



THE CITY OF NEW YORK LANDMARKS PRESERVATION COMMISSION

1 CENTRE STREET, 9TH FLOOR, NEW YORK, NEW YORK, 10007

TEL: (212) 669- 7700 FAX: (212) 669-7960

www.protectwest70.org

# APPLICATION FORM

f-2

## FOR WORK ON DESIGNATED PROPERTIES

This application will not be deemed complete until it is so certified by the Landmarks Preservation Commission. An application consists of an application form and the materials necessary to describe the project fully. If being submitted in response to a **Warning Letter** or **Notice of Violation**, please enter the number below.

Please print or type all items. If not applicable, mark N.A.

03-2653		10/25	Start Use Only		MH
LPC DOCKET #	DATE RECD	DATE CERT AS COMPLETE	BKG DEPT # & DATE	STAFF	
<input type="checkbox"/> INDIVIDUAL	<input type="checkbox"/> SCENIC	<input type="checkbox"/> INTERIOR	HISTORIC DISTRICT		
TYPE OF DESIGNATION					
<input type="checkbox"/> PMW ACTION	<input type="checkbox"/> CNL	<input checked="" type="checkbox"/> COA	<input type="checkbox"/> REPORT	<input type="checkbox"/> OTHER	OT
ACTION		WORK TYPE			

**DESIGNATED PROPERTY**

8 West 70th Street (in part) ADDRESS FLOOR OR APARTMENT N/A

Manhattan BOROUGH 1122 BLOCK 36, 37 LOT R10/R8B ZONING

**DETAILED DESCRIPTION OF PROPOSED WORK**  
Use back of form if necessary

This application accompanies an application for a Certificate of Appropriateness for the construction of a 14-story building on the zoning lot of the designated landmark. Application is herein made for the Commission to join the applicant in submitting an application to the City Planning Commission for a special permit pursuant to Section 74-711 of the New York City Zoning Resolution. A special permit is being requested to permit the transfer of zoning floor area from an R10 district to an R8B district (and thereby transferring development rights off the designated landmark) and for associated waivers of streetwall and height and setback for the building and partial rear yard (floors 2 - 4) regulations.

**COST OF PROJECT**

WARNING LETTER / NOV # N/A

**TENANT/LESSEE/ CO-OP SHAREHOLDER**

N/A NAME TITLE & FIRM (if applicable) PHONE (day) ADDRESS APT # CITY STATE ZIP CODE

**ARCHITECT/ ENGINEER**  
If applicable

Platt Byard Dovell White NAME TITLE & FIRM (if applicable) PHONE (day) 212-691-2440  
19 Union Square West ADDRESS CITY STATE ZIP CODE New York, NY 10003

**CONTRACTOR**  
If applicable

N/A NAME TITLE & FIRM (if applicable) PHONE (day) ADDRESS CITY STATE ZIP CODE

**PERSON FILING APPLICATION**

e.g. Expeditor, Attorney, Managing Agent, etc

Shelly S. Friedman, Esq. c/o Friedman & Gotbaum, LLP NAME TITLE & FIRM (if applicable) PHONE (day) 212-925-4545  
568 Broadway - Suite 505 ADDRESS CITY STATE ZIP CODE New York, NY 10012

**ARE YOU APPLYING TO ANY OF THE FOLLOWING?**

- Buildings Department
- City Planning Commission
- Board of Standards & Appeals

I am the owner of the above listed property. I am familiar with the work proposed to be carried out on my property and give my permission for this application to be filed. The information entered is correct and complete to the best of my knowledge.

**OWNER**

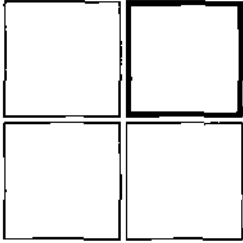
For applications for work on or in a cooperative or condominium building, the "owner" is the Co-op Board or Condominium Association. An officer of the Co-op Board or Condominium Association must sign this application. Please consult the Instructions for Filing for additional information.

