

1 THE NEW YORK CITY  
2 LANDMARKS PRESERVATION COMMISSION  
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3  
4 PUBLIC HEARING  
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6 Municipal Building  
7 1 Centre Street, North  
8 New York, New York

February 11, 2003

9 The above-entitled hearing commenced  
10 at 9:30 a.m.  
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ORIGINAL

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25

1        APPEARANCES:

2        On Behalf of the New York City  
3        Landmarks Preservation Commission

4        ROBERT B. TIERNEY  
5        BRIAN HOGG  
6        JAN POKORNY  
7        JOAN GERNER  
8        SHERIDA PAULSEN  
9        RICHARD M. OLCOTT  
10       PABLO E. VENGOCHEA  
11       MEREDITH J. KANE  
12       THOMAS F. PIKE  
13       CHRISTOPHER MOORE  
14       JENNIFER FIELD  
15       SARAH CARROLL  
16       CAROLINE KERRY LEVY  
17       MARK SILVERMAN  
18       DIANE JACKIER  
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## 1 P R O C E E D I N G S

2 MS. JACKIER: Chair Tierney?

3 MR. TIERNEY: Here.

4 MS. JACKIER: Vice Chair Vengoechea?

5 MR. VENGOECHEA: Here.

6 MS. JACKIER: Commissioner Gerner?

7 (No response.)

8 MS. JACKIER: Commissioner Kane?

9 MS. KANE: Here.

10 MS. JACKIER: Commissioner Moore?

11 (No response.)

12 MS. JACKIER: Commissioner Olcott?

13 MR. OLCOTT: Here.

14 MS. JACKIER: Commissioner Paulsen?

15 (No response.)

16 MS. JACKIER: Commissioner Pike?

17 MR. PIKE: Here.

18 MS. JACKIER: Commissioner Pokorny?

19 (No response.)

20 MS. JACKIER: Commissioner Match Suna?

21 (No response.)

22 MR. HOGG: The first two items are  
23 continued public hearings. The first item,  
24 application for a Certificate of Appropriateness in  
25 Manhattan. Docket 03-2628, 8 West 70th Street,

1 Congregation Shearith Israel Synagogue - Individual  
2 Landmark, in the Upper West Side/Central Park West  
3 Historic District. Block 1122, Lots 36, 37.

4 An Academic Classical and Beaux-Arts  
5 style synagogue, designed by Brunner & Tryon and  
6 built in 1896-97.

7 Application is to demolish the existing  
8 community house and construct a 14-story building.

9 The second application is a request for  
10 modification use and bulk in Manhattan. Docket  
11 03-2653. 8 West 70th Street, Congregation Shearith  
12 Israel Synagogue - Individual Landmark, also within  
13 the Upper West Side/Central Park West Historic  
14 District. Block 1122, Lots 36, 37.

15 An Academic Classical and Beaux-Arts  
16 style synagogue, designed by Brunner & Tryon and  
17 built in 1896-97.

18 Application is to request that the  
19 Landmarks Preservation Commission issue a report to  
20 the City Planning Commission relating to an  
21 application for a special permit, pursuant to  
22 Section 74-711 of the Zoning Resolution.

23 MR. FRIEDMAN: I'm Shelly Friedman  
24 of Friedman & Gottbaum representing Congregation  
25 Shearith Israel.

1           The applications before you this morning  
2           are filed on behalf of the 450 families of the  
3           Congregation Shearith Israel. It's interesting to  
4           note that if you do a search of the term "Shearith  
5           Israel," you will find many references -- none of  
6           them coined by the Congregation itself -- referring  
7           to Shearith Israel as the "Mother Congregation  
8           American Jewry." It is that role in which this  
9           building is viewed, both in terms of the  
10          Congregation's role as the birthplace of the  
11          American Jewish experience. It predates the  
12          American Revolutionary War, as well as its role,  
13          centuries old role, in the migration of the Jewish  
14          peoples to the western hemisphere that this  
15          building was considered an international landmark  
16          long before this commission honored it as such in  
17          the 1970's.

18               Each succeeding generation has taken  
19               with great pride its role as the steward of an  
20               icon, which is world renowned as a symbol of  
21               liberty, freedom and a historical continuity and  
22               faith. The congregation is pleased to be here this  
23               morning and present to you its plan for a building  
24               which will permit it to build 14 stories on a site  
25               which controls immediately behind the landmark.

1                   Its interests in preserving the landmark  
2                   itself are well documented by its efforts virtually  
3                   since the construction of the building, and its  
4                   preservation is taken as an article of faith by the  
5                   Congregation itself. We're not here to ask for  
6                   your help in preserving the building. That will  
7                   continue. What we are here to do is to ask you for  
8                   your assistance in helping us to produce a modest  
9                   **economic engine,** ten or eleven apartments, which  
10                  will be used to support the fulfillment of the  
11                  completion of the preservation program of the  
12                  landmark itself, to permit the restoration of the  
13                  parsonage immediately adjacent to the landmark,  
14                  which is in the historic district, and to permit  
15                  the replacement of a dysfunctional and commonly  
16                  viewed unattractive community house which is behind  
17                  the designated landmark but also within the  
18                  historic district.

19                  Our presentation this morning will  
20                  consist of five speakers. I will be followed by  
21                  Rabbi Mark Angel, to discuss the program of  
22                  Synagogue, immediately followed by Peter Neustadter  
23                  to describe the history, in brief, of the  
24                  Congregation and the relevance of that history to  
25                  the application before you.

1                   They will be followed by Elise  
2           Quasebarth who will describe the context in which  
3           we are viewing -- the multiple contexts in which we  
4           are viewing this project as you look at it and find  
5           for its appropriateness.

6                   She will be followed by Charles Platt,  
7           who will describe the building itself in the  
8           application. Following that, Steve Tilly, who is  
9           the restoration architect for the Synagogue, will  
10          discuss the restoration program. And I will come  
11          back to discuss the zoning actions that are being  
12          requested pursuant to the Section 74-711 request.

13                   This congregation seriously needs your  
14          assistance with regard to both the Certificate of  
15          Appropriateness and the filing of the report to  
16          support the 74-711 special permit so that all of  
17          these preservation efforts continue and so that  
18          they can bring the building and retain the building  
19          in first-class condition.

20                   I'm going to ask Rabbi Angel to speak to  
21          you.

22                   RABBI ANGEL:     Thank you very much. I  
23          began serving Congregation Shearith Israel as a  
24          student rabbi in 1969. I was a 24-year-old young  
25          man then. I have the pleasure of sitting next to

1 Rabbi Emeretis Rabbi David Poole, who had begun  
2 serving our congregation in 1907. Dr. Poole gave  
3 me a blessing upon starting that auspicious career  
4 at Shearith Isreal, and when Dr. Poole held my  
5 hand, his historic memory went back to 1907, his  
6 predecessor began in 1877. That predecessor began  
7 in 1888. That predecessor began in 1838. The long  
8 and the short of it is, when I shook his hand, I  
9 was connecting -- I was the eighth rabbi since  
10 1768. This is a Congregation with a very deep and  
11 profound historical sense, a sense of continuity, a  
12 sense of tradition.

13 I have learned in the years I have  
14 worked in the congregation how very important the  
15 historical context our community is. Every morning  
16 we say our prayers in the chapel, furnishings in  
17 which go back to 1730. We have plaques here and  
18 there in the building representing families that go  
19 back to colonial days. Every year around Memorial  
20 Day, we do a service downtown in our cemetery where  
21 we mark the graves of our congregants who fought in  
22 the American Revolution.

23 Within our congregation, history is  
24 alive. The most important thing about our  
25 congregation is not only a sense of renovation for



1 its history and its past, but it is not a museum.  
2 It's a living, vibrant institution that has its  
3 roots in the past with a vision for the future.

4 We live, of course, in very complicated  
5 times, and it's very rare to have any institution  
6 in America that has memory going back 350 years.  
7 This congregation has that. As Shelly Friedman  
8 just mentioned a minute ago, the congregation not  
9 only serves its immediate community, but is a  
10 symbol of the continuity of the American Jewish  
11 community. It happens to be the first congregation  
12 founded in America. And not just the American  
13 Jewish community, but how many symbols of any  
14 denomination do we have in America that go back 350  
15 years?

16 In our neighborhood, we've had ups and  
17 downs over the years. In the 1920's, my  
18 predecessor that I mentioned before, Dr. Poole,  
19 wrote a report that the Congregation sell this  
20 building and move over to the East Side because the  
21 neighborhood is so bad. Subsequently, we had other  
22 periods of good and bad. Our trustees have always  
23 had the opinion, "We've invested in this  
24 neighborhood. This is where are. This is we are  
25 going to be the anchor, the demographic anchor for

1 the congregation and for the community."

2 The congregation has felt a very strong  
3 sense of stewardship to be able to maintain the  
4 building built by Arnold Brunner, designed by Louis  
5 Tiffany. These are sources of tremendous pride for  
6 us.

7 During the past five years our  
8 congregation has taxed itself mercilessly. When I  
9 say "mercilessly," I mean we really have been  
10 working so hard simply to maintain and restore the  
11 building. We have spent so much time and energy  
12 and funds to do this that, in fact, it's starting  
13 to impinge upon the overall good of the  
14 congregation.

15 Every dollar that we spend maintaining  
16 the building is a dollar taken away from our  
17 spiritual mission, from our youth programs, from  
18 education, from social action programs, service to  
19 the young and old. Shearith Israel has been a  
20 historic venerable institution. It's alive,  
21 something that's growing, something that has  
22 future. And it's necessary for us to have the  
23 wherewithal to be able to create a stronger future  
24 for us and for the community in which we live.

25 We're about to celebrate our 350th

1 anniversary, September 2004. Mark it on your  
2 calendars. We've been on our present site for 105  
3 years. The site of our building in 1897 was a dust  
4 bowl. I think the only building in the area was on  
5 72nd Street, the Dakota. All the buildings in our  
6 vicinity, all these buildings you see here all came  
7 after Shearith Israel. It was understood that the  
8 community grows, the community develops. And just  
9 as Shearith Israel was a very good neighbor and was  
10 very happy to see the development of others and  
11 know others with similar sentiments of kindness and  
12 compassion, the work of our own congregation.

13 We think our proposal is reasonable and  
14 thoughtfully conceived, and the experts will tell  
15 you about that, but I just want to conclude by  
16 saying that we ask you to consider our proposal  
17 favorably on its own merits, but also in light of  
18 the importance to the ongoing stability and ability  
19 of Shearith Israel to maintain its high standards  
20 of stewardship and communal service. We owe this  
21 respect and reverence to the generations that have  
22 come before us, but we also owe this respect and  
23 commitment to the generations that will follow us.

24 Thank you.

25 MR. NEUSTADTER: Good morning. My

1 name is Peter Neustadter. I am the Parnas or  
2 President of Congregation Shearith Israel, the  
3 Spanish and Portugese Synagogue in the City of New  
4 York.

5 In 1654, 23 Sephardic Jews, fleeing the  
6 inquisition in Portuguese Brazil, were making their  
7 way back to Amsterdam when they were captured by  
8 pirates, rescued by a French ship and dropped off  
9 destitute two weeks before Rosh Hashanah here in  
10 and then New Amsterdam.

11 That Rosh Hashanah service held  
12 September 16, 1654 marked the beginning of Jewish  
13 life in North America. Even at that time they had  
14 the historic foresight to name their newly formed  
15 congregation "Shearith Israel" or a "Remnant of  
16 Israel."

17 Congregation Shearith Israel, the  
18 subject of this application, residing in its fifth  
19 synagogue building on 70th and Central Park West is  
20 not only the oldest Jewish congregation in North  
21 America, but the oldest in the English-speaking  
22 world. These Jews, from the beginning, fought not  
23 to be tolerated but to be equal citizens. They  
24 fought with the Dutch against the British, they  
25 fought with the British against the Indians, and

1 with George Washington for the Independence of the  
2 United States.

3 Because of community opposition,  
4 services were held in private homes until they were  
5 given the right to purchase land and build the  
6 first synagogue building in New York in 1730. That  
7 1730 synagogue building still exists today next to  
8 our main sanctuary on Central Park West. It has  
9 been carefully preserved and restored and is used  
10 every day for morning and evening services. We sit  
11 on the original 1730 benches. The Torah scrolls  
12 are kept in the 18th century ark lit by a  
13 270-years-old Eternal Light.

