

# BROKEN BUILDING

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Housing Preservation and Development have relocated most of the tenants, according to Red Cross spokesperson Amy Baumstein.

Herschlag's report, based on a two-hour, cursory inspection last November, was completed February 23 at the request of CB 7. Coming from Messinger's office and not the DOB, it could not be considered an official City report. But according to department spokesperson Vahe Tiryakian, DOB never even received a copy of the Messinger memo.

Penny Ryan, district manager for CB 7, disagrees. "I sent it myself," she said. "I checked with the DOB [on Wednesday], and they say that their mail is channeled in different directions." She added that the report itself, based only on an exterior inspection, was advisory in nature and should not be considered official.

Castro, who bought the building a few weeks after Herschlag filed his report, said he didn't know the report existed until after the cave-in. Had Herschlag's warnings been heard earlier, he says, repairs may have been called for and tenants may not have been forced out of their homes.

"We never got it. It should have been mailed to the tenants," said Joseph Padillo, who has lived in the building for over 20 years. Padillo stood for hours on Thursday watch-

ing police escort tenants into their apartments to retrieve their possessions. "If this building is so unsafe, they should have gotten people out a long time ago."

Tamar Lynn, a member of CB 7's land use committee, said the mix-up was endemic to the lack of communication among City offices. "Unless somebody's calling every five minutes, it winds up in this large pile," she said.

"I don't run around saying, 'This building's going to collapse,'" said Herschlag, who arrived at the scene last week shortly after the DOB, Red Cross, firefighters, police, Department of Demolition, and Human Resources Administration Disaster Services. "I could look at this as [a case of] 'I told you so,' but I wish the problems of the building were over — and they aren't."

Herschlag added he is still in dispute with DOB's engineers over long-term causes for the water main break. "The building was settling. That is one of the main reasons water mains break," he said, claiming the building sits precariously above a large, underground stream marked in a 19th-century geological map of Manhattan. As further evidence, he pointed out a four-foot deep, sinkhole-like ditch behind the building and several depressions in the basement "that looked like [they] had occurred over a long period of time."

At an inspection last Friday, Herschlag recalled, his counterparts at DOB said they thought the

water main broke for another common reason: it was old. "We just had a flat-out disagreement about that," he said.

The building's fate now is in the hands of DOB, which has final approval over all of the owner's proposed repairs. Tiryakian would not comment on the disagreement or on the possibility of boring for core samples to verify the presence of a stream.

Discrepancies between Messinger's office and the DOB have not been uncommon lately, said Herschlag. He pointed out three incidents in the past year, including last September's near-catastrophic wall cave-in during the demolition of the old Ansonia post office on 67th Street. "It's been a long year for this kind of stuff," he said. "The borough president and the Buildings Department have been at odds over certain buildings and general policy."

Ironically, the only reason Herschlag examined 350 W. 110th St. in the first place last November was because CB 7 asked him to check out its troubled next-door neighbor — 352, a gutted, City-controlled building that had been invaded by crack dealers. "I went to see 352, and I noticed a lot of the same [structural] problems at 350," he recalled. "It so happens that 350 is the one that partially collapsed first." The buildings share a parting wall and at one time were under the same ownership.



*"We always summer in the city. You got a problem with that?"  
A neighborhood resident knows how to keep cool in the heat.*

Pete Kuhns

"The potential exists for a more pronounced drop or even a collapse of the exterior wall [of 350] to occur at any time," wrote Herschlag in his report. If immediate inspection and repairs fail to take place, he recommended "the inhabited portion of the structure [350] be vacated immediately."

This summer added pressure

from CB 7 and neighborhood activists led the crack den to be sealed from the public. But its occupied next-door neighbor was apparently neglected by all concerned. A July 19 letter from Messinger to DOB focused on the inhabited building only as it related to the crack house, which she and CB 7 wanted either demolished or renovated. ☞