The Congregation Shearith Israel in the City of New York OWNER'S NAME AND TITLE (please type or print) PHONE (day) 212-873-0200

8 West 70th Street COMPANY, CORPORATION ORGANIZATION (if applicable) ADDRESS CITY STATE ZIP CODE New York, NY 10023

**SIGNATURE**

Dr. Alan Singer, Executive Director SIGNATURE OF OWNER DATE October 18, 2002

**FRIEDMAN & GOTBAUM LLP**

568 BROADWAY SUITE 505  
NEW YORK NEW YORK 10012  
TEL 212 925 4545  
FAX 212 925 5199  
ZONING@FRIGOT.COM

October 24, 2002

**BY HAND**

Hon. Sherida E. Paulsen, Chair  
Landmarks Preservation Commission  
One Centre Street - 9<sup>th</sup> Floor  
New York, NY 10007

**Re: Congregation Shearith Israel  
Block 1122 Lots 36 & 37  
Manhattan**

Dear Ms. Paulsen:

Please find enclosed two applications in connection with the development of a 14-story building on a zoning lot consisting of the two subject tax lots, on which is built the Synagogue used by The Congregation of Shearith Israel in the City of New York, a designated New York City landmark. In addition, the Synagogue and the remainder of the zoning lot, which is improved with a four-story parsonage facing Central Park West (together constituting Tax Lot 36) and the existing community house adjacent to the Synagogue on West 70<sup>th</sup> Street and an unimproved vacant lot adjacent to the community house on West 70<sup>th</sup> Street (together constituting Tax Lot 37), is located within the boundaries of the Upper West Side Historic District. As more fully described below, one application requests a Certificate of Appropriateness for the proposed development. The second application requests that the Commission join with the applicant in applying to the City Planning Commission for a special permit pursuant to Section 74-711 of the Zoning Resolution of the City of New York to waive certain bulk provisions applicable to the zoning lot. The combined effect of the approval of these applications will be to assure the long-term preservation of the designated landmark.

The proposal is further described in the architectural material prepared by the firms of Platt Byard Dovell White and Stephen Tilly Architects, which is being submitted with this letter.

The Congregation has embarked on a comprehensive effort to inform its neighbors and the community of these applications. It will take any additional steps recommended by the Commission to assure that the public is fully informed prior to the public hearing on this application.

### *The Certificate of Appropriateness*

A Certificate of Appropriateness from the Commission is necessary with regard to three actions:

1. Demolition of the Congregation's community house which currently occupies a portion of Tax Lot 37. This four-story building was built in the 1950's and contains no elements of significance in relation to either the designated landmark Synagogue or the historic district. It contains office space for the Congregation's administration and its educational and cultural programs. It has long since stopped serving any of those functions suitably. It lends nothing to the historic character of the District and, in combination with the useless vacant lot to its west, physically detracts from the character of the remainder of the block.

2. Construction of the 14-story building to provide both new sub-grade space and replacement of the four stories of new community house space above grade. The space designed for community service will be considerably more efficient, modern and functional. Above the community house will be developed ten floors of residential space that the Congregation intends to sell in order to raise the funds necessary to finance construction of the new community facilities and to fund the continued preservation efforts on the Synagogue and its adjacent Parsonage. The new building has been designed to provide what the Congregation believes to be the minimum amount of residential space necessary to assure the long-term viability of the zoning lot for its use by the Congregation. Its design will respect the individual landmark and provide greater harmony with the character of the historic district than the current community house and vacant lot.

3. The current community house is built directly against the west wall of the landmarked Synagogue. Accordingly, the protective measures that must be taken to demolish the existing community house and construct the new building must be approved by the Commission so that they will not jeopardize the significant historic architectural elements of the landmark.

### *The Section 74-711 Special Permit*

In those rare cases in which the Commission finds that a suitable preservation purpose is being served by an application, and that the resulting proposal does not comply with the provisions of the New York City Zoning Resolution, the Commission may serve as a co-applicant to the City Planning Commission to secure waivers from the provisions of the Zoning Resolution which would interfere with that preservation purpose. In this case, the zoning lot is located partially within the boundaries of the R10 district running parallel to Central Park West and partially within the boundaries of the R8B zoning district located on the midblock of West 70<sup>th</sup> Street between Central Park West and Columbus Avenue. Because the Synagogue contains relatively little zoning floor area, a substantial amount of unused but available zoning floor area remains over it in the R10 portion of the zoning lot. This proposal requires moving a significant amount of this available zoning floor area off of the footprint of the landmark and incorporating it into the development of the new building. However, because the utilization of that floor area

requires that it be transferred across the R10/R8B zoning district boundary bisecting the zoning lot. the transfer cannot be executed as a matter of right. Thus, the Special Permit will be used to permit the transfer of zoning floor area across the zoning district boundary, thereby securing an important preservation objective by removing available development rights from over the landmarked Synagogue. In addition, the Congregation will enter into a declaration, under the guidance of the Commission's staff, establishing a Program for Continuing Maintenance for the landmarked Synagogue. to become effective upon the actual construction of the new building.

