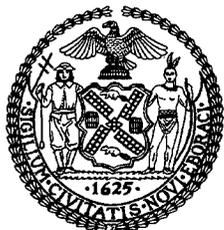


THE COUNCIL OF THE CITY OF NEW YORK

COUNCIL MEMBER GALE A. BREWER



CITY HALL
NEW YORK, NY 10007
TEL: 212-788-6975
FAX: 212-513-7717
www.council.nyc.gov

FOR IMMEDIATE RELEASE

July 13, 2010

*****MEDIA ALERT*****

Contact: Jesse Bodine
Office : (212) 873-0282

Brewer Applauds Preservation Decision: BSA Agrees With HPD On Jurisdiction Over Endangered West Side Brownstone at 330 West 86 Street

New York, NY— In an important case, the Board of Standards and Appeals (BSA) modified its decision on Tuesday, July 13, to give the Department of Housing Preservation and Development (HPD) the final say over the fate of 330 West 86th Street, in Manhattan. The four story brownstone near Riverside Park lies in the proposed West End Historic District, and was slated for demolition by a developer calling itself "Dark Horse."

"This decision vindicates the community advocates who opposed the demolition," said Council Member Gale A. Brewer (D-Manhattan). "BSA has recognized that, as a matter of law, the site and the plans of Dark Horse Development are subject to HPD's jurisdiction and to the regulations covering properties administered under UDAAP (Urban Development Action Area Project)."

Background: The building was sold to its residents by HPD through the Urban Development Action Area Project (UDAAP) in 1999. It was then re-sold to Dark Horse Development, which later sued the city, seeking, among other remedies, to be exempted from UDAAP regulations that restricted the site to a building of four units. Dark Horse also applied at the Department of Buildings (DOB) for permits to demolish 330 West 86th Street, and replace it with a 17 story "sliver building." DOB disapproved the plans because they did not adhere to the intention of the UDAAP. This decision was overruled by BSA, but now after an intense campaign of letter writing by advocates and Council Member Brewer's office, BSA has reversed its decision; HPD and UDAAP are the controlling agents on the fate of 330 West 86th Street.

"HPD must have the time and legal purview to resolve the unique controversies that have arisen in the UDAAP program," stated Brewer in her testimony to the BSA last month.

"We are very pleased," said Brewer upon hearing the BSA decision. "UDAAP is intended to preserve and revitalize existing buildings by remedying violations and making repairs. It was never intended to create a low-cost incentive to private developers to demolish buildings that should be landmarked. This decision will aid the efforts of the Landmarks Preservation Commission and preservation advocates to preserve the area surrounding West End Avenue as an historic district."

###