14 Pre-revolutionary rimonim or bells crown  
15 the Torah scrolls. One set of these bells in the  
16 main sanctuary was made by the famous colonial  
17 silversmith Myer Meyers, a contemporary Paul Revere  
18 and Parnas of the congregation during the colonial  
19 period.

20 In the ark there are Torah scrolls that  
21 were slashed by British soldiers when they entered  
22 the synagogue during the Revolutionary War. The  
23 Chazzan will read on the same 1730 reader's  
24 platform surrounded by the Morano style  
25 candlesticks. In the main sanctuary, the wood

1 floor boards under the reader's platform were  
2 taken from the 1730 building.

3 Shearith Israel's mission is about  
4 preserving the past and carefully handing it down  
5 to the next generation. For hundreds of years, we  
6 acted as a landmark and preservation group before  
7 the concept was popular. Our goal today is still  
8 the same, preserve the past, which is the landmark;  
9 hand it down to the next generation; restore; and  
10 provide means for future generations to maintain  
11 it.

12 Even before the fire at the central  
13 synagogue, the trustees of the congregation ordered  
14 an engineering study of our 100-year-old classical  
15 Beaux art building. The engineers reported that  
16 the south wall and parts of the ceiling were in  
17 danger of collapse, the turn-of-the-century  
18 electrical wiring with its newspaper insulation was  
19 a fire hazard, and there was, in fact, evidence of  
20 early electrical fires that, thank God, did not  
21 spread. Water leakage from the roof and walls were  
22 causing damage to the magnificent scagliola.  
23 Tiffany glass was falling out of its frames and  
24 limestone masonry was in danger of falling off the  
25 building.

1           It was obvious to the trustees that we  
2       could not wait to go through this lengthy procedure  
3       to start the repairs. Our historic building had to  
4       be protected and stabilized immediately. We did  
5       the responsible thing. We started a major capital  
6       campaign and spared no expense to protect the  
7       landmark. New electrical systems, state-of-the-art  
8       fire detection and suppression systems were  
9       installed. The first nitrogen mist suppression  
10      system in New York City was put in place. Leaks  
11      were fixed, walls reinforced and fire retardant  
12      materials pumped in.

13           During the restoration, our architects  
14      discovered that not only did Louis Tiffany design  
15      the windows, but, also, Tiffany did the entire  
16      interior design. We have restored the interior to  
17      its original 1897 Louis Tiffany color scheme. We  
18      always knew that our Synagogue was magnificent, but  
19      when the interior scaffolding came down, it was  
20      beyond expectation.

21           New York City certainly has one of the  
22      great synagogues of the world. While we have  
23      stabilized and protected the landmark, much work is  
24      left to be done. Our restoration architect, Steve  
25      Tilly, will give a detailed report on the extensive

1 work that remains undone on the exterior of the  
2 landmark and parsonage.

3 In addition, the community house next to  
4 the landmark on 70th Street was in terrible  
5 condition and should be torn down and rebuilt.

6 The trustees of the congregation have  
7 decided not to proceed with the developer for this  
8 application. We wanted to take control over this  
9 process. We are the ones that are going to be here  
10 after the developer has left.

11 The goal of a developer would not  
12 necessarily coincide with the needs of the landmark  
13 or the community. To achieve this, we interviewed  
14 and hired architects and consultants who have a  
15 reputation for historic conservation and  
16 preservation. We asked them to design the  
17 minimum-sized building that could become the  
18 economic engine for us to finish the restoration,  
19 rebuild the community house and provide the  
20 endowment for continued maintenance of the  
21 landmark.

22 We feel our proposal is a responsible  
23 one that highlights and supports the landmark  
24 building, enhances the skyline of Central Park West  
25 and compliments the neighborhood.



1           Many people have asked why don't we just  
2       raise the money from the congregation and finish  
3       the restoration and rebuild the community house?  
4       Before we submitted the application, I met it with  
5       our Budget, Finance and Campaign Committees and  
6       main supporters of the congregation. In today's  
7       world, where there is such a great demand on every  
8       charitable dollar both here in New York and abroad,  
9       I can tell you definitely that it would be  
10      impossible to raise the sum of money required from  
11      the congregation. There is no chance that the  
12      congregation will be able to finish the restoration  
13      of the landmark, continue the maintenance of the  
14      landmark and rebuild the community house without  
15      this **economic engine** that this project would  
16      provide.

17           We hope that future generations will  
18      thank this generation of congregants, this  
19      generation of New Yorkers, and especially this  
20      landmark board for providing us the ability to pass  
21      this precious heritage to them in a condition that  
22      would make us all proud.

23           Thank you.

24           MS. QUASEBARTH:     Good morning,  
25      commissioners. My name is Elise Quasebarth. With

1 the historic preservation consultants for the  
2 project, we worked very closely with the team to  
3 look at the context that this proposal is being  
4 made and to better understand it and to propose a  
5 building that would be appropriate both to the  
6 individual landmark, Central Park West, and to  
7 West 70th Street.

8 Just to give you some views of the  
9 existing condition, this is the synagogue building  
10 here looking south on Central Park West. The  
11 rectory building is immediately to the south of it.  
12 Here's another view. This is looking down West  
13 70th Street, and this is a closer view showing the  
14 synagogue and the community house, closer to the  
15 community house and the adjacent lot to the west,  
16 which is an empty lot today. This constitutes the  
17 site for redevelopment.

18 This building was actually a refacing of  
19 an earlier building -- two buildings that were  
20 acquired by the synagogue in the 1940's. They had  
21 considered building a new building and actually  
22 filed with the Department of Buildings to do that,  
23 did not execute that plan, and in 1954, what they  
24 did was demolish the facade -- the facades of the  
25 two buildings that were there. Here's a 1940

1 photograph showing that. They took off the top  
2 story and built this facade. This is 1954 and the  
3 architects were Cole & Leiberman.

4 Our historical images show the changes  
5 of the neighborhood over time, and one of the  
6 things that's really quite interesting is that the  
7 synagogue building which was built in 1897 had a  
8 context, at that time, of buildings which were much  
9 smaller row houses completely along West 70th  
10 Street and smaller apartment buildings along  
11 Central Park West. This photo from 1928 actually  
12 shows the site of this building here that you see  
13 in this photo. This is a nine-story apartment  
14 building that was replaced by the current apartment  
15 buildings which exist today. That is 15 stories  
16 plus a penthouse. It also shows this apartment  
17 building in 1928 which was replaced the following  
18 year by the existing 17-, 18-story apartment  
19 building to the north. So, it's very interesting  
20 to see that as the synagogue was built, that the  
21 city built up around it.

22 If you look at the immediate context, we  
23 also looked at the buildings along Central Park  
24 West, which I'm going to show first. To recall  
25 that our institution here at 70th Street is in a

1 body of institutional buildings along Central Park  
2 West. Certainly, you know about the apartment  
3 buildings with the wonderful art deco and  
4 turn-of-the-century apartment buildings. The  
5 institutions tend to be on the corners, and what we  
6 were looking for here is to see what the individual  
7 contexts were for those institutions as well. What  
8 we did see was that each one of them has a very  
9 dense urban environment with taller apartment  
10 buildings sitting either immediately adjacent to  
11 them or with a little space between them. They'll  
12 talk about the spaces when we talk about the  
13 building. Here's the New York Historical Society  
14 here, an apartment building, and others as we go  
15 down Central Park West.

16 So, we felt that what we were proposing  
17 for our site had a relationship which was very  
18 similar to relationships we see to our  
19 institutional buildings along the avenue.

20 Finally, we want to look a little more  
21 closely with what's happening in the immediate  
22 vicinity. I'll locate you on our map here, this is  
23 Central Park West, West 70th Street. And our site  
24 is here, the Synagogue is right on the corner, and  
25 the building site is immediately to the west. The

1 buildings, again, dark gray, are apartment  
2 buildings. You see that along Central Park West  
3 and even inside along West 70th Street, there are  
4 apartment buildings as well. So, the side street  
5 has row houses, as well as apartment buildings.  
6 These are nine stories. There is one here on 69th  
7 Street that's 14. You can see that there is really  
8 kind of a denser development of apartment buildings  
9 in this small ecosystem of the historic district,  
10 images showing those relationships. This is  
11 looking west on 70th Street with the apartment  
12 building immediately adjacent to our site. And  
13 more importantly, I think what's interesting to  
14 note is that the buildings that exist on Central  
15 Park West, which tend to be tall apartment  
16 buildings, have a very strong presence on the side  
17 street, and they reach very far back into the side  
18 street. As you can see here, our site is well  
19 within the line, the zone, of the footprint of  
20 buildings along Central Park West. It's  
21 illustrated very clearly. Here is the Magestic at  
22 72nd Street and our building immediately to the  
23 north. Again, it has a very strong presence on  
24 72nd Street.

25 If you look at the model, you can see

1 very clearly how that works. Our site is here and  
2 you can see the buildings along Central Park West  
3 and the apartment buildings that are immediately  
4 nearby.

5 So, what we hope that you will agree  
6 with is that this proposal is appropriate because  
7 it echoes familiar forms and scale relationships  
8 throughout the historic district. It fits within  
9 the immediate context of the denser apartment house  
10 development, and that the site is well within the  
11 zone of Central Park West apartment buildings as  
12 they reach back into the side street.

13 I would like now to introduce Charles  
14 Platt, who -- well, the architects from Platt,  
15 Byard, Dovell & White, to discuss the architecture,  
16 and they also have some boards that will show some  
17 of the design relationships between existing  
18 buildings.

19 MR. WHITE: Thank you, Commissioners.  
20 I'm Sam White from Platt, Byard, Dovell & White. I  
21 have with me my partners, Paul Byard and Charles  
22 Platt.

23 What I would like to do is take you  
24 through the dimensional characteristics of the  
25 application, and then I'll ask Charles and Paul to

1 discuss the architectural.

2 As have been described, the existing  
3 side is a 64-by-100-foot site behind the synagogue  
4 at the corner of Central Park West and West 70th  
5 Street. The parsonage is to the south. The  
6 existing is occupied by a four-story community  
7 house and a vacant lot. The proposal is to remove  
8 the community house and to build, along the sides  
9 of the community house and the vacant lot, a  
10 14-story building which would have complete block  
11 coverage at the first floor and then at floors 2  
12 through 4 would have a 20-foot rear yard and floors  
13 5 through 14 would have a 30-foot rear yard. I can  
14 show you this section. The space is below grade.  
15 First floor would be built full with a small  
16 synagogue -- it starts -- it's currently in the  
17 parsonage building -- moved and re-accommodated in  
18 the back of the new development. Then floors 2, 3  
19 and 4 would be the community facility, offices and  
20 schools, back with a 20-foot rear yard. Floors 5  
21 through 14 would have a 30-foot yard. They would  
22 be occupied by apartments.

23 A section cut the other way looking  
24 south, parallel to 70th Street, shows that at the  
25 5th floor the building is set back ten feet from

1 the synagogue. For architectural reasons, this  
2 allowed us to create a figurative building that  
3 allowed the synagogue to start to read as a  
4 three-dimensional object, particularly at the back  
5 of the synagogue.

6 I would like to show you three  
7 representative plans. The first floor plan shows  
8 the sanctuary itself. Steve Tilly will talk a  
9 little bit more about it, but the Torah scrolls are  
10 stored here. For what we describe as "liturgical  
11 reasons," you cannot, in fact, enter this building  
12 through what would appear to be the front door  
13 itself. An entry to the building is from the back,  
14 and there are some problems with respect to that.  
15 The current entry is a small side door here and an  
16 even smaller existing door in the parish house.  
17 One of the goals of this project is to create a  
18 first floor that resolves the fenestration  
19 problems. But the first floor would be divided  
20 between apartment use and community-facility use, a  
21 small apartment lobby with its own front door at  
22 the western end of 70th, and then the balance of  
23 the first floor being given over to community  
24 facility and synagogue uses.

25 On floors 2 through 4, the 20-foot rear



1 yard would have a typical plan of classrooms or  
2 offices. You would technically have two cores.  
3 One is the apartment residence core all the way to  
4 the west, and then you have a smaller community  
5 core which provides egress and access to the  
6 synagogue at all levels.

