be replaced only if the staff determines they are deteriorated beyond reasonable repair.
- (1) Replacement Window Sash and Frames on Contributing Buildings.
 - (i) Main Entrance Facade. Replacement windows on the Main Entrance Facade shall replicate the historic sash and frames in terms of Configuration, operation, material, finish and Details. If no historic documentation on the particular house exists, other houses of similar style in the historic district may be used as models for determining the characteristics of the sash and frames. In the case of leaded glass windows that were replaced prior to designation with a nonhistoric configuration, a replacement window in a substitute material that recalls the Configuration and Details of the historic window may be approved.
 - (ii) Other Facades. Replacement windows on a side facade that is not the Main Entrance Façade shall match the historic sash and frames in terms of Details, operation, Configuration and finish. Special

windows, such as leaded glass, shall follow the requirements for replacement windows on the main entrance façade set forth in subsection (i) above. Replacement windows on a rear façade that does not face a Commonly Accessible Thoroughfare shall match the historic windows in terms of Configuration and finish.

- (2) Replacement Window Sash and Frames on Non-Contributing Buildings.
 - (i) Replacement windows may differ from the existing windows in material. However, new windows at the Main Entrance Facade shall be compatible with the predominant fenestration pattern of the building and regular in shape, pattern and finish.
- (3) Altering existing window openings and creating new window openings on Non-Main Entrance Facades of Contributing Buildings, and new sash and frames in altered and new window openings.
 - (i) A new window opening and altered window opening on a non-Main Entrance Facade that is visible from a Commonly Accessible Thoroughfare shall be consistent with the style of the building and the symmetry or asymmetry of the original or historic fenestration, and shall not result in destruction or modification of Significant Architectural Features or by their proximity detract from such Significant Architectural Features.
 - (ii) New sash and frames in new or altered window openings on a side facade shall match the original or historic sash and frames in terms of Details, operation, Configuration and finish. On rear facades not facing a Commonly Accessible Thoroughfare, new sash and frames shall match the original or historic sash and frames in terms of Configuration and finish. If the original sash has been replaced, the new sash may match the existing.
- (4) Altering existing window openings and creating new window openings on Non-Contributing Buildings, and new sash and frames in altered and new window openings.
 - (i) Altered and new window openings may differ from the existing window openings in size and material. However, altered and new window openings at the Main Entrance Façade must be compatible with the predominant fenestration pattern of the building and regular in shape, pattern and finish.
 - (ii) Sash and frames in altered and new window openings shall be compatible with the existing in terms of Configuration and finish.

(c) Heating, Ventilation and Air Conditioning (“HVAC”) Equipment and Emergency Generators. The LPC’s rules governing the installation of heating, ventilation and air conditioning (“HVAC”) equipment, as set forth in Title 63, section 2-11, of the Rules of the City of New York shall apply with the exceptions noted below.

- (1) Installation of HVAC equipment within window openings.
 - (i) The installation of HVAC equipment within window openings shall be permitted on all facades provided the installation meets all of the following criteria:
 - (A) Only operable sash shall be removed and the frame retained.
 - (B) If an HVAC installation only occupies a portion of a sash, the new partial sash must match the Configuration, material and Details of the existing.
 - (C) If a sash is removed, or a window altered to accommodate the installation of HVAC equipment, the window shall be restored to its historic condition in the event that the equipment is removed.
 - (D) No permit is required for installations of HVAC equipment where the installation requires only raising the lower sash of a double-hung window, or opening a casement leaf, transom, hopper or awning window.
- (2) Installation of through-wall HVAC.
 - (i) Through-wall installation of HVAC equipment shall not be permitted on Main Entrance Facades of Contributing Buildings.
 - (ii) Through-wall installation of HVAC equipment shall be permitted on Other Facades of Contributing Buildings and all facades of Non-Contributing Buildings provided the installation meets all of the following criteria:
 - (A) The installation will not result in damage to Significant Architectural Features, except that small portions of non-decorative Distinctive Building Material may be removed to accommodate the installation.
 - (B) The HVAC unit will be mounted with an exterior rimless architectural grille that is mounted flush with the exterior wall and is finished in a manner that matches or blends in

with the surrounding facade material. For dryer, kitchen, bathroom and boiler vents that are generally no more than 144 square inches, a projection of up to 6 inches is permitted.