The transfer of zoning floor area from the R10 portion of the zoning lot to the R8B portion of the zoning lot will result in the use of more floor area than permitted as a matter of right in the R8B portion of the zoning lot. As a result of this transfer, the new building fails to comply with certain zoning regulations governing bulk. The Section 74-711 Special Permit will therefore also need to address the following waivers:

*In the R8B portion of the Zoning Lot:*

- A waiver of the maximum zoning floor area and the minimum lot coverage (community facility floors 2 through 4 only) in Z.R. Section 24-11 is required. It should be noted that the proposal does not require more zoning floor area than the Zoning Resolution currently permits on the zoning lot. This waiver effectuates the transfer of existing floor area from one portion of the zoning lot to another.
- A waiver of the base height and building height requirements in Z.R. Section 23-633 is required. It should be noted that the resulting building remains under the building heights of both 91 and 101 Central Park West. This waiver will permit the streetwall façade of the building to rise without setback, which is consistent with the multifamily architecture found within this area of the Historic District.
- A partial waiver of the rear yard requirements in Z.R. Section 24-36 for community facility floors 2 through 4 is required. It should be noted that the residential portion of the new building provides a fully complying 30 ft. rear yard. This waiver will permit a 20 ft. rear yard for the community house floors below the height of the existing landmark.

*In the R10 portion of the Zoning Lot:*

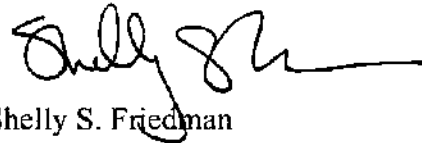
- A waiver of the height and setback requirements in Z.R. 24-522 is required. This waiver, and its associated waiver for the R8B portion of the zoning lot described above, will permit the streetwall façade of the building to rise without setback, which is consistent with multifamily architecture found within this area of the Historic District.

*Precedents*

This request for the Commission's participation in a Section 74-711 Special Permit has a very close precedent in the development of the office tower by the Swiss Bank Corporation behind Saks Fifth Avenue, which is a designated landmark. The primary purpose of the special permit in that application was to permit zoning floor area over the designated landmark to be transferred across the zoning district boundary from the avenue portion of its zoning lot to the midblock portion of the zoning lot, which had been assembled for the construction of the office building. The resulting building thus effectively removed the floor area from over the landmark and was so deemed to serve a preservation purpose. It also was deemed to have served a preservation purpose by re-directing the development footprint away from Fifth Avenue, thereby respecting the low-rise buildings of Rockefeller Center immediately across the street, and preserving both the open space and southerly sight lines for St. Patrick's Cathedral. It also resulted in the creation of a Program for Continuing Maintenance for the Saks Fifth Avenue façades. These applications embody similar preservation goals.

Thank you in advance for your consideration of these applications. We look forward to working with you as they progress.

Very truly yours,



Shelly S. Friedman

cc: Hon. Amanda Burden  
Peter Neustadt  
Dr. Alan Singer  
Charles Platt  
Sam White

W



100-26 M

**Date:** Wednesday, November 20, 2002  
**Re:** Congregation Shearith Israel  
**From:** Sam White for Platt Byard Dovell White Architects LLP  
**To:** Meisha Hunter, Landmarks Preservation Commission  
**Cc:** Shelly Friedman

We are sending you the following materials by hand. Documents identified as "Not included in this Package" will be available for the Community Board and LPC public hearings. All drawings are hand stamped today.