7 And then, on floors 6 through 14, where  
8 we have the setback of ten feet from the back of  
9 the synagogue, you have the 3,500 square foot --  
10 gross square foot footprint of each floor, of the  
11 upper floors. That would be developed as one  
12 apartment per floor, with windows facing south,  
13 east and north and a parting wall to the west.

14 Charles, at that point, do you want to  
15 start to talk now about the architectural issues?

16 MR. BYARD: Very, very briefly -- I'm  
17 Paul Byard. Why don't I just try to remind you  
18 where we were before when we talked a little bit  
19 about expression, which is what is principally  
20 shown best on the two rendered elevations. And it  
21 had to do with issues of trying to organize the  
22 expression to take advantage of some of the cues of  
23 light -- solid and void of light, glass, of dark,  
24 and of white, and work them into a suitable  
25 expression for a new building that would be closely

1 integrated and related to the old. I think the  
2 renderings speak awfully well for themselves.  
3 Maybe you would want to emphasize some of the other  
4 issues of massing.

5 MR. PLATT: My name is Charles Platt.

6 Sam White has mentioned the setback from  
7 the synagogue, and this was very important to us.  
8 Not only is it set back here, but there is a reveal  
9 that continues down. This is to allow the very  
10 fine landmark itself to have breathing room, and  
11 there is a great deal of our thinking that goes  
12 with that in the use of materials, the form itself.  
13 It's to complement the synagogue there, not to  
14 imitate or mimic any of its details, but to set  
15 itself appropriately apart from the synagogue.

16 The envelope that we arrive at,  
17 described by Sam, set back 30 feet for the tower  
18 and 20 feet down below gives you a somewhat -- a  
19 symmetrical form on the synagogue itself. And in  
20 order to overcome that, we had looked at various  
21 signals that we found up and down Central Park  
22 West.

23 Perhaps that board would be useful here.  
24 The corners on buildings on Central Park West are  
25 very important. We have taken a cue from that and

1 developed corners here, which allows us to set the  
2 main frame of the elevation symmetrically over the  
3 bridge line of the synagogue. The form itself is  
4 not symmetrical, but we believe we've overcome that  
5 and, in fact, have set this to -- to have put it  
6 asymmetrically really created all kinds of  
7 inappropriate tension between the two buildings,  
8 and we set that off there.

9 The form of window which you see  
10 somewhat here with the casement windows on the side  
11 is, also, rather typical of some of the buildings  
12 up and down Central Park West. We have used that  
13 device as well to create our facade. The window  
14 itself is very carefully scaled, and, actually,  
15 that portion of it on this facade is a slight  
16 distortion on the east facade; it is the same  
17 scale. It happens to be this one, but is rather  
18 typical of the pairing of windows or the individual  
19 open part up and down, again, Central Park West, of  
20 the adjoining buildings.

21 In order to anchor this and to relate  
22 the tower -- hardly a tower, but this form -- to  
23 the synagogue itself, we have created at the  
24 school/community facility, a face here which allows  
25 high windows and a great deal of light into the

1 classroom and allows, also, an expression which  
2 relates to the tower up above, remembering that the  
3 entrance to the synagogue is actually here. It's  
4 in that door there, as Sam pointed out, for  
5 liturgical reasons, you cannot enter here. It's  
6 there. But with this, we will begin to open up --  
7 and Steve Tilly can go into this further -- but  
8 we're providing handicapped access, and with  
9 ability to accommodate with these screens here --  
10 which are somewhat distracted, shown here -- to be  
11 worked out in detail, screens with glass behind, so  
12 that there is light coming through that in both  
13 directions. And then you have a more formal  
14 entrance. This will continue to be used, but this  
15 provides the entrance and exit for the grand  
16 occasions, while entrance to the tower, residential  
17 tower above, is maintained.

18 At the top, as with all buildings -- I  
19 think all -- actually, I haven't checked that. But  
20 I dare say, all buildings, there is a top to them  
21 which requires embellishment and a different  
22 treatment, and we have done the same there with the  
23 top two floors of our building.

24 MR. BYARD: That also has a source in  
25 the studio window.

1 MR. PLATT: Well, indeed, it does.

2 MR. BYARD: One of the wonderful  
3 features of this particular neighborhood is the  
4 double-high studio windows.

5 MR. PLATT: This shows rather pinker  
6 than we intend it to be. The stone that we are  
7 looking at now for the building is really much more  
8 of a buff color, and it matches a lot of the  
9 masonry up and down the avenue. We also considered  
10 Jerusalem stone. There was a very careful decision  
11 not to use the kind of limestone, the grayish or  
12 buff limestone used on the synagogue, but again, as  
13 with the form, to set this aside and apart in terms  
14 of color and style.

15 The west and south elevations have brick  
16 and clear glass. There will be some deformed glass  
17 up on the sides here and there, with the main  
18 element. That again relates, although many, many  
19 changes have taken place in this building, but  
20 there were different treatments of glass in that  
21 building. Originally, we were going to use that as  
22 well.

23 At this level here we will be using  
24 bronze, which goes with and compliments the doors  
25 to the synagogue, whereas up above it will be

1 painted metal and at the roof, zinc. The roof --  
2 these are the frames of the window. That's it very  
3 briefly, but this -- with the exception of the  
4 stone, it's the complete pallet of the building. I  
5 say the "exception." It's just not consolidated,  
6 but it's going to be something like that.

7 MR. BYARD: In designing this  
8 building, we saw ourselves as having four contexts  
9 in which to work. And I think the development of  
10 the design and the judging of the design has to be  
11 related to those contexts.

12 First is the context of the landmark.  
13 This is a building immediately adjacent to a  
14 designated landmark. I think that informed us on a  
15 number of issues. It informed us about the color  
16 of the stone we wanted to choose, so that the stone  
17 for the new building attached itself to the  
18 landmark. It also informed us about the  
19 developments of the three-dimensional nature of  
20 this facade, with a series of screens and layers  
21 and real depth. The landmark itself is a building  
22 of immensely robust plasticity, that it would be  
23 wrong to get a flat, flat, flat building next to  
24 it. So, this building, within the context of  
25 contemporary techniques, really tries to work with

1 light and shadow and very deep recesses, and the  
2 activity down around the base starts to replicate  
3 the layering that occurs with the landmark itself.

4 The next context is the context of  
5 Central Park West. We saw this as a Central Park  
6 West building. I think, if you look at the site  
7 model, in particular, you will see that the  
8 composition and placement of this building is sort  
9 of a deliberate carving out of a space on Central  
10 Park West. That space over the existing synagogue  
11 honors the landmark. I think it is essential, in  
12 creating that space, you have buildings holding the  
13 frame in place. So that this is a building that we  
14 think has a very active role along Central Park by  
15 virtue of its placement as well as by virtue of its  
16 appearance.

17 We also have the context of the  
18 neighborhood. This is a historic district. It's a  
19 historic district whose character arises out of a  
20 very fine scale, elements that occur at a  
21 pedestrian level, as well as the general pedestrian  
22 scale of the mid-blocks regardless of whether  
23 they're starting to develop into higher mid-blocks  
24 than up north.

25 As you walk down the street, I think

1 your awareness of this building is going to be  
2 really determined by what is going on on the first  
3 four floors of it, that these windows were intended  
4 to create an element that replicated the townhouse  
5 scale of the mid-block areas beyond it. As we  
6 develop the nature of the grills and the entrances,  
7 I think that the standard by which they have to be  
8 judged is whether they are truly pleasant to walk  
9 past because that is the character of those side  
10 streets on West Side.

11 You also have Central Park -- the  
12 designated landmark itself, the scenic landmark,  
13 and this is a building which can be seen from  
14 Central Park. It is obvious they're going to be  
15 looking out at Central Park, so that the centering  
16 of the screen and the creation of two-story windows  
17 at the top is really a response to -- I think, some  
18 of the design issues that come out of the  
19 picturesque landscape. Think about buildings built  
20 in the third quarter of the 19th century invariably  
21 had towers and belvederes. There was sort of an  
22 interactive quality between the building and the  
23 landscape. You wanted the building to be designed  
24 to have a feature that looked as if the landscape  
25 should be looked at and appreciated. That was one



1 of the reasons we developed two-story windows at  
2 the top. They are part of that tradition of sort  
3 of the belvedere buildings.

4 I'm going to stop here. Charles or  
5 Paul, do you have something more to add?

6 MR. PLATT: I'm just going to point out  
7 that some of your remarks just now about the scale  
8 of 70th Street, how important that element is, even  
9 though it's rendered much more heavily here.  
10 That's a quirk of the rendition here. But those  
11 scale elements show there, and that ten-foot  
12 setback here is not an arbitrary dimension. We  
13 know that. And you may see in this model here that  
14 it was also typical, really, throughout upper  
15 Manhattan that larger buildings on the avenue have  
16 an eight-foot or a ten-foot alleyway between them  
17 and the small-scale buildings, generally, so that  
18 ten feet was chosen specifically here as typical of  
19 this district as well as others.

20 MR. VENGOECHEA: What is the actual  
21 distance of the building from Central Park?

22 MR. PLATT: The synagogue is 108 feet  
23 to here, and we are another 64 feet there. It is,  
24 as was pointed out by Elise, not the furthest back.  
25 This building comes back further. I believe this

1 does, and there are at least two others south of  
2 this, which they stand from the avenue back further  
3 than that distance here.

4 MR. FRIEDMAN: We are going to shift  
5 the presentation now to discuss briefly the Section  
6 74-711 aspect, if that's okay.

7 The Section 74-711 design resolution is  
8 a very unique vision. It exists to permit the  
9 Landmarks Commission to assist an applicant in  
10 obtaining zoning waivers from the Department of  
11 City Planning, the Planning Commission, in  
12 furtherance of a defined preservation purpose.

13 I am going to turn this over to Steve  
14 Tilly and then come back and list those zoning  
15 actions for you. What Mr. Tilly is going to  
16 present to you is the quantity of work that remains  
17 on this landmark that must be done in order to  
18 bring it forward to a first-class condition, and  
19 that is the standard in the zoning resolution to  
20 which we are all aspiring here, to return the  
21 landmark and be able to maintain it in a  
22 first-class condition.

23 74-711 has been used by this Commission  
24 many times in the past, in some cases simply to  
25 remove air rights from over the landmark so it can

1 no longer be developed, and that also is at play  
2 here.

3 But before I get into that, I'd like to  
4 ask Steve Tilly to present to you the quantum of  
5 work that we are hopeful will be included in the  
6 preservation program finding that will further the  
7 preservation of the landmark.

8 MR. TIERNEY: Before you start, I  
9 believe much of this is in the record, so that we  
10 militate for a succinct summary of it, if you  
11 could.

12 MR. TILLY: My name is Steve Tilly and  
13 I have been master planning with the congregation  
14 since 1999, and that master plan, preservation  
15 master plan, led to the notion of the new building.

16 Many of you have visited the site and  
17 seen the work in progress that Peter described,  
18 Peter Neustadter, and which we have all taken great  
19 pride in what's been accomplished. My message is  
20 very simple today, which is there is a lot more to  
21 do.

22 I have tried to highlight on the plans  
23 and elevations, I have highlighted in lurid mode --  
24 which you can probably see even in the back of the  
25 room -- the remaining scope of work. There is a

1 lot of work to do on the parsonage. You remember  
2 the site plans right now are three buildings and a  
3 vacant lot. The parsonage faces Central Park and  
4 was part of the original composition with an early  
5 addition. It has not been touched. We've done a  
6 little bit of roof repair, but there is a  
7 tremendous amount of work that needs to be done on  
8 that portion of the building. And I won't go on  
9 into elaborate detail on it. That's in the record.

10 Another large piece of work is that we  
11 have stopped water from migrating through the  
12 building, which was causing a lot of exterior and  
13 interior damage, with an underlayment for the final  
14 roof. While we have stopped the water, we have not  
15 completed the roofing job on the sanctuary itself.  
16 And you can see that, which will be a lead-coated  
17 and standing seam copper roof, like that which we  
18 discovered under the previous asphalt will be  
19 restored, and that's a very big-ticket item.

