



Margery Perlmutter
Chair/Commissioner

March 4, 2015

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Martin Rebholz, R.A.
Manhattan Borough Commissioner
NYC Department of Buildings
280 Broadway, 3rd Floor
New York, N.Y. 10007

Re: BSA Cal. No. 162-13-BZ
120-140 Avenue of the Americas, a/k/a 72-80 Sullivan Street, Manhattan
Block 490, Lots 27 and 35
BIN No. 1007376

Dear Borough Commissioner Rebholz:

On December 10, 2013, under the above referenced calendar number, the Board approved, within an M1-5B zoning district, the construction of four townhouses (Use Group 2) and a 16-story mixed-use residential/retail building, which is contrary to ZR §§ 42-10, 42-14(D)(2)(b), and 13-12(a).

By letters dated January 12, 2015 and February 9, 2015, Judith M. Gallent, a representative of the owner, seeks a letter of substantial compliance to permit the following changes to the plans:

- An increase in the townhouse height from 47'-7" to 50'-3";
- The relocation of the townhouse elevators and increase in the height of the elevator bulkheads from 9'-0" to 9'-8";
- A revision to the townhouse floor layouts;
- A reconfiguration of the garden planter/garden wall that parallels the Avenue of the Americas street line;
- The relocation of the air handler to the ceiling of the first floor garage;
- The inclusion of louvers on a portion of the tower bulkhead enclosure;
- The reconfiguration of the south tower plaza; and
- The redesign of the cellars for Townhouse 3 and Townhouse 4.

Ms. Gallent represents that the proposed changes do not increase the approved amount of floor area, which will remain at 81,565 sq. ft., and that there are not any changes proposed to the approved mix of uses.

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The changes are illustrated on the revised plans, labeled P-01.00 thru P-23.00, stamped "March 4, 2015".

The Board has reviewed the applicant's request and has determined that the proposed changes are in substantial compliance with the Board's grant. Therefore, the Board has no objection to the proposed changes, on condition that the Department of Buildings will ensure compliance with all applicable provisions of the Zoning Resolution, Building Code or any other relevant law. To the extent that the proposed changes trigger such non-compliance, then the Board's determination herein will have no effect. Two copies of the revised building plans have been retained by the Board.

Sincerely,

A handwritten signature in blue ink, appearing to read "Susan Hinkson", is written over a horizontal line.

Susan Hinkson
Vice-Chair/Commissioner

Encl.

c: Judith M. Gallent
John Egnatios-Beene