

Judge orders review of 5th Av. building

POST MAR 2 1977

By ROBERTA B. GRATZ

The developer of a proposed Fifth Avenue apartment house has been told to submit his plans to an independent group of architects for design review.

The unusual order by a State Supreme Court Judge is an attempt to settle a lawsuit brought by a community group seeking to stop the project altogether.

Justice Edward J. Greenfield yesterday directed developer Peter Kalikow of H. J. Kalikow & Co. to show his plans for a 23-story, \$6 million residential building at 82d and Fifth to a committee of architects of the Municipal Arts Society.

Community residents and members of the architectural community call the building inappropriate for an area of predominantly turn-of-the-century structures, and say it would not be in keeping with two landmarks on either side.

"I don't want to be the arbiter of taste for the city of New York but sometimes you have to do just that," Greenfield said. To help him, the judge directed the committee of architects to review the plans within one week.

They will determine if it is possible to make improvements in the facade of the new structure, which was designed by Philip Birnbaum, architect of numerous new



Post Photo by Terence McCarten
JUSTICE GREENFIELD
Landmark question.

apartment houses here. If the committee says yes, Greenfield will appoint an architect to design the changes in consultation with Birnbaum. Any alterations must not cost the builder more than \$100,000.

The committee is headed by architect James Polchek, dean of Columbia's Graduate School of Architecture and Planning and a vice-president of the Municipal Arts Society. Polchek had been called in as consultant by the community group fighting the new building.

The Neighborhood Assn. to

Preserve Fifth Avenue Houses brought suit two weeks ago to prevent demolition of the one remaining townhouse on the building site. The basis was a minor technicality—the builder had failed to give proper demolition notice to neighboring property owners.

But the primary purpose, says association president Mrs. Mortimer Levitt, was to delay demolition long enough for the Landmarks Preservation Commission to designate the area an historic district. In such districts, the commission must approve design of new buildings as well as alterations of old ones.

The commission has scheduled a public hearing next Tuesday to consider a Metropolitan Museum historic district, extending along Fifth Av. from 79th to 86th Sts. and including most of the townhouses on the side streets to Madison Av.

The proposed apartment tower contains four columns of brick with three bays of windows in between. The outside bays have terraces containing limestone and glass railings.

Kalikow said last night he thought Greenfield's decision "eminently fair" and that "in the interest of being a good neighbor" he hoped things would work out to "everyone's satisfaction."