20 In addition to those major pieces, there  
21 is a significant amount of work on the front of the  
22 synagogue itself. The bronze gates need to be  
23 restored. The front steps, which you can see in  
24 these photographs, are small and deteriorated.  
25 They need to be replaced. The railing needs

1 replacement, this inappropriate railing, which also  
2 interferes with the egress. The bronze gates have  
3 to be modified for appropriate egress, and there's  
4 a whole set of area ways and railings which move  
5 around the building on 70th Street which also have  
6 not been addressed and need to in the near future.  
7 So, that program, again, compacted, is the program  
8 which led us back -- as we looked at the master  
9 plan, to the need to maintain the building, to  
10 complete the preservation program in a first-class  
11 manner, which led us back to the notion of the new  
12 building.

13 In addition, obviously, as my associate  
14 architects have described, the existing community  
15 house is not an appropriate partner for the  
16 sanctuary. And there are major circulation  
17 problems that the current arrangement imposes on  
18 the ongoing life in the sense of sustainability of  
19 the landmark; that is, traffic circulates  
20 inappropriately through one space and another. The  
21 small synagogue is burdened by extra traffic  
22 internally, and the new building would remove the  
23 small synagogue and allow corridors and appropriate  
24 egress for the safety and the ongoing life of the  
25 building.

1 MR. FRIEDMAN: I'll conclude then by  
2 just citing --

3 MR. TIERNEY: Just to confirm, there  
4 is a cyclical maintenance program also attached?

5 MR. TILLY: Absolutely. The cyclical  
6 program would come back to many of these issues  
7 that we addressed in this last sort of 75-year  
8 program.

9 MR. FRIEDMAN: To just conclude by  
10 listing the zoning actions we requested you support  
11 us on, the zoning lot is split. The avenue portion  
12 is under R10A. The mid-block portion is zoned for  
13 R8B.

14 We are asking for a series of zoning  
15 actions, the most important of which is to transfer  
16 9,000 square feet off of the synagogue, from the  
17 R10A portion of the site, onto the new development  
18 portion of the site. In addition, that would still  
19 have 82,000 square feet of developable Central Park  
20 West F.A.R. presiding over the synagogue, but by  
21 virtue of this approval, that development F.A.R.  
22 would be frozen. So, we are leaving 82,000 square  
23 feet on the table, so to speak, as part of this  
24 process. We would be asking to transfer 9,000 of  
25 that across the district boundary line. We are

1 asking, because of the configuration of the new  
2 development, there is a height and setback waiver  
3 in the R10A portion of the building and a setback  
4 waiver within the R8B portion.

5 We are also seeking, as Sam pointed out,  
6 in the stacking of the building for that portion of  
7 the building, which is for community facility space  
8 only. That is the bottom two floors. You well  
9 know that we get the first 23 feet at full-lot  
10 coverage under the zoning for the community  
11 facility. We would be requesting, however, for the  
12 upper three floors, we be able to provide a 20-foot  
13 rear yard instead of a 30-foot rear yard. That  
14 would make the programmatic issues for the  
15 community facility space much, much easier to deal  
16 with. When we begin the residential portion of the  
17 development, that goes back to a complying 30-foot  
18 rear yard for the remaining part of the building.  
19 In that description of the rear yard, there's also  
20 a corollary lot coverage issue, but they just track  
21 each other.

22 So, we have the rear-yard situation. We  
23 have the height and setback situation, but most  
24 importantly, we have the issue of transferring the  
25 bulk off of the designated landmark, and so that it

1 no longer theoretically threatens any sort of  
2 development on the landmark itself.

3 That concludes our presentation. Mr.  
4 Chairman, thank you very much.

5 MR. TIERNEY: Thank you all. Before  
6 we have any questions, just so everyone understands  
7 how we are going to proceed from now on, if it's  
8 not yet been clear, I'll try to make it clear.

9 The commissioners here at the table now  
10 can ask some questions if there are questions, and  
11 I believe there will be, of the presenters. And at  
12 the conclusion of that process, we'll hear from the  
13 public, and people have signed in, and anyone who  
14 hasn't should do so, and you will be heard over a  
15 period of time. Then I would like to have  
16 reaction, based on testimony that's presented, from  
17 the presenters or whomever. Then we will move, in  
18 the final stage, to a discussion in open session,  
19 of course, among the commissioners about everything  
20 that will have transpired up to that point. I hope  
21 that's clear enough and that's what the general  
22 procedure is in all cases, but particularly one  
23 like this where we have a lot of public interest  
24 and a lot of people who wish to be heard.

25 We'll proceed now to questions from the



1 commissioners.

2 MS. KANE: I have one for the  
3 architects. I know Sam White referred to the  
4 depths of shadows, of light and shadows and  
5 comparing that with the depth of the architecture  
6 of the synagogue itself. Could you just show us a  
7 little bit more of where the depth is? For  
8 example, where the depth of the windows is, of the  
9 glass front on the community center portion and the  
10 shadows and the setback of the brick portion?

11 MR. PLATT: Yes. Here you have it --  
12 we do have a section. They are somewhere. In  
13 general, Commissioner, we spoke about light and  
14 dark here, the comparison, but this is not  
15 articulated at all in the same way. I think the  
16 main point was that rather than a taut type of  
17 building here, we felt that this needed to have  
18 articulation and light and shadow in it, but it  
19 isn't even the same type here. This is molded,  
20 especially in the front. The columns are circular,  
21 and there's a great deal more play of form there.  
22 We're not trying to do that at all. But what we  
23 have done -- and this is partly to create scale as  
24 well, the appropriate scale of the history -- is to  
25 set back the casement windows on the sides up above

1 here and leave that central portion much nearer to  
2 the face. It's only a bit back.

3 MR. VENGOECHEA: If you have a plan  
4 that shows just what you describe, of the casement  
5 windows, that would be helpful.

6 MR. WHITE: The issue of depth goes at  
7 least in part to the issue of what's masonry and  
8 what isn't. It's always depth that tells you that  
9 this thing is stone. It's the thickness.

10 MR. PLATT: This is a typical floor on  
11 6 through 14. Here you see the profile, the  
12 masonry in dark here, the window with the casement  
13 setback and the affixed portion forward here. That  
14 is -- although, the actual dimensions shift  
15 somewhat from the front to the sides, it is the  
16 same pattern and the same treatment.

17 Down below, at the community building --  
18 you see here up above the projection of these  
19 windows, this is typical through here with this  
20 very important reveal, which takes that ten feet  
21 and brings it down and separates until you hit the  
22 first floor, that recess there, and then -- and  
23 these, the windows with the deformed or fretted  
24 glass at the sides and clear glass in between, and  
25 then, at the ground floor, the articulation with

1       these openings set back, better in here with the  
2       shadows.

3                   MR. BYARD:       The model shows it.

4                   MR. PLATT:       Does that answer the  
5       question?

6                   MS. KANE:       Yes.

7                   MR. VENGOECHEA:    What is the actual  
8       depth of the setback of the bay -- the windows?

9                   MR. BYARD:       In here?

10                  MR. VENGOECHEA:    What is the depth in  
11       there?

12                  MR. PLATT:       I think that's eight,  
13       actually. In here it's eight inches back.

14                  MR. VENGOECHEA:    In the model, is  
15       there a projection?

16                  MR. PLATT:       Yes. There is a very  
17       slight projection that goes -- it doesn't show  
18       here, but it shows here.

19                  MR. BYARD:       There.

20                  MR. PLATT:       You see right here, there  
21       is a projection no more than four inches.

22                  MR. VENGOECHEA:    Beyond the face?

23                  MR. PLATT:       Beyond the face, beyond the  
24       masonry face.

25                  MR. PLATT:       I think that really is the

1 best place to look at it is here in the rendering.

2 MR. VENGOECHEA: I would like to ask a  
3 question about the communitouse. You explained the  
4 reason why it's problematic in terms of the plan of  
5 the synagogue and the function of the synagogue.  
6 Could you, perhaps, address the architectural  
7 qualities and why it might be appropriate to do  
8 away with the house, in terms of the architectural  
9 quality, of the overall quality and its  
10 relationship?

11 MS. QUASEBARTH: This facade, as I  
12 indicated before, is simply pasted on the earlier  
13 structures, and there are drawings from 1954 that  
14 show that very clearly. It's not integrated to the  
15 original buildings at all. It is of late date for  
16 the historic district. It's not of the character,  
17 qualities and scale of buildings that one finds in  
18 the district. Nor does it elevate itself  
19 architecturally as an individual building. If you  
20 think of a comparison, perhaps, the upper East Side  
21 historic districts, you have the brownstones and  
22 apartments that you find in the Upper East Side.  
23 You also have the Guggenheim Museum or the Whitney,  
24 and they are of a certain scale and recognized  
25 by -- or they were executed by renowned --

1 internationally renowned architects, and this is  
2 one that is really much more modest in its  
3 articulation. And it's rather backward looking  
4 rather than forward looking in terms of its design.

5 MS. KANE: I noted that you described  
6 earlier -- I want to talk about the top of the  
7 building, and you described the studio windows and  
8 showed us -- was is the Hotel Des Artiste that you  
9 had showed us with the studio windows before?

10 MR. PLATT: Yes.

11 MR. KANE: Could you just elaborate a  
12 little bit more on not just the studio windows, but  
13 also on the zinc cladding on the top of building,  
14 how you're treating the top, what you're trying to  
15 evoke, what its precedent is?

16 MR. PLATT: The roof line is actually  
17 right about here. This is a slight parapet above.  
18 We have chosen to do that parapet in the zinc  
19 cladding, which you see on the sample board, and  
20 then, to extend it down in order to integrate that  
21 part of the design there so that it doesn't become  
22 a ribbon or just a ribbon across the top. There is  
23 no specific precedent for this, other than it's  
24 kind of suggested by treatment of parts of the  
25 Hotel Des Artiste and other places in the district.

1 But this is a top that really, aside from the  
2 creation of the windows and the form that that  
3 gives you, is derived from this building itself.  
4 It's really its own expression. There isn't a  
5 direct antecedent this.

6 MR. BYARD: But the connections -- I  
7 think you're right -- remember, aren't just to the  
8 art glass of the studios, but how important the  
9 treatment of glass is in the synagogue itself and  
10 the way it is, you know -- the canes and all of the  
11 work that holds the glass is used in a certain way,  
12 and then this is closer to the studio use of a  
13 clear glass and the mottled glass on the side and  
14 then it looks at it again as a piece of an  
15 apartment building, which is where it shows up as a  
16 studio, one of the really interesting parts of this  
17 neighborhood -- neighbor next door -- the presence  
18 of those studios windows, and they're terrific when  
19 you look up at them and you become aware that the  
20 glass is, in fact, art glass so often, and more of  
21 it was art glass.

22 MR. TIERNEY: Questions?

23 (No response.)

24 We will then move to the public portion  
25 of the hearing. I will be calling, roughly, based

1 on the sequence of signing and other minor changes  
2 added to that, but mostly sequentially. The first  
3 speaker I would like to call on is a representative  
4 from Assemblyman Dick Gottfried's office, Dan  
5 Golub.

6 MR. GOLUB: Good morning, members of  
7 the Commission, Chair Tierney. It's good to be  
8 here for the first time with you as Chair. Thank  
9 you for this opportunity to speak.

10 My name is Dan Golub. I represent  
11 Assemblyman Richard Gottfried. He would like to be  
12 here, but due to legislative session, he's in  
13 Albany today. I'll submit his testimony for the  
14 record. I'll try to abbreviate it somewhat for you  
15 today.

16 Richard Gottfried is the assembly member  
17 representing the 75th Assembly District, which  
18 includes Congregation Shearith Israel and the site  
19 of the proposed building. He urges the Commission  
20 to reject the proposed project, and his concerns  
21 are shared by Borough President Fields and assembly  
22 member Stringer, State Senators Dwayne and  
23 Schneiderman and Community Board 7.

24 Under the law, the congregation must  
25 prove that its proposed real estate development

1 both "contributes to a preservation purpose" and  
2 "relates harmoniously" to the landmark synagogue  
3 and the historic district. It does not pass either  
4 test. It has nothing to do with the preservation  
5 of the synagogue landmark, and it is grossly out of  
6 scale and conflicts with the historic district.

7 A growing and prosperous congregation  
8 can and should support its mission without damaging  
9 the surrounding community and the law.

10 First, the project does not "contribute  
11 to a preservation purpose."

12 Under Section 74-711(a)(1) of the zoning  
13 code, the City Planning Commission may not approve  
14 this proposal unless the Landmarks Preservation  
15 Commission issues a report finding that the  
16 proposal contributes to a preservation purpose.  
17 This project does not "contribute to a preservation  
18 purpose." Is it a plan to yield money to the  
19 congregation.