1. **Exist. site plan -**
2. **Proposed site plan-**
3. **sub-basement-**
4. **basement-**
5. **first floor plan-**
6. **second floor plan-**
7. **third floor plan-**
8. **fourth floor plan-**
9. **fifth floor plan-**
10. **typ apt. (6-14) -**
  
11. **roof plan-**
12. **section A -**
13. **section B-**
14. **Exist. East context elev.-**
15. **Proposed east context elev.-**
16. **Exist. north context elevation-**
17. **proposed north context elevation-**
18. **Proposed north elev.-**
19. **proposed east elevation-**
20. **Exist. South elev.-**
21. **Proposed south elev.-**
22. **proposed west elevation-**
23. **Exist. West elevation @ synagogue and proposed west elev. @ synagogue-**
24. **enlarged elevation & section at base - Not included in this package**
25. **enlarged elevation & section at top- Not included in this package**
26. **zoning envelope 1 - Not included in this package**
27. **zoning envelope 2 - Not included in this package**
28. **FAR summary -**
29. **zoning summary -: 2 pages 8 ½ x 11**
30. **color rendering north elev. Not included in this package**
31. **color rendering east elev. Not included in this package**
32. **pencil perspective - 11 x 17 printout only Larger version not included in this package**
33. **CPW context photos - Not included in this package**
34. **W. 70th context photos- Not included in this package**
35. **rear yard context photos- Not included in this package**
36. **design precedents photos- Not included in this package**
  
37. **Materials board- Not included in this package**
  
37. **Context model at 1/32" scale: Not included in this package**
  
38. **Building model @ 1/8" scale: Not included in this package**

Congregation Shearith Israel  
November 20, 2002

Zoning Summary - Bulk Calculation

	R10A
Existing Floor Area To Remain (sf.) See Note 1	36,400
Permitted Floor Area (sf.) See Note 2	105,186
Proposed Floor Area (sf.) See Note 3	49,732
Excess (Shortage) (sf.)	55,454

Note 1:  
Note 2:  
Note 3:

Existing building to be removed: 11,012 sf  
Permitted FAR @ 8.38 based on averaging for divider  
New Building: 62,487 square feet.

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... main r  
... arner  
... pending verificatio

... SITE INFO\2 07 REG ENTITIE



**Platt Byard Dovell White**  
Architects LLP

**Transmittal**

19 Union Square West  
New York NY 10003  
212 691 2440  
212 633 0144 fax

<i>To</i>	<b>Brian Hogg</b>	<i>Date</i>	<b>10-30-02</b>
	<b>Landmarks Preservation Commission</b>	<i>From</i>	<b>Samuel G. White</b>
	<b>One Centre Street, 9<sup>th</sup> Floor North</b>	<i>Project</i>	<b>Congregation Shearith Israel</b>
	<b>New York, NY 10007</b>	<i>Subject</i>	<b>Drawings</b>

*We are sending the following to you via:*

- Under Separate Cover   
  Mail   
  Messenger via Vanessa Paulsen  
 Fax   
  FedEx   
  Other \_\_\_\_\_

<i>Date</i>	<i>Description</i>
<b>10-30-02</b>	<b>One set (21 sheets) of 30x42" drawings of 10 West 70<sup>th</sup> Street</b>
<b>10-30-02</b>	<b>One 11x17" color rendering of the north elevation</b>

*Remarks*

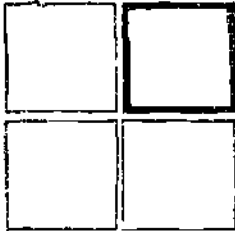
**For staff review.**

*Copy To*

**Shelly Friedman (w/o enclosures)**

*Design information contained herein may not be used or modified without the expressed written consent of Platt Byard Dovell White Architects.*

*If Enclosures are not as noted, please notify sender at the address above.*



**FRIEDMAN & GOTBAUM LLP**

56 BRADY PL. 11TH FL.  
NEW YORK, NEW YORK 10012  
TEL: 212-421-3545  
FAX: 212-421-3196

**FACSIMILE COVER PAGE**

NAME	ORGANIZATION	FAX NO
Hon. Sherida Paulsen	Landmarks Preservation Commission	669-7955
Richard Barth	Department of City Planning	720-3488
Brian Hogg	Landmarks Preservation Commission	669-7780
Mark Silberman Esq	Landmarks Preservation Commission	669-7797
Penny Ryan	Community Board No. 7	595-9317
Sam White	Platt Byard Dovell White	629-3749

FROM	Shelly S. Friedman	
MATTER NO	4196.0001	
SENT	10/31/02 (2:30PM)	NO PAGES 2 (including cover page)