- (3) Installation of HVAC equipment, including cooling units and piping for split systems and emergency generators, in side or rear yards is permitted provided the installation meets all of the following criteria:
 - (A) The HVAC equipment, piping, or emergency generator is not installed in front of a façade facing a Commonly Accessible Thoroughfare; the HVAC condenser or emergency generator is not visible or is Minimally Visible from a Commonly Accessible Thoroughfare or is made not visible or Minimally Visible by the installation of a Fence in accordance with section 5 of this Master Plan, or by planting and maintenance of permanent vegetation designed to screen such equipment from view throughout the year.
 - (B) The HVAC equipment or emergency generator may be installed on concrete pads of minimal thickness, or may be supported minimally above grade by a platform and/or brackets attached to non-decorative Distinctive Building Material.
 - (C) The installation of the HVAC equipment or emergency generator does not damage, obscure, or eliminate Significant Architectural Features or Significant Landscape Improvements, except that the condenser(s) for ductless split HVAC systems may be attached to non-decorative Distinctive Building Material; and a penetration of approximately 3 inches in diameter may be made in non-decorative portions of the exterior cladding to accommodate the installation.
 - (D) All exposed piping shall be placed on the building and finished so as to make the piping not call attention to itself or detract from the Significant Architectural Features of the building.
- (d) Replacement of Roofing Material. Replacement roofing shall be of the same roofing material as the existing roof or match the style and material of the original or historic roof, except that replacement roofing material that is not the original or historic material shall be upgraded to better recall the historic roofing material in terms of color, texture, size and finish. For example, existing asphalt shingles

shall be upgraded with alternative asphalt or other roofing material that better approximates the color, shape, size, reflectivity, texture and Details of the historic or original materials.

- (e) Shutters and Doors.
 - (1) Shutters. New shutters shall match the Details and finish of the existing shutters. If the building does not have shutters, new shutters may be installed if appropriate to the style of the building. The new shutters shall be proportioned to fit the window opening and shall match the Details and finish of shutters appropriate to the architecture of the building. All shutters shall be hinged, but they may be permanently affixed in the open position.
 - (2) Doors. A new door on a Main Entrance Façade of a Contributing Building shall match the materials, Details and operation of the original or historic door or, if the original or historic door does not exist, of other original or historic doors of buildings of the same or similar period and style. New doors on Other Facades of Contributing Buildings or on any façade of a Non-Contributing Building shall relate to the architectural style of the building. Storm doors are permitted providing they are installed within the existing door frame, have large glazed areas with no bars or decorative metalwork, and are finished to be harmonious with the finish of the door. A new garage door shall match the finish and Details of a historic garage door. The material and operation may differ from a historic garage door.
- (f) Replacement of Synthetic (e.g., metal, vinyl, and fiber cement) Siding. New synthetic siding shall not be permitted, except that 25 percent of existing, grandfathered siding may be replaced with new siding that matches the Detail and color of the existing. In determining the percentage of grandfathered siding that can be replaced, the staff shall take into account previous approvals for replacement of siding. If the building was originally constructed with synthetic siding, replacement siding that matches Details and color of the original or existing siding shall be permitted.
- (g) Outdoor Lighting. New or replacement light fixtures shall be of a size that is proportional to the scale of the building, shall be finished in a manner that is harmonious with the color and materials palette of the building, and shall be installed in locations that will not cause damage to any Significant Architectural or Landscape Features or call undue attention to the installation.
- (h) Telecommunications Equipment. No permit is required for the installation of a conventional television antenna or for the installation of not more than two satellite dishes, each not more than 24" in diameter, if such dishes are installed on the roof of a non-Main Entrance façade in the least obtrusive manner possible. The installation of other telecommunications equipment shall meet the following

requirements:

- (1) Satellite dishes and antennae of more than 24" in diameter may be installed on a roof or non-Main Entrance Facade if such equipment will be either not visible or Minimally Visible from a Commonly Accessible Thoroughfare and the installation shall not damage or destroy Significant Architectural Features or Distinctive Building Materials, including but not limited to slate. Installation of satellite dishes on asphalt roofs or other non-historic roof material is encouraged. Satellite dishes may also be installed on the chimney above the eave of the roof.