20 If the statutory language --  
21 "contributes to a preservation purpose" -- is  
22 meaningful, it must mean that preservation of the  
23 landmark will in some way be increased or improved  
24 by the project. If preservation will be no more or  
25 no less with or without the proposal, then the



1       proposal is not contributing anything to a  
2       preservation. It's irrelevant to that purpose.

3               The congregation has not provided any  
4       evidence that the funds derived from the project  
5       would support any restoration or maintenance of the  
6       landmark beyond what it has been doing and will, in  
7       any event, continue to do. The congregation has  
8       done an admirable job of restoring and maintaining  
9       the landmark synagogue, thanks to the resources of  
10      its members, and while it claimed it could do much  
11      with the proposed development, it offers no  
12      evidence of financial need, nor does it suggest  
13      that it could or would not continue the restoration  
14      and maintenance without the profits from this real  
15      estate development.

16              The most that can be said is that, to  
17      some extent, some of the profits from the project  
18      will supplant synagogue funds that would otherwise  
19      help preserve the landmark. Supplanting support  
20      for preservation cannot be said to "contribute to a  
21      preservation purpose."

22              Second, the violation of statutory  
23      standard.

24              The proposal involves a landmark  
25      building and is located in a historic district.

1 Before the Commission can act favorably on the  
2 project, it must find that it relates harmoniously  
3 to the subject landmark building and buildings in  
4 the historic district.

5 The proposed building would be on West  
6 70th Street, not Central Park West, a side street  
7 of the Upper West Side/Central Park Historic  
8 District. This and many other side streets of the  
9 historic district are characterized primarily by  
10 decades-old brownstones and small apartment  
11 buildings.

12 The proposed building would be  
13 dramatically out of scale with the buildings on the  
14 side street. The building would be one and a half  
15 times the height of the adjacent building. It  
16 would be about three times the height of the  
17 brownstones that make up most of the block.

18 It would be more than two and a half  
19 times the ordinarily-permitted streetwall height  
20 for this site.

21 It would also be several times the total  
22 bulk or F.A.R. that would ordinarily be permitted  
23 for the site.

24 If this building does not flunk the  
25 "harmonious" test, what does it take to flunk?

1           Third, the plan will get worse. If this  
2 development is approved, the congregation or  
3 commercial developer would certainly see the  
4 potential for multiplying its profit by adding more  
5 floors to the building.

6           The congregation would not argue that  
7 since the Commission has found that creating a  
8 multi-million dollar endowment for the synagogue  
9 "contributes a preservation purpose," then  
10 enlarging the endowment would certainly contribute  
11 even more. They will argue that if a new 14-story  
12 building is "harmonious" with a brownstone block,  
13 then surely a few more stories would not make a big  
14 difference.

15           The Commission should think ahead to  
16 that prospect and consider this: When the  
17 congregation comes back for more, on what basis  
18 will the Commission be able to turn them down?

19           On this point, I do want to stop just a  
20 little bit because I did hear Mr. Friedman claim --  
21 for the first time that I've heard -- that if the  
22 transfer of air rights were allowed, that the  
23 remaining air rights on the Central Park West  
24 building would be frozen. I'm not sure exactly  
25 what that means. If that means that there's some

1 sort of binding commitment never to use those air  
2 rights and never to transfer them, I think we'd  
3 obviously consider that to add to our concern. But  
4 I hope you will ask for some written specificity as  
5 to what that means.

6 Fourth, the damaging precedent.  
7 Approving this proposed real estate development  
8 would set a dangerous precedent that would  
9 seriously undermine the protection for landmarks  
10 and historic districts.

11 If the developer of a side street  
12 building that is several times the height and bulk  
13 of the other buildings on the block in a historic  
14 district is allowed to claim that it "relates  
15 harmoniously to the buildings in the historic  
16 district," then every historic district is in grave  
17 peril.

18 If this development is approved, then in  
19 this and other historic districts we will soon have  
20 churches, synagogues, schools, and even ordinary  
21 property owners coming up with real estate schemes  
22 to make money by multiplying the height and bulk of  
23 the building. They will all be able to point to  
24 this example. The Commission will have given up  
25 its ability to insist on meaningful contribution to

1 a preservation purpose or to apply any meaningful  
2 standard of what is harmonious with a historic  
3 district.

4 New York City has not headed down that  
5 road and it should not. The laws protecting  
6 landmarks and historic districts are an important  
7 part of what holds our city together. These laws  
8 should not be ignored, diminished or distorted.

9 Finally, the better alternative. The  
10 congregation is a growing congregation. It has a  
11 magnificent building and sanctuary that require  
12 restoration and maintenance. The congregation has  
13 been honoring its centuries-old tradition and its  
14 religious mission by raising the necessary funds to  
15 preserve the synagogue.

16 Now the congregation wants to build a  
17 new, expanded "community house" and support its  
18 programming. A new community house -- without a  
19 real estate component -- could certainly be  
20 designed in such a way that would not run afoul of  
21 the landmarks an historic district laws and  
22 applicable zoning.

23 The congregation can and should preserve  
24 the synagogue and build and run the new community  
25 house by raising the necessary funds, primarily

1 from among its members. That's not a simple  
2 matter, but that is what congregations do across  
3 New York City and across the country, and this  
4 congregation is better able to do that than the  
5 vast majority of other congregations.

6 In conclusion, the Landmarks  
7 Preservation Commission should stand by the law and  
8 reject the proposed real estate development. It  
9 does not "contribute to a preservation purpose" and  
10 it is not "harmonious" with the historic district.  
11 The congregation should stand by its honorable  
12 tradition and turn away from real estate  
13 development.

14 Thank you.

15 MR. TIERNEY: The next speaker is Avra  
16 Petrides from the Municipal Arts Society.

17 I would like to make an observation that  
18 goes in two directions, sort of almost a  
19 schizophrenic observation. One is I would like  
20 everyone, of course, to be as succinct as possible,  
21 et cetera, but, also, to speak more slowly for the  
22 sake of our stenographer. On the one hand, speed  
23 up, slow down, whatever it is. I think everybody  
24 understands.

25 MS. PETRIDES: Good morning. The

1 Society's Preservation Committee received a  
2 presentation by representatives of Congregation  
3 Shearith Israel describing the Certificate of  
4 Appropriateness and 74-711 zoning applications.  
5 They outlined the nature of these requests, the  
6 special provisions being sought and the way they  
7 believe the preservation purpose criterion for the  
8 74-711 is met by the proposal. They also presented  
9 designs for the new building and made their  
10 argument for its appropriateness.

11 In its discussion, the Preservation  
12 Committee identified three issues that we feel are  
13 key. First, the issue of height and massing of the  
14 new building. The Committee was divided over  
15 whether or not the building's height and massing  
16 are appropriate to the historic district. A slight  
17 majority of members felt that on this particular  
18 streetscape and in this location, a 14-story  
19 building is appropriate to the neighborhood.  
20 Others did not. They expressed concern about the  
21 tower's relationship to the low-rise buildings in  
22 the middle of the block.

23 Second, the issue of design. The  
24 Committee found the design to be inappropriate for  
25 the historic district. A number of design

1 components appear to be unresolved, such as the  
2 overall dimension and the penthouse proportions.  
3 In addition, the Committee questioned the  
4 relationship between the synagogue entrance and the  
5 residential entrance.

6 Third, the validity of authorizing the  
7 shifting of bulk under 74-711. The Committee felt  
8 the preservation purpose as described was not  
9 compelling enough to warrant this action. The  
10 restorative elements mentioned to us, such as  
11 replacement of the roof and addressing water  
12 damage, appeared to the Committee to be more on the  
13 order of routine maintenance.

14 We appreciate the synagogue's past  
15 attention to restoring its building, but would like  
16 to be assured that there is a comprehensive  
17 preservation program in place. We were not  
18 provided with any details regarding a continuing  
19 maintenance plan, nor was there any indication of  
20 how revenues generated by the proposed project  
21 would meet expenses for restoration of the  
22 synagogue.

23 Based upon the Committee's review, we  
24 believe that the Landmarks Preservation Commission  
25 should not approve the Certificate of



1 Appropriateness for the 74-711 authorization at  
2 this time, but we look forward to future discussion  
3 of this proposal as it evolves.

4 Thank you very much for this opportunity  
5 to press the Society's views.

6 MR. TIERNEY: Thank you very much:

7 Next, Roger Lang from the Landmarks  
8 Conservancy.

9 MR. LANG: Good morning, Mr. Chairman,  
10 Commissioners. I'm Roger Lang speaking on behalf  
11 of the New York Landmarks Conservancy.

12 The Converancy supports Congregation  
13 Shearith Israel's proposal. We hope you that you  
14 will grant it a Certificate of Appropriateness and  
15 also agree to invoke the provisions of Section  
16 74-711 of the Zoning Resolution in order to allow  
17 regulatory relief necessary for its construction.

18 The Conservancy took this position after  
19 members of our Public Policy Committee and Sacred  
20 Sites Program staff viewed two presentations by the  
21 proponents, and after they read the briefs in  
22 opposition being circulated by Landmark West.

23 This proposal isn't at all like the  
24 blockbusters of the 1980's. It does not involve  
25 the demolition or removal of any significant

1 features or structures. Nor does it overhang the  
2 landmark. At 14 stories, this new building is  
3 realistic, pragmatic, sensible and modest. It's in  
4 scale of the height and bulk of adjacent  
5 residential buildings to the north and south. And  
6 it is well-designed with attractive contextual  
7 features.

8 This building is not plunked down in the  
9 middle of an unbroken row of townhouses. Rather,  
10 it is at the end of a block, adjacent to a  
11 nine-story building and standing, in part, on a  
12 vacant lot and in an R10A district.

13 This proposal is also good for the  
14 landmark synagogue. The new building provides  
15 needed ancillary space as well as funds for ongoing  
16 restoration of the sanctuary and parsonage. The  
17 Restrictive Declaration accompanying this project  
18 will ensure that the landmark will be maintained in  
19 a "sound, first-class condition," the highest  
20 standard for such care. Moreover, the transfer of  
21 some F.A.R. from the temple site to the tower site  
22 will diminish development pressure on the landmark.

23 The transfer of development rights is a  
24 hallmark of New York City's Landmarks Law. It was  
25 intended to help preserve low buildings by enabling

1       their owners to shift some of unused bulk to other  
2       nearby sites. This provision is a key reason why  
3       our law has passed Constitutional muster and has  
4       survived legal challenges.

5               In this instance, a small fraction of  
6       the total floor area available is being shifted  
7       westward. The balance remains unused and that  
8       situation is unlikely to change. Accordingly, we  
9       would prefer that the owner voluntarily renounce  
10      use of the remaining F.A.R. as a part of the  
11      covenants contained in the Restrictive Declaration.

12             Finally, we urge this Commission to  
13      proceed with confidence to use Section 74-711. In  
14      our view, doing so will not set an adverse  
15      precedent, either for the Commission or for the  
16      preservation community. It's in the Zoning  
17      Resolution for this very purpose. It is to be used  
18      at your discretion. It will benefit the landmark.  
19      It is rooted in specific findings that apply only  
20      to this site and this situation. Therefore,  
21      Commissioners, we hope you go right ahead and use  
22      it.

23             And we thank you for the opportunity to  
24      present the Conservancy's views

25             MR. TIERNEY:       Mr. Christabel Gough.

1 MR. GOUGH: Good morning. I'm  
2 Christabel Gough for the Society of the  
3 Architecture of the City.

4 From the outset, there has been tension  
5 between Landmarks Preservation and zoning, since  
6 what zoning would allow can often be inimical to  
7 preservation. In 1961, much of New York was zoned  
8 to encourage new construction on a much larger  
9 scale than the existing cityscape, and defining the  
10 overlapping jurisdiction of City Planning was an  
11 issue when the landmarks laws was enacted. It was  
12 established that zoning does not supersede the  
13 landmarks law in the sense that the LPC need not  
14 approve proposals for inappropriate bulk or massing  
15 just because they comply with zoning. But  
16 nevertheless, over the years, there have been many  
17 appeals for City Planning to modify the zoning map,  
18 to bring the available F.A.R. more in line with the  
19 historic Cityscape where historic districts have  
20 been designated.