**MESSAGE**

THIS FACSIMILE CONTAINS CONFIDENTIAL INFORMATION INTENDED ONLY FOR THE USE OF THE RECIPIENT OR ORGANIZATION(S) NAMED ABOVE. IF YOU HAVE RECEIVED THIS FACSIMILE IN ERROR,



**FRIEDMAN & GOTBAUM LLP**

300 BFC PLAZA, 9 FLOOR  
NEW YORK, NY 10002  
TEL 212 225 5555  
FAX 212 225 5129  
ZONING@FRGOT.COM

October 31, 2002

**BY HAND AND TELEFAX**

Hon. Sherida F. Paulsen, Chair  
Landmarks Preservation Commission  
One Centie Street - 9th Floor  
New York, NY 10007

**Re: Congregation Shearith Israel  
Block 1122 Lots 36 & 37  
Manhattan**

Dear Ms. Paulsen

I have just learned of a typographical error on both of the pending application forms filed in connection with the subject properties. Please note that the correct zoning district identification for the avenue portion of the property lot is R10A and not R10 as set forth on the applications. The zoning waivers necessary for the development of the application that are set forth in my transmittal letter of October 24, 2002 remain the same.

I would greatly appreciate making this letter a part of the Commission's files. Thank you for your assistance.

Very truly yours,

Shelly S. Friedman

- cc Richard Barth
- Brain Hogg
- Mark Silbermann, Esq
- Penny Ryan
- Sam White

**Platt Byard Dovell White**  
Architects LLP

www.protectwest70.org  
**Transmittal**

19 Union Square West  
New York NY 10003  
212 691 2440  
212 633 0144 fax

<i>To</i>	<i>Date</i>
Brian Hogg	10-30-02
<i>From</i>	
Landmarks Preservation Commission	Samuel G. White
<i>Project</i>	
One Centre Street, 9 <sup>th</sup> Floor North	Congregation Shearith Israel
<i>Subject</i>	
New York, NY 10007	Drawings

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Under Separate Cover   
 Mail   
 Messenger via Vanessa Paulsen  
 Fax   
 FedEx   
 Other \_\_\_\_\_

<i>Date</i>	<i>Description</i>
10-30-02	One set (21 sheets) of 30x42" drawings of 10 West 70 <sup>th</sup> Street
10-30-02	One 11x17" color rendering of the north elevation

*Remarks*

For staff review.

*Copy To*

Shelly Friedman (w/o enclosures)

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Congregation Shearith Israel  
November 20, 2002

Zoning Summary - Bulk Calculation

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	R10A	R8B	Combined
Existing Floor Area To Remain (sf.) See Note 1	36,400	0	36,400
Permitted Floor Area (sf.) See Note 2	105,186	39,554	144,740
Proposed Floor Area (sf.) See Note 3	49,732	49,155	98,887
<i>Excess (Shortage) (sf.)</i>	<i>55,454</i>	<i>(9,601)</i>	<i>45,853</i>

Note 1: Existing building to be removed: 11,012 sf

Note 2: Permitted FAR @ 8.38 based on averaging for divided lots per ZR 77-22.

Note 3: New Building: 62,487 square feet.

10 WEST 70TH STREET  
ZONING SUMMARY  
20-Nov-02

<b>Requirement</b>	<b>R10A Portion</b>	<b>R8B Portion</b>
<b>FLOOR AREA</b> <i>Notes (1)</i>	a.o.r.	<b>Special Permit</b> Additional 9,601 sf required per ZR 77-22
<b>BUILDING HEIGHT</b> <i>Notes (2)</i>	a.o.r.	<b>Special Permit</b> Permitted height: 75'; Proposed height 157'-2"
<b>STREETWALL HEIGHT (MAXIMUM)</b> <i>Notes (2)</i>	<b>Special Permit</b> Setback required at 125'; proposed at 157'-2"	<b>Special Permit</b> Setback required at 60'; proposed at 157'-2"
<b>REAR WALL HEIGHT (MAXIMUM)</b> <i>Notes (2)</i>	<b>Special Permit</b> Setback required at 125'; proposed at 157'-2"	<b>Special Permit</b> Setback required at 60'; proposed at 157'-2"
<b>REAR YARD</b> <i>Notes (3)</i>	<b>Special Permit</b> 30' required; 20' proposed at floors 2, 3 & 4	<b>Special Permit</b> 30' required; 20' proposed at floors 2, 3 & 4
<b>LOT COVERAGE OVER 23'</b> <i>Notes (4)</i>	<b>Special Permit</b> 70% required; 78% proposed	<b>Special Permit</b> 70% required; 80% proposed