7. Alterations to Significant Landscape Improvements.

- (a) **General Principles.** The design and maintenance of Landscape Improvements was an integral part of the character of Fieldston historically, and such features contribute to the special character of the historic district. Proposed work on Significant Landscape Improvements, including driveways, sidewalks, stone walls and steps, and distinctive yard paving, must be approved by the LPC staff or the Commission.
- (b) The following types of work do not require approval from the Commission:
 - (1) Pruning or planting of trees, hedges or shrubs.
 - (2) Removal of hedges or mature trees.
 - (3) Planting of seasonal flower beds or vegetable gardens.
 - (4) Installation of garden furniture, ornaments or play equipment.
 - (5) Installation of holiday ornaments.
 - (6) Installation of temporary enclosures, such as party tents or structures related to religious observance. For purposes of this subsection, temporary shall mean for a period not to exceed four weeks.
 - (7) Repairing existing paving areas with matching materials.
 - (8) Installation of temporary wood or metal ramps and associated railings that are not permanently attached to the house or steps.
- (c) The LPC staff shall approve the following work if it meets all of the relevant criteria set forth below:
 - (1) Modifications to an existing wall, step, path, driveway, railing, curb, Fence, gate, and gate post, permanent garden structure or pavilion,

sidewalk or street gutter. The proposed work shall match the existing or historic condition or style in terms of the materials, Details, finish and design, or match materials traditionally found throughout the district. In the latter case, the substitute material shall be installed in a manner that is compatible with the installation of such material elsewhere in the district in terms of Details, finish and design. For example, driveways may be modified using the existing materials or be replaced with the historic paving material or a paving material traditionally found throughout the district, such as Belgian block, concrete, or asphalt. Permeable paving material that resembles historic paving materials in terms of color and texture, will be considered.

(2) Construction of new Landscape Improvements.

(i) Fencing. Fences visible from a Commonly Accessible Thoroughfare shall be constructed of painted metal that matches the finish and Details of historic fences found in the district, or wood. The finished side of a wood fence shall face away from the property. Chain link fences shall be permitted only at the rear of properties where there is no, or minimal, visibility from Commonly Accessible Thoroughfares.

(A) Fences at front lot lines, or the side lot lines in front of the plane of the Main Entrance Façade, shall be no higher than 42” and be of a simple and transparent design. A metal fence shall have a substantially lower solid to void ratio than a wood fence.

(B) Fences at rear lot lines, or side lot lines behind the plane of the main entrance façade, shall be no higher than 6 feet, including the height of any retaining wall or curb on which it rests, and be of a simple design without ornamentation except for decorative finials or caps.

(ii) Driveways, paths, patios, decks and walkways shall be constructed of materials that match the existing or historic paving materials, or materials traditionally found throughout the district.

(A) New driveways to new garages shall be no wider than 13 feet and shall be placed to provide the most direct line of access to the garage consistent with the topography and to preserve Significant Landscape Improvements. A driveway may have a turn-around to permit a three-point turn. A new driveway may have a wider dimension as it approaches and meets the garage.

(B) New on-grade patios shall be appropriately scaled in relation to the building and façade, of materials sympathetic to the style of

the building and the district, and shall be located in a side or rear yard not facing a Commonly Accessible Thoroughfare.

(C) Decks may be constructed on a rear or side facade that is not facing a Commonly Accessible Thoroughfare. The structure of a deck, including supports, railings and steps, shall be wood, though deck flooring may be stone. Where the floor of the deck is greater than three and a half feet above grade, the piers shall be constructed of substantial wooden posts or stone or masonry. The underside of a deck shall be open with no infill between supports, with the exception of wood lattice. The size of the deck shall be proportional to the size of the facade.

(D) Sidewalks. A new sidewalk where none currently exists shall match the width and material of the nearest adjacent sidewalk.

(iii) Stone walls. Stone retaining walls shall be constructed of materials that match the existing or historic materials. Free standing stone walls are not permitted other than around planting beds, which shall be no higher than 8 inches and be constructed of materials that blend into the landscape features, such as natural colored stone or dark masonry. Stone retaining walls shall be permitted at landscape grade changes, which do not extend more than 8" above the finish grade at the higher elevation. In addition, natural wood may be used around planting beds if appropriate to the style and materials of the house.

(iv) Swimming pools shall be installed at the rear or side of a property behind the plane of the Main Entrance Façade, and shall be screened by a Fence so that it will not be visible or is Minimally Visible from a Commonly Accessible Thoroughfare.