21 After years of citizen campaigning led  
22 by the owners of small historic properties, City  
23 Planning has responded in some areas by mapping  
24 contextual districts such as the R8B zones we are  
25 looking at in this application. Such zoning tends

1 to encourage conservation, restoration and adaptive  
2 re-use of New York's townhouse neighborhoods,  
3 reinforce the stability of such neighborhoods and  
4 permit a more contextual massing for any new  
5 building in the historic area.

6 We would be very alarmed to see what to  
7 us would be an unprecedented move for LPC:  
8 Ignoring existing contextual zoning to approve a  
9 new building whose bulk, height and massing  
10 substantially exceeds what zoning would allow, in a  
11 context of smaller buildings, and in a zoning  
12 district that is mapped specifically to limit  
13 out-of-context construction and preserve the  
14 context of the existing neighborhood.

15 To use Section 74-711 of the Zoning  
16 Resolution to make this possible would be equally  
17 alarming. In the past, this section has most often  
18 been used to enable adaptive re-use of older  
19 buildings, for instance, by allowing residential  
20 and commercial uses in manufacturing zones. It  
21 appears to us that the present application would  
22 set a precedent that would turn the landmarks law  
23 against itself, using preservation tools like  
24 74-711 to enable the kind of inappropriate massing  
25 that the historic district designation was intended

1 to obviate. We are sorry that this issue has been  
2 raised in connection with a congregation that has  
3 done such wonderful restoration work, but the  
4 zoning issues involved make it impossible for us to  
5 support in application.

6 Thank you.

7 MR. TIERNEY: Pia Frankenberg.

8 MS. FRANKENBERG: Good morning. I'm  
9 not much a speaker, and I'll try to make it short.

10 I moved to New York City in 1995. I  
11 live in 88 Central Park West, which is located  
12 between 68th and 69th Street. And I don't lose any  
13 views or anything of that sort. I just like that  
14 neighborhood.

15 MR. TIERNEY: Could you state your name  
16 for the record?

17 MS. FRANKENBERG: Oh, I'm sorry. Pia  
18 Frankenberg.

19 I like this neighborhood very much, and  
20 I would like to divert your attention for a moment  
21 to a building that already exists on the corner of  
22 68th Street and Central Park West, 18 Central Park  
23 West, which is the only modern building, built  
24 in the '70's, before, actually, I think that  
25 neighborhood has been considered a landmark --

1 historic landmark district.

2           And I think, if you look at the proposal  
3 and if you look, at the same time, at the already  
4 existing building, you would see that you get the  
5 worst of both worlds. There seems to be a little  
6 bit of a confusion of where the new building will  
7 actually be located, whether it belongs to Central  
8 Park West or whether it belongs to 70th Street.  
9 The female architect mentioned that it would  
10 enhance the skyline, it would enhance the skyline  
11 of Central Park West. I couldn't disagree more,  
12 because I think we already have a great, beautiful  
13 building, the synagogue, without the need for any  
14 enhancement behind it.

15           If you look at 80 Central Park West, you  
16 will see that it pretty much looks the same when  
17 you look at it from the front. It's like this  
18 small, sort of narrow finger sticking up in the  
19 air. Unfortunately, you can't see it on any of the  
20 displays there. But it reaches very far into the  
21 block of 68th Street, and that's actually where it  
22 dominates the block. And I think that's exactly  
23 what's going to happen with the proposal, the  
24 building at 70th Street. It will turn this block  
25 into -- at least the beginning of the block into

1 something very anonymous. It's going to be a  
2 condominium, as far as I understand. There is  
3 going to be a lot of fluctuation. The neighborhood  
4 actually, really has this feeling of people knowing  
5 each other. You meet the same people every day on  
6 the street if you walk your dog and go shopping, et  
7 cetera, et cetera. And I think you should keep  
8 this in mind because not only would it alter the  
9 looks and the views and the site of the  
10 neighborhood, it would also alter the feeling. I  
11 never walk down 68th Street because I just don't  
12 like to walk there. It's this huge, long stretch  
13 of this apartment building facing Central Park West  
14 but at the same time facing 68th Street, and it's  
15 totally anonymous. I don't know a soul in this  
16 building, and that's what going to happen to 70th  
17 Street.

18 I said I'd cut it short. Thank you.

19 MR. TIERNEY: James Platt.

20 MR. PLATT: My name is James Platt. I  
21 live at 91 Central Park West. As far as I know,  
22 I'm no relation to Charles Platt.

23 I could say that today's proposal is not  
24 about the synagogue. If you believe this is about  
25 the synagogue, then you believe what President Bush



1        says, that he's not decided to go to war on Iraq.  
2        This is an economic project. It's not the  
3        synagogue. The synagogue has interests in a  
4        cemetery in downtown New York. They have chosen to  
5        spend their funds the way they want to spend them.  
6        If they don't want to spend them on preservation,  
7        that's their choice. But to use this as an  
8        argument is completely fallacious and, also,  
9        intellectually dishonest.

10                I would also make the case for  
11        esthetics. The renderings that you see before you  
12        would suppose that, perhaps, you were standing  
13        either in the middle of Central Park or on 70th  
14        Street where no one can stand, they would be from  
15        several heights up where a pigeon might be. The  
16        drawings don't give it justice to what it is. They  
17        may be accurate in terms of a building proposal,  
18        but they are not reliable.

19                I say, finally, I believe this is a case  
20        of financial need that they are asserting and, in  
21        fact, it's one that they need to make a decision  
22        about how they want to spend their money, and is  
23        not a zoning issue and it has nothing to do with  
24        the synagogue.

25                Thank you.

1 MR. TIERNEY: George Litton.

2 A. Mr. Chairman, members of the Commission,  
3 thanks for the opportunity to appear before you as  
4 a private citizen. The congregation Shearith  
5 Israel went to some length --

6 MR. TIERNEY: Could you state your  
7 name for the record?

8 MR. LITTON: My name is George Litton.  
9 I'm a tenant shareholder at 91 Central Park West.  
10 I lived there for nearly 40 years. I've been a  
11 member of the board of our building for over 30  
12 years, and I'm very proud to see so many of my  
13 neighbors here today. We are a building that's  
14 extremely community-minded. Our president, Jean  
15 Martowski, I believe was instrumental in gaining  
16 historical landmark status for the Central Park  
17 West District.

18 Now, my own apartment, 15-A, faces east  
19 and south. The proposal of the congregation to  
20 build its new building has absolutely no effect on  
21 my light and my air. It does have a profound  
22 effect on my neighborhood, on my city and my  
23 quality of life, which is why I'm here.

24 I'm a retired businessman. My career  
25 was in development, both here in New York and

1 internationally. I hold a civil engineering degree  
2 from Yale and an MBA in finance from Columbia. I  
3 am, by training and conviction, pro-development,  
4 but that means responsible development. The  
5 Shearith Israel proposal, regrettably, is  
6 irresponsible and deserves to be defeated.

7 I'm a passionate Westsider, which is why  
8 I'm here. I've lived here for 64 of my 68 years.  
9 The first four years were spent in another city.  
10 Paris is the city of my birth. Those of you who  
11 have been to Paris are fortunate to know what  
12 landmarks preservation can mean. Baron Ausman  
13 (ph.) is not here today. Mayor Bloomberg does not  
14 have the resources of Napoleon, III. But you have  
15 the power and the ability to make a difference, and  
16 that's why so many of our neighbors are here today.

17 I grew up on the Central Park West. I  
18 played in the park. I went to public school. I  
19 remember the 9th Avenue L, probably not too many  
20 here do. My son grew up in this neighborhood. He  
21 loves it. Our grandchildren, unfortunately, are  
22 being raised in Texas, but I expect them to come  
23 for visits and to develop the same passion and love  
24 for New York. The Commission is to bequeath to  
25 future generations a New York which preserves the

1 best for future generations.

2 Twenty years ago a developer came along  
3 and promised the synagogue a pot of gold if allowed  
4 to build a 42-story luxury condo tower cantilevered  
5 over the synagogue. Unfortunately, the trustees of  
6 the synagogue fell for the pitch. The community  
7 was outraged. It was joined by members of the  
8 congregation, and the proposal was defeated. I  
9 testified then, as I do now.

10 Today's proposal, on the surface,  
11 appears more reasonable, a mere 14 stories instead  
12 of 42. But it is as pernicious and irresponsible  
13 as its predecessor. Does it satisfy the legitimate  
14 needs of a religious institution? No. It goes far  
15 beyond the four stories for the true needs of the  
16 congregation. It adds ten stories for a luxury  
17 condo development, pure profit at the expense of  
18 the community. Mr. Friedman, at the outset, very  
19 quietly referred to it -- the ten stories -- as an  
20 "economic engine" for the preservation of the  
21 synagogue building. It's not an economic engine;  
22 it's an economic bulldozer, which will be trampling  
23 the rights of the community.

24 Nobody has mentioned the numbers  
25 involved here. He mentioned ten or eleven

1       apartments. They will be floor-through apartments  
2       with square footage of about 1,500 to 2,000 square  
3       feet each. I'm sorry, the square footage probably  
4       is 3,500 to 5,000 square feet. At prevailing  
5       prices for condos in the neighborhood of \$1,500 to  
6       \$2,000 per square foot, I ask you to do the  
7       arithmetic. If I'm not mistaken, that means each  
8       of those floors can generate from \$5 to \$10 million  
9       for apartments.

10               If you agree to this proposal, you will  
11       be setting a terrible, adverse precedent that will  
12       be picked up by every non-profit religious  
13       institution in New York that has the ability to  
14       profit at the expense of its community. I urge you  
15       not to do so.

16               Paris is great because from virtually  
17       any street you can see the sky. There is a fixed  
18       height limit. 70th Street with its brownstones is  
19       the closest equivalent we will find in New York in  
20       our immediate neighborhood of a Paris streetscape.  
21       That's worth preserving.

22               Thank you.

23               MR. TIERNEY:     Hold the applause till  
24       everyone has spoken, if you can. It will move  
25       things better, faster.

1 Laura Ludwig.

2 MS. LUDWIG: My name is Laura Ludwig.  
3 I'm speaking for the Women's City Club of New York,  
4 which is an 88-year-old, non-profit, non-partisan  
5 advocacy organization which works to shape policy  
6 in New York City on a broad range of issues.

7 It is difficult to oppose such a  
8 venerable and distinguished applicant as the  
9 Congregation Shearith Israel. We do so because of  
10 an overriding responsibility to support the  
11 Landmarks Law and contextual zoning regulations  
12 which apply to historic districts throughout the  
13 City.

14 In applying for a Certificate of  
15 Appropriateness, the congregation seeks to persuade  
16 the Landmarks Preservation Commission that its  
17 proposed 14-story building should be seen as a  
18 Central Park West building. It is clear to us at  
19 the Women's City Club that the proposed structure  
20 would be a mid-block building between Central Park  
21 West and Columbus Avenue. Any building so situated  
22 must be governed by R8B zoning, which acknowledges  
23 and protects the low-rise scale of mid-block  
24 brownstone buildings in the Upper West Side/Central  
25 Park West Historic District.

1           The Historic District zoning regulations  
2           were designed to protect the existing West Side  
3           neighborhoods while allowing for appropriately  
4           scaled development. It is essential to preserve  
5           the distinction between the R10A designation and  
6           the R8B designation of the mid-blocks.

7           If the Landmarks Preservation Commission  
8           approves a Certificate of Appropriateness and the  
9           Department of City Planning follows with waivers, a  
10          damaging precedent would be set. This could, in  
11          time, compromise the whole contextual zoning plan  
12          which has served historic districts and the city  
13          very well.

14          We request to deny this application.  
15          Thank you.

16                 MR. TIERNEY:       Simeon Bankoff.

17                 MR. BANKOFF:       Good morning,  
18          Commissioners, Chair Tierney. I'm Simeon Bankoff,  
19          a resident of Brooklyn. I have the pleasure of  
20          serving as the Executive Director of the Historic  
21          Districts Council, but I am actually testifying as  
22          a private citizen.

23                 Just for the record, HDC has stated its  
24          opposition to this proposal, as have our colleague  
25          groups, the Friends of the Upper East Side Historic

1 Districts, the Grand Society for Historic  
2 Preservation, Landmark West and the Murray Hill  
3 Neighborhood Association.