**NOTES**

- (1) 8.38 FAR permitted on divided zoning lot by ZR 77-22  
(2) Building heights and setbacks measured to main roof. Add 3'-8" to top of parapet or 15'-0" to top of mechanical equipment  
(3) No rear yard required within 100' of corner  
(4) All calculations are approximate pending verification by survey and final plans



**THE CITY OF NEW YORK LANDMARKS PRESERVATION COMMISSION**

1 CENTRE STREET, 9TH FLOOR, NEW YORK, NEW YORK, 10007

TEL. (212) 669- 7700 FAX. (212) 669-7960

**APPLICATION FORM**

f 2

**FOR WORK ON DESIGNATED PROPERTIES**

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Please print or type all items. If not applicable, mark N.A.

RECEIVED  
 PLANNING DEPARTMENT  
 02 OCT 25 AM 8:52

03-2628		10-25-02		STAFF USE ONLY		MH	
PROJECT #	DATE REC'D	DATE CERT. AS COMPLETE	BKG. DEPT # & DATE	STAFF			
<input type="checkbox"/> INDIVIDUAL TYPE OF DESIGNATION		<input type="checkbox"/> SCENIC <input type="checkbox"/> INTERIOR		HISTORIC DISTRICT			
<input type="checkbox"/> PMW ACTION <input type="checkbox"/> CNE		<input checked="" type="checkbox"/> C.O.A. <input type="checkbox"/> REPORT		OTHER		WORK TYPE NB	

8 West 70th Street (in part)	N/A		
ADDRESS	FLOOR OF APARTMENT		
Manhattan	1122	36, 37	R10/R8B
BOROUGH	BLOCK	LOT	ZONING

**DESIGNATED PROPERTY**  
**DETAILED DESCRIPTION OF PROPOSED WORK**  
Use back of form if necessary

Replacement of the existing community house by construction of a fourteen (14) story building on the site of the community house and an adjacent vacant lot. The building will be connected below the fifth floor to the landmarked synagogue. Four floors and subgrade space are to be used by the synagogue as community facility space. The upper ten (10) floors are to be developed as residential apartments.

**COST OF PROJECT**

**WARNING LETTER / NOV #** N/A

**TENANT/LESSEE/ CO-OP SHAREHOLDER**

N/A	PHONE (day)
NAME, TITLE & FIRM (if applicable)	
ADDRESS	CITY, STATE, ZIP CODE

**ARCHITECT/ ENGINEER**  
If applicable

Platt Byard Dovell White	212-691-2440
NAME, TITLE & FIRM (if applicable)	PHONE (day)
19 Union Square West	New York, NY 10003
ADDRESS	CITY, STATE, ZIP CODE

**CONTRACTOR**  
If applicable

N/A	PHONE (day)
NAME, TITLE & FIRM (if applicable)	
ADDRESS	CITY, STATE, ZIP CODE

**PERSON FILING APPLICATION**

e.g. Expeditor, Attorney, Managing Agent, etc.

Shelly S. Friedman, Esq. c/o Friedman & Gotbaum, LLP	212-925-4545
NAME, TITLE & FIRM (if applicable)	PHONE (day)
568 Broadway - Suite 505	New York, NY 10012
ADDRESS	CITY, STATE, ZIP CODE

**ARE YOU APPLYING TO ANY OF THE FOLLOWING?**

Buildings Department     City Planning Commission     Board of Standards & Appeals

I am the owner of the above listed property. I am familiar with the work proposed to be carried out on my property and give my permission for this application to be filed. The information entered is correct and complete to the best of my knowledge.

**OWNER**

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The Congregation Shearith Israel in the City of New York	212-873-0200
OWNER'S NAME AND TITLE (please type or print)	PHONE (day)

8 West 70th Street	New York, NY 10023
ADDRESS	CITY, STATE, ZIP CODE

**SIGNATURE**

<i>[Signature]</i>	Dr. Alan Singer
SIGNATURE OF OWNER	EXECUTIVE DIRECTOR
	October 18, 2002
	DATE