8. Procedures. Applicants shall submit a properly signed application and all necessary materials in support of their application. In accordance with the procedures set forth in the Implementation Rules, the LPC staff shall issue a permit for work that complies with the criteria set forth in the Master Plan. Applications that do not meet the requirements of this Master Plan shall, depending on the work being proposed, be treated as a request for a Certificate of No Effect, a Permit for Minor Work or a Certificate of Appropriateness and shall be processed accordingly. Where the Commission's rules and the provisions of this Master Plan cover the same type of work, the requirements and standards of the Master Plan shall govern, and the LPC Staff shall not issue a permit or approval pursuant to the rules that is inconsistent with the requirements and standards of the Master Plan.

LANDMARKS PRESERVATION COMMISSION

NOTICE OF ADOPTION OF NEW RULE

Pursuant to the authority granted to the New York City Landmarks Preservation Commission by Sections 1043 and 3020 of the New York City Charter and Sections 25-303, 25-305, 25-306, 25-307, 25-308, 25-310, 25-313 and 25-319 of the Administrative Code of the City of New York, the Landmarks Preservation Commission, at a public meeting on February 11, 2014, and after a public meeting on September 24, 2013 and a public hearing on September 23, 2008, adopted a new rule to implement a district master plan for the Fieldston Historic District, as set forth below.

Statement of Basis and Purpose

Background

The implementation rules (“Rules”) for The District Master Plan for the Fieldston Historic District (“District Master Plan”) are promulgated to assist building owners in applying to the Landmarks Preservation Commission (“LPC”) for approval of applications to undertake various types of work on properties located within the Fieldston Historic District, including additions, outbuildings, window replacement, heating, venting and air conditioning, and work on or affecting significant landscape improvements. The objective of the District Master Plan is to provide owners and architects with design criteria which will allow timely review of proposed alterations while protecting the architecturally and historically significant features of the buildings, significant landscape improvements and the historic district’s sense of place. The District Master Plan will cover all buildings in the Fieldston Historic District.

Please note that the Rules describe the process by which owners may obtain approval for work that complies with the District Master Plan. The District Master Plan sets forth the substantive criteria for approving proposed work. A copy of the proposed master plan is available at the Commission’s website, www.nyc.gov/landmarks. Hard copies are also available at the Commission’s offices.

Statutory Authority

The Landmarks Preservation Commission is authorized by Section 25-319 of the Administrative Code of the City of New York to issue regulations governing the protection, preservation, enhancement, perpetuation and use of landmarks, interior landmarks, scenic landmarks and buildings in historic districts. The Commission issues permits for work on designated landmarks if the work complies with the factors and

standards in Sections 25-306, 25-307 and 25-310 of the Administrative Code of the City of New York. In determining whether work complies with these standards, the Commission follows the procedures in Sections 25-305, 25-306, 25-307, 25-308 and 25-310.

Additions are shown by underscoring and deletions by brackets ([]).

“Shall” and “must” denote mandatory requirements and may be used interchangeably in the rules of this Commission, unless otherwise specified or unless the context clearly indicates otherwise.

IMPLEMENTATION RULE FOR THE DISTRICT MASTER PLAN FOR THE FIELDSTON HISTORIC DISTRICT

§1. Chapter 12 of Title 63 of the Rules of the City of New York is amended by adding the following new subsection:

§ 12-07. Implementation Rules for the District Master Plan for the Fieldston Historic District.

(a) Introduction. The implementation rules (“Rules”) for The District Master Plan for the Fieldston Historic District (“District Master Plan”) are promulgated to assist building owners in applying to the Landmarks Preservation Commission (“LPC”) for approval of applications to undertake various types of work on properties located within the Fieldston Historic District, including additions, outbuildings, window replacement, heating, venting and air conditioning, and work on or affecting significant landscape improvements. The Rules set forth herein permit the LPC staff to issue Authorizations to Proceed (“ATP”) for work that complies with the approved District Master Plan. Work that is not in accordance with the requirements of the District Master Plan will be reviewed by the Commission in accordance with its usual review procedures under the Landmarks Law. The provisions of the District Master Plan will take precedence over other rules that are not specifically tailored to the Fieldston Historic District.