4 As part of my position at HDC, I have  
5 the pleasure of talking to communities who are  
6 seeking landmark designation, and one of the things  
7 which they often ask is "What does that mean? What  
8 can we actually apply for?" And one of the great  
9 things I can say is, "Actually, under the law, you  
10 can apply for anything." You can apply for a Home  
11 Depot door on your 1836 building and you will go  
12 before the Landmarks Commission and try to convince  
13 the commissioners that this is appropriate. You  
14 can apply for a scale model or even a real sized  
15 model of the Singer building to be built in  
16 Douglaston, and, indeed, if you have the land, you  
17 can apply for this. And would go before a public  
18 hearing and be forced to prove that this was an  
19 appropriate application.

20 LPC has, when doing this -- and this is  
21 a wonderful example of what's going on, that the  
22 applicant is applying with a very well thought out  
23 project, and the Commission is actually regarding  
24 it.

25 Now, the difference here from any other



1 projects which involve new construction is that  
2 many other projects such as the very contentious  
3 project on 91st and Madison was built "as of right"  
4 in the sense that the zoning envelope allowed for a  
5 building that size. In this case, however, the  
6 Landmarks Preservation Commission is being asked to  
7 change the zoning envelope. This is not an "as a  
8 right" building by any stretch of the imagination.  
9 You're being asked to look at this building as a  
10 new construction and, in fact, even allow more than  
11 would be allowed under the Zoning Resolution, as  
12 put together to help protect the neighborhood  
13 character; therefore, it is up to the applicants,  
14 who have done a wonderful job on their existing  
15 structure, to prove, in fact, doubly prove that  
16 this is an appropriate building for the  
17 neighborhood and this is an appropriate building  
18 for the site.

19 I believe, for all of the reasons  
20 already spoken about, its height, its mass and its  
21 appearance, that this building is not the  
22 appropriate thing to do here and that the Landmarks  
23 Commission is beholden to a higher level -- if one  
24 can believe that -- of appropriateness because this  
25 is not an "as of right" building.

1 Thank you.

2 MR. TIERNEY: Alan Sugarman.

3 MR. SUGERMAN: Good morning. My name  
4 is Alan Sugarman. I live across the street from  
5 the congregation. I've lived there for almost 30  
6 years.

7 It seems to me that one of the  
8 fundamental issues for this Commission to look at  
9 is whether one can accept at face value, based upon  
10 the evidence presented to you, that this building  
11 has anything at all to do with the restoration of  
12 the existing temple. I think that there is really  
13 very little that's been shown. I think it's  
14 apparent, at least from my point of view, from what  
15 I've heard, that this is all about the construction  
16 of a new -- it's called a community building. It's  
17 truly a congregation building, a building to serve  
18 the members of the congregation. It's to tear  
19 down, as was pointed out today, a building that is  
20 actually two brownstones that was -- I would  
21 agree -- terribly reconstructed 30 or 40 years ago.  
22 I guess it's 50 years ago.

23 Based on that, I think that we cannot  
24 all consider any economic impact this might provide  
25 to the synagogue, to restore and continue its

1 restoration efforts in the synagogue. This has to  
2 be viewed solely in terms of this particular  
3 building. I think if you apply any of your  
4 standards to this particular building, then this  
5 proposal must be rejected.

6 I would also like to point out an  
7 opposite -- and really not shown in any of the  
8 beautiful photos today -- opposite this building is  
9 a continuous row of brownstones. It's all the way  
10 down the street. In fact, exactly across the  
11 street is a brownstone that in the last two or  
12 three years was beautifully restored. And, in  
13 fact, the stoop was replaced. As you know, many of  
14 the stoops were taken down. This owner has gone in  
15 and completely restored that building. It's quite  
16 beautiful. So, I urge the congregation to look at  
17 that as a model for what it should do for its  
18 responsible development.

19 I also urge the architects who talk  
20 about the context and what the context informs them  
21 as to what should be there, and if you look at the  
22 historical context in the three brownstones that  
23 were there and what's on the street, one would  
24 logically be informed that once you go back into  
25 the site, it is a low four- to five-story building.

1                   Finally, I point out that no one here  
2                   has shown the impact that this building will have  
3                   on the light on 70th Street, and this is a 70th  
4                   Street project. And it's really quite odd. It's  
5                   within the technical capability of this well-funded  
6                   development project to show what this is going to  
7                   do to the light of 70th Street, and I probably  
8                   won't see sunny skies like this on a winter  
9                   morning.

10                   I think this project should be rejected.  
11                   Thank you.

12                   MR. TIERNEY:       We have a representative  
13                   from City Council Gale Brewer's office here.

14                   MR. BOCIAN:       Good afternoon. My name  
15                   is Joshua Bocian, and I'm here today representing  
16                   City Council Member Gale Brewer. She apologizes  
17                   for not being able to be here in person. She is in  
18                   Albany on official business, and I will read her  
19                   testimony on her behalf.

20                   My name is Gale Brewer, and I represent  
21                   Council District 6 on the West Side of Manhattan,  
22                   which includes the Congregation Shearith Israel  
23                   Synagogue at 8 West 70th Street and Central Park  
24                   West. Due to another commitment that requires me  
25                   to be in Albany, I asked my Director of Constituent

1 Services, Joshua Bocian, to represent my comments  
2 regarding the congregation's applications for a  
3 Certificate of Appropriateness and a Modification  
4 of Use and Bulk at 8 West 70th Street, Block 36,  
5 37, lot 1122. I am also submitting a written copy  
6 of these comments.

7 Congregation Shearith Israel is one of  
8 New York's oldest, most storied and significant  
9 congregations. It has earned widespread respect  
10 through its commitment to the community and its  
11 care and maintenance of the individual landmark it  
12 occupies. Previously, the congregation withdrew a  
13 proposal to construct a residential building on a  
14 portion of their property after it was widely  
15 opposed by the community and various organizations  
16 interested in preservation of historic properties  
17 and the Upper West Side Historic District.

18 In the application at issue today, the  
19 congregation proposes to demolish its existing  
20 community house at 8 West 70th Street and to  
21 construct on a portion of its property a new  
22 community house and a residential building that  
23 requires a special permit from the Zoning  
24 Resolution.

25 Over the years, the congregation has

1       done a superb job of continuing to protect and  
2       restore its treasured historic synagogue and three  
3       historic cemeteries that the congregation maintains  
4       at sites in New York City. The synagogue itself is  
5       one of New York's most important landmarks, and  
6       occupies a prominent location on Central Park West  
7       in the Upper West Side Historic District. Indeed,  
8       it was to protect such buildings and the  
9       historical, cultural, social and physical context,  
10      and to ensure their preservation that the Landmarks  
11      Law was enacted and the Commission acted to create  
12      the district.

13               Congregation Shearith Israel has been an  
14      exemplary neighbor on the West Side since  
15      construction of its current magnificent home in  
16      1897, and a member of the community of New York  
17      City for centuries. In recent years the  
18      congregation has continued its long efforts to  
19      honor the place that the synagogue holds in the  
20      community and in the high regard of all concerned  
21      for its historic and architectural significance.  
22      This work has come at great expense, and the  
23      required cost of restoration, maintenance and  
24      repairs will continue to pose a significant  
25      financial burden to the congregation for the

1       foreseeable future. A primary justification cited  
2       by the congregation for the current request is to  
3       help meet these obligations.

4               The congregation and some members of the  
5       community believe that the synagogue's proposal  
6       represents a plan for development that is modest in  
7       scale and sensitive to its surroundings and  
8       neighbors. In an effort to address the many  
9       concerns about this project, the congregation has  
10      chosen to work with respected architects and  
11      preservationists in preparing their proposal and  
12      design. Part of the design calls for demolition of  
13      the existing community house because of the  
14      congregation's need to improve and expand its  
15      facilities and better serve the needs of its  
16      membership. The residential portion is viewed as  
17      the primary generator of needed income.

18             The congregation believes that their  
19      proposed 14-story, 157-foot building is in context  
20      with adjacent buildings of ten or more stories.  
21      And in fact, approximately 15 percent of the  
22      Central Park West Historic District mid-block is  
23      reportedly occupied by buildings that are larger  
24      than permitted under the current zoning.

25             However, I have several reservations

1 about the current proposal. First, the City  
2 Planning Commission created the R8B zoning in 1984  
3 to protect the low-rise character of the mid-blocks  
4 of the Upper West Side. The Landmarks Commission  
5 reinforced this protective zoning by creating the  
6 Upper West Side Historic District in 1990. Second,  
7 the R10A zoning district covering Central Park West  
8 gives way to mid-block R8B district at a point 125  
9 feet in from the avenue. The proposed building is  
10 more than 125 feet into the mid-block, crossing  
11 this important boundary. Third, I'm concerned that  
12 approval of this project would set a precedent  
13 threatening to erode the unique brownstone  
14 mid-block character of the district and the Upper  
15 West Side. Fourth, the exceptional nature of this  
16 proposal is evident in the requirement that various  
17 city agencies must grant waivers, variances,  
18 special permits, and a Certificate of  
19 Appropriateness. The proposal is to demolish a  
20 landmarked structure and alter its visual and  
21 aesthetic character; in addition, it's been noted  
22 that this proposal is a form of "spot zoning."

23 Concerns have been raised that the  
24 Landmarks Commission is being asked to support a  
25 proposal whose design and developer could be



1 changed after approval of the proposal. This issue  
2 is a serious one, but in this case I believe that  
3 the perception is mistaken, and that the  
4 congregation intends to proceed in good faith with  
5 their current proposal.

6 It is essential to note that this  
7 congregation has worked diligently along with  
8 residents, preservationists, and the Landmarks  
9 Commission to maintain the integrity of the Central  
10 Park West Historic District. All of us will  
11 continue to gain immeasurably by assuring its  
12 continued presence for years to come.

13 However, on balance, this project would  
14 set a precedent and might induce other institutions  
15 along Central Park West to seek similar variances.  
16 This could lead to a widespread deterioration of  
17 the special zoning district. On this basis and the  
18 concerns cited above, I recommend to the Commission  
19 that the request for a certificate be denied.

20 I want to re-emphasize that the  
21 congregation faces long-term financial challenges,  
22 as do other religious institutions in my district.  
23 Although I realize that this issue is beyond the  
24 purview of the Commission, a means to address this  
25 challenge must be found while protecting our

1 historic properties and the core characteristics of  
2 the West Side.

3 I thank our Commissioners for their  
4 attention to these issues. Thank you.

5 MR. TIERNEY: Thank you.

6 Board of 18 West 70th, represented by  
7 Mark Daniel.

8 MR. DANIEL: Thank you very much.  
9 The commission will be happy to hear I edited a  
10 quite long statement to make it a little briefer  
11 for purposes of this section.

12 My name is Mark Daniel. I'm treasurer  
13 of the board, and our board president is out of the  
14 state today, so I have been asked to speak on  
15 behalf of the board.

16 We are good neighbors with the  
17 synagogue. Many of our residents are also members  
18 of the synagogue. In 1984, when the city  
19 designated the historic district, they found 85  
20 percent of the structures within these mid-blocks  
21 were complying and conforming with the designation  
22 of the historic district, the townhouse character.  
23 It is unquestionable that because 87 percent of  
24 this proposed tower's property is within the  
25 mid-block, that this would be a mid-block tower and

1 would, therefore, violate this designation.

2 Our building is one of only -- as many  
3 people pointed out, our building is only one of two  
4 buildings on the 70th Street block that breaks the  
5 60-foot townhouse character of the mid-block, but  
6 our building was built in 1920 and clearly predated  
7 the landmark designation.

8 History clearly confirms that the  
9 predominant character of the neighborhood was  
10 low-rise mid-blocks framed by high-rise avenues.  
11 Surely, the existence of our building should not be  
12 used as an excuse to violate this character.  
13 Anyone walking on 70th Street would see -- if this  
14 proposal were completed, would see a tower rising  
15 head and shoulders above the synagogue and its row  
16 house neighbors to the north and the west. And  
17 they would wonder this, whether a Central Park West  
18 building on a brownstone block could happen on  
19 their block. Isn't this the very kind of  
20 non-compliance the historic district designation  
21 and the zoning resolutions were designed to prevent  
22 from spreading deeper into the area's mid-blocks.

