



November 25, 2024

Mr. Gerald Sprayregen
TUCK-IT-AWAY AT 135TH STREET INC.
340 ROYAL POINCIANA WAY, #317-168
PALM BEACH, FL 33480

PROPERTY TAX ADVISORS, LLC
C/O JOHN KIM P.O. BOX 320099
ALEXANDRIA VA 22320-4099

RE: Unauthorized Work - Claremont Theatre, 3320-3338 Broadway, aka 536-540 West 135th Street (Block 1988, Lot 1, in part) New York, NY 10031

Dear Mr. Sprayregen,

At its regularly scheduled General Board Meeting held on Thursday, November 21, 2024. Manhattan Community Board No. 9 passed the following Letter of Concern re: **Unauthorized Work - Claremont Theatre, 3320-3338 Broadway, aka 536-540 West 135th Street (Block 1988, Lot 1, in part) New York, NY 10031** by unanimous consent with 36 members present:

Manhattan Community Board 9 (MCB9) is writing to bring to your attention our concerns regarding unauthorized exterior work observed at the Claremont Theatre. The Claremont Theater Building, located at 3320-3338 Broadway, aka 536-540 West 135th Street New York, NY 10031 (Block 1988, Lot 1, in part) is an individual landmark.

As mentioned in its designation report, the Claremont Theater is one of New York City's oldest structures dedicated to motion pictures. The unique features of the structure to be preserved include three distinct fronts, including a clipped corner façade where the auditorium's entrance was originally located which holds an elaborate decorative treatment, including a low relief depicting an early motion picture camera.

Our Landmarks Preservation and Parks Committee, has identified the following issues that require immediate attention:

- **Unauthorized Exterior Work:** Modifications and repairs have been noted on the building's exterior that were carried out without the necessary permits or approvals from the Landmarks Preservation Commission.



**THE CITY OF NEW YORK
COMMUNITY BOARD 9
MANHATTAN**

Morningside Heights
Manhattanville
Hamilton Heights
Sugar Hill

3291/3295 Broadway
New York, NY 10027
Phone: (212)864-6200
Email: info@cb9m.org

Hon. Daniel J. O'Donnell, Assembly Member, 69th Assembly District
Hon. Inez Dickens, Assembly Member, 70th Assembly District
Hon. Al Taylor, Assembly Member, 71st Assembly District
Hon. Shaun Abreu, City Council Member, 7th Council District
Hon. Dr. Yusef Salaam, City Council Member, 9th Council District
Mr. Zead Ramadan, Executive Director, West Harlem Development Corporation



November 27, 2024

Hon. Sarah Carroll Commissioner
New York City Landmarks Preservation Commission
David N. Dinkins Municipal Building
1 Centre Street, 9th Floor North
New York, NY 10007

Regarding: Disapproval of the Certificate of Appropriateness Application
43 St. Nicholas Place, New York, NY 10031
Manhattan Community District 9, (Block 2067, Lot 30)
Hamilton Heights/Sugar Hill Northwest Historic District
DOCKET #: LPC-23-07671

Dear Commissioner Carroll,

At its regularly scheduled General Board Meeting held in hybrid, on Thursday, November 21, 2024, Manhattan Community Board No. 9 (MCB9) passed the following **letter opposing support re: Kota Nest LLC application for a Landmarks Preservation Commission (LPC) Certificate of Appropriateness referencing the property located at 43 St. Nicholas Place, New York, NY 10031, unanimously with 10 abstentions, and 36 members present:**

MCB9 has been unable to fully evaluate an application for a Certificate of Appropriateness for a visible bulkhead to accommodate an occupied rooftop egress, limited ADA accessibility to only the second floor and restoration to windows and doors. Kota Nest LLC has failed to provide the requested information such as its final drawings, material specifications and future change in use which will determine the required structural changes.

This Northern Renaissance style row house was constructed circa 1894-1895 by architect Clarence True. According to the LPC June 18, 2002 Historic District Designation Report, this four story row house made of beige brick and limestone trim includes many significant features and is the anchor property of residential use row houses. MCB9 notes many concerns for opposing the Kota Nest LLC Certificate of Appropriateness application:

- The current NYC Department of Buildings Certificate of Occupancy No. 63675 for the subject row house and designation as a Restricted Single Room Occupancy (SRO) residential structure includes one Class A apartment and eight Class B rooms. Kota Nest LLC purchased the row house in January 2022 and uses the property for public commercial event space rentals and short term rentals for international interns and tourists. The existing non-compliant commercial occupancy condition is the reason for the rooftop egress bulkhead request to address NYC Building and Fire Codes.
- Kota Nest LLC has not provided a bulkhead mock up that meets the LPC standard that should be draped with orange construction netting, painted with a bright color, or wrapped with bright yellow caution tape. The existing mockup is silver/gray in color and difficult to assess.



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Cc: Honorable Eric Adams, Mayor
Honorable Brad Lander, NYC Comptroller
Honorable Mark Levine, Manhattan Borough President
Honorable Adolfo Carrión Jr., HPD Commissioner
Honorable Cordell Cleare, NYS Senator, 30th Senatorial District
Honorable Daniel J. O'Donnell, NYS Assemblyman, 69th Assembly District
Honorable Inez Dickens, NYS Assembly Member, 70th Assembly District
Honorable Al Taylor, NYS Assemblyman, 71st Assembly District
Honorable Shaun Abreu, Member of the NYC Council, 7th Council District
Honorable Yusef Salaam, Member NYC Council, 9th Council District
Mr. Zead Ramadan, Executive Director, West Harlem Development Corporation
NYC Department of Buildings
NYC Housing Preservation and Development
NYC Department of Finance
Division of Housing and Community Renewal