The objective of the District Master Plan is to provide owners and architects with design criteria which will allow timely review of proposed alterations while protecting the architecturally and historically significant features of the buildings, significant landscape improvements and the historic district’s sense of place. The District Master Plan will cover all buildings in the Fieldston Historic District.

(b) Definitions. As used in these Rules, the following terms shall have the following meanings:

Authorization to Proceed and ATP. “Authorization to Proceed” and “ATP” shall mean an authorization to proceed as described in section 12-01(f) of these Rules.

Commission. “Commission” shall mean the appointed Commissioners, established by section 3020 of the New York City Charter.

District Master Plan. “District Master Plan” shall mean the District Master Plan for the Fieldston Historic District approved by the Commission as a Certificate of Appropriateness. A copy of the District Master Plan may be reviewed at the Commission’s offices by appointment or downloaded from the Commission’s website: www.nyc.gov/landmarks

Landmarks Law. “Landmarks Law” shall refer to section 3020 of the New York City Charter and Chapter 3 of Title 25 of the Administrative Code of the City of New York.

Landscape Improvement. “Landscape Improvement” shall mean a physical betterment of real property or any part thereof, consisting of natural or artificial landscape, including but not limited to grade, body of water, mature tree, walkway, road, plaza, wall, fence, step, fountain or sculpture.

LPC. “LPC” shall mean the Landmarks Preservation Commission acting in its agency capacity to implement the Landmarks Law.

Rules. “Rules” shall mean these implementation rules for the Fieldston Historic District.

Terms not otherwise defined in these rules or the District Master Plan shall have the meanings given them in the Landmarks Law.

- (c) Eligible Buildings. All buildings in the Fieldston Historic District are subject to the District Master Plan.
- (d) Permitted alterations. The LPC staff shall issue an ATP if the staff determines that:
- (1) The proposed work meets the criteria set forth in the District Master Plan; and
 - (2) The proposed work will not adversely affect any significant architectural feature of the building or significant Landscape Improvement, not otherwise permitted by the District Master Plan or other LPC approval.
- (e) Application procedures.
- (1) Submission of application. See Chapter 2, Subchapter A (“Application Procedure”) and Chapter 12 of these Rules.
 - (2) Application materials. The applicant shall submit adequate materials that clearly set forth the scope and details of the proposed work. At a minimum, the applicant shall submit detailed drawings that specifically show the proposed work and all other materials required

by the LPC staff. Drawings shall be made to scale, and include all pertinent dimensions. LPC staff may require applicants to submit other materials, including but not limited to photographs of existing conditions, construction details, material samples, specifications, or maps as necessary to clearly explain the proposed work. LPC staff may also require mockups of proposed additions or outbuildings to determine the visibility of such additions or outbuildings, and probes or other investigations to determine existing conditions.

Applications shall include a letter from the Fieldston Property Owners ("FPOA") not objecting to the work or stating the work is not occurring on FPOA property, or a site survey demonstrating that the proposed work is not occurring on FPOA property. If the proposed work requires compliance with the Special Natural Area District ("SNAD") rules, the applicant shall also provide a statement that s/he has met with the staff of the Department of City Planning ("DCP") to discuss the proposal. If DCP staff has indicated that some aspect of the proposal is inconsistent with the SNAD rules and requires an Authorization or Special Permit, or other approval, the applicant shall indicate in the statement that s/he intends to seek the appropriate approvals from the DCP or City Planning Commission. .

(3) Review procedures.

- (i) The application will be deemed complete when the LPC staff determines that the materials submitted adequately and clearly set forth the scope and details of the proposed work.
- (ii) When the application is complete, the LPC staff will review the application for conformity with these Rules. Upon determination that the criteria of the Rules have been met, an ATP will be issued pursuant to § 12-01(f). A determination that an ATP should be issued shall mean that the proposed work satisfies the criteria of the District Master Plan and that the work is appropriate to or will have no effect on protected architectural features of the specific building in question and is otherwise appropriate to the Fieldston Historic District.
- (iii) If the LPC staff determines that the criteria set forth in these Rules have not been met, the LPC staff shall provide the applicant with a notice of the proposed denial of the application. The applicant may request a meeting with the Director of the Preservation Department, or, in the absence of the Director, with a Deputy Director, to discuss the determination.
- (iv) Applications for work that do not qualify for the issuance of an ATP in accordance with these Rules shall be subject to the LPC's usual review procedure as set forth in the Landmarks Law.