23 We urge you, therefore, to disapprove  
24 this Certificate of Appropriateness because, A, the  
25 proposed mid-block, 14-story condo tower

1       irretrievably diminishes both the landmark  
2       synagogue and the landmark district and, B, it  
3       replaces a row house scale, mid-block building with  
4       a high-rise tower that is unprecedented in a  
5       historic district mid-block.

6               But we are happy to have Commissioner  
7       Tierney now as a new commissioner for the  
8       Commission and thank all of you for your time  
9       today. We also noted in the New York Times a  
10      couple of weeks ago -- you may or may not know  
11      that we and some other buildings in the  
12      neighborhood have been working with groups such as  
13      Landmark West to preserve the character of the  
14      district, and it was wonderful to see that  
15      Commissioner Tierney and the Landmark Commission,  
16      as well as Arlene Simon from landmark West were on  
17      the same side on the Child's building, and we hope  
18      that you are on the same side on this building as  
19      well.

20              Thank you very much.

21              MR. TIERNEY:       Elizabeth Ashby.

22              MS. ASHBY:        Good morning,  
23      Commissioners. Good morning, Chairman. My name is  
24      Elizabeth Ashby, and I will be speaking on behalf  
25      of our organization, the Historic Neighborhood

1 Enhancement Alliance. But I have also been asked  
2 to read a statement on behalf of Civitas, of which  
3 I'm a board member, and I'll read Civitas' first.

4 Civitas, an over 20-year-old Upper East  
5 Side and East Harlem zoning and planning  
6 organization is on record for supporting and  
7 upholding R8B mid-block zoning regulations.

8 Civitas is appreciative of the needs of  
9 the institutions for expansion and believes that  
10 needed growth is possible while still respecting  
11 the spirit of R8B.

12 The present application, with requests  
13 for significant variances, violates the mid-block  
14 context, which many communities throughout the city  
15 have fought to establish and uphold.

16 Civitas urges that the Commission reject  
17 this application because of the adverse effect it  
18 will have on the mid-block and because of the  
19 precedent it will set for future applications.

20 And on behalf of Historic Neighborhood  
21 Enhancement Alliance and, also, since everybody is  
22 getting a bit historical, going back to the  
23 pirates, I was one of the people -- elderly people  
24 now -- who worked for many years to get R8B. And  
25 the reason that it was felt to be essential by both

1 the community and by the City Planning Commission  
2 was that R8 was far too tall, far too large for the  
3 context of our mid-blocks, which were low-rise.

4 And I won't see in building. I live on  
5 the other side of the park, but on our side of the  
6 park it's similar. We have avenues with taller  
7 buildings and mid-blocks with lower buildings.

8 R8 was the prevailing mid-block zoning  
9 before R8B, and we also all realized that the  
10 context is a four- or five-story brownstone, a  
11 townhouse, and a five-story tenant. This building  
12 -- this zoning was designated way back when.

13 The proposed building is not even an R8  
14 building. This could not be built under the old  
15 zoning, and the old zoning was wrong and widely  
16 recognized as wrong and was the reason for changing  
17 it to R8B. This is an R10 building. And I think,  
18 as the applicants so well made the point, this  
19 belongs on Central Park West. Everything that they  
20 have argued to defend this building argues either  
21 for Central Park West or the little gaps, which  
22 they have mentioned -- gaps between buildings, as  
23 they carefully pointed out, these led into low-rise  
24 brownstones, not into a 156-foot building.

25 The other tall building they were

1 talking about was on 72nd Street. That's a wide  
2 street. So, I think that this is not only by  
3 definition inappropriate, it's an example, an  
4 extreme example of the reason that the zoning was  
5 changed in order to protect the character of our  
6 mid-blocks.

7 I think that on the subject of the  
8 74-711, yes, this building will provide a lot of  
9 money to the owner of the landmark. And if it were  
10 bigger, it would provide even more money, but  
11 that's not what 74-711 is here to do, and I don't  
12 think it in any way meets those standards. And I  
13 think that it is veering toward "bank robbery" as a  
14 means to get money instead of a preservation  
15 purpose. So, we hope that you will deny this  
16 firmly.

17 Thank you.

18 MR. TIERNEY: George Matouk, the  
19 president of 103 Central Park West.

20 MR. GREER: Good morning, Mr. Chairman.  
21 I'm not George Matouk. I'm Jay Greer. Mr. Matouk  
22 has to chair the regular meeting of our board of  
23 directors this morning and asked me to be here  
24 instead.

25 I'm here on his behalf and the other

1 eight members of the board to express our unanimous  
2 opposition to the proposal. This, I should say,  
3 has been held inappropriate by the overwhelming  
4 majority of Community Board 7 and its Preservation  
5 Subcommittee. We believe it threatens the  
6 predominantly low-rise mid-block character of the  
7 Upper West Side, including but not limited to the  
8 section of West 70th Street right across from our  
9 building.

10 I should say, I and my fellow directors  
11 and, I believe, most, if not all of our tenant  
12 shareholders, deeply respect the long extraordinary  
13 history of Congregation Shearith Israel and the  
14 contributions it has made to the national and  
15 international religious communities. A majority of  
16 our board has met with the leaders of the  
17 congregation and has sought to reassure them of our  
18 respect for them, their institution and the faith  
19 that they profess. We are also well aware, because  
20 of having lived in the area for 30 or 40 years, of  
21 the need to preserve their landmark temple, which  
22 they are seeking to restore. We are also very well  
23 aware and have no objection to the congregation's  
24 desire to construct a new community house to  
25 replace the existing structure at 810 West 70th



1 Street and to expand it into the current vacant lot  
2 next door. However, as soon as the current plan  
3 was announced, we received a quite unprecedented  
4 and, I might say, unsolicited flood of objections  
5 from the majority of our fellow residents,  
6 including many whose apartments do not overlook  
7 West 70th Street. Only after that, did the  
8 board -- none of whose views will be obstructed, I  
9 should say, by the proposed structure -- vote to  
10 oppose the present plan.

11 We strongly support the existing zoning  
12 for the Upper West Side Historic District, which is  
13 designed to protect the low-rise character of  
14 neighborhood mid-blocks and oppose this and all  
15 other present and future applications for what we  
16 think are blockbusting developments like this one.  
17 We are joined in our opposition of this by quite a  
18 considerable number of elected officials and civic  
19 associations and others. We think that list is  
20 growing.

21 I should add we are not persuaded that  
22 the proposal in its present form is necessary to  
23 achieve whatever preservation project purposes the  
24 congregation is seeking to serve, but has yet to  
25 spell out with any specificity, at least in terms

1 of the dollars involved.

2 We also believe that the massive  
3 proposed structure will not only destroy the  
4 character of one of most beautiful residential  
5 blocks on the Upper West Side, but that it will  
6 overwhelm the existing landmark temple with  
7 consequent diminution of its civic duty.

8 Accordingly, I and my fellow directors  
9 urge you and your fellow commissioners to do all in  
10 your power to preserve and protect our community by  
11 opposing as vigorously as possible this  
12 ill-conceived project and any other such projects  
13 that require waivers of existing zoning  
14 requirements and threaten to destroy our  
15 community's unique character.

16 Thank you for your attention.

17 MR. TIERNEY: Thank you.

18 Myles Weintraub.

19 MR. WEINTRAUB: Good morning. My is  
20 Myles Weintraub. I'm an architect and was a  
21 co-founder of the Urban Design Group of the New  
22 York City Planning Commission in the late '60's and  
23 early '70's, the pioneer organization in urban  
24 design in this country. I am also a resident of 18  
25 West 70th Street, whose views are not affected by

1 the proposed project.

2 I'm here to discuss two aspects of the  
3 project. One is the shadows that would be cast  
4 and, alas, our drawings have not appeared, delayed  
5 somehow in transit, so I will just briefly describe  
6 them.

7 We looked at the effect of the proposed  
8 14-story building. Its shadows, during the  
9 equinoxes -- not to load the argument one way or  
10 the other. In comparison to an "as of right"  
11 building, an "as of right" building on this site  
12 would be 60 feet high at the street wall and would  
13 cast a shadow of roughly 60 feet during the  
14 equinoxes at midday -- a few hours before, a few  
15 hours after -- on a 60-foot-wide street.

16 And it should be emphasized that we  
17 should measure the height, the appropriateness or  
18 inappropriateness of the proposal both in its  
19 context in the historic district, but also that  
20 this is a 60-foot-wide street, not a 100-foot-wide  
21 street, which is where our ten buildings usually  
22 appear.

23 The other aspect of my presentation has  
24 to do with some views that we have taken  
25 photographically, patching in the proposal along

1 the streetscape of 70th Street, in other words, to  
2 gauge its effect on the historic district as  
3 opposed to the landmark building. And we think  
4 that the proposal's inappropriateness is fairly  
5 clear when you look at the views along 70th Street.

6 The first board shows a view looking  
7 from -- roughly from the northeast looking down the  
8 block, when you can see the synagogue, the tower  
9 and then 18 West 70th Street, which is the  
10 nine-story building, and then the brownstones  
11 follow. In this somewhat foreshortened view, in  
12 comparison to the one that's up on the wall at the  
13 end -- at the right-hand end -- is what you would  
14 see, roughly, if you were standing at the corner on  
15 70th Street. It's a pedestrian's eye view. It is  
16 not a view looking at a massive model. It's what  
17 people would see standing on the street, which is a  
18 point of view, we think, is extremely relevant in  
19 looking at a brownstone street with its  
20 predominantly 60-foot-high buildings.

21 This view is taken with your back  
22 towards Columbus Avenue. It's looking southeast,  
23 again, measuring the proposed tower against the  
24 facades of some of the brownstones in the mid-block  
25 and the nine-story building that's immediately

1 adjacent to the proposal. And you can then see the  
2 top of the existing synagogue.

3 Needless to say, the tower, which is  
4 predominantly in the R8B portion of the historic  
5 district, doesn't look anything like the rest of  
6 the buildings on the south side of 70th Street.

7 Then, the last board is a view of the  
8 north side of 70th Street, which is not in the  
9 applicant's presentation, which has been referred  
10 to by several other speakers, and it is an  
11 unbroken, i.e., call it a "normative view" of a  
12 brownstone block in the historic district. It's a  
13 solidly five-story brownstone line of buildings.  
14 The stoop that's been restored is the first one on  
15 the right. There are others down the block that  
16 have been restored in the 38 years that I've lived  
17 on this block, and that is the movement, to replace  
18 stoops that have been taken down.

19 And that's really all we have to say.  
20 And I think the question of appropriateness is the  
21 main question before you. If you find the  
22 application inappropriate, then 74-711 is  
23 essentially moot.

24 Thank you very much for your attention.

25 MR. TIERNEY: Thank you.

1                   The West Side Federation of Neighborhood  
2                   and Block Association, Miriam Febus.

3                   UNIDENTIFIED SPEAKER:       She walked out  
4                   for a minute.

5                   MR. TIERNEY:       We will get her later.  
6                   Kate Wood, would you like to go on?

7                   MS. WOOD:       Sure. My name is Kate  
8                   Wood. I'm actually speaking on behalf of Dr.  
9                   Elliot Sclar, who was one of my professors in urban  
10                  planning at Columbia University, and he asked me to  
11                  present his testimony here today. And while I'm up  
12                  here, I just wanted to point out for the  
13                  Commissioners that yellow folders were given to  
14                  Diane, and she will distribute them at some point.  
15                  Not to distract you now, but they do contain a lot  
16                  of materials that have been discussed by Myles  
17                  Weintraub, as well as some other things that will  
18                  be presented. So, that's for your review either  
19                  now or later.

20                  On to Elliot Sclar. Many of you know  
21                  him. He's a professor of urban planning and public  
22                  policy and public affairs, as well as director of  
23                  graduate programs in urban planning at Columbia  
24                  University.

25                  Interestingly, Professor Sclar is

1       presently the coordinator of a major U.N. task  
2       force to improve the lives of the urban poor. In  
3       addition, he has over 30 years of experience as a  
4       neighborhood planner in New York and Boston.

5               His statement: The proposed building  
6       would sit almost entirely in an R8B zoning  
7       district. R8B zoning on the Upper West Side is  
8       intended to encourage low-rise construction  
9       compatible with the traditional row houses that you  
10      find are the core characteristics of this fine  
11      neighborhood's side streets.

12             I want to express my serious concern  
13      about this proposal, in part, for the damage it  
14      will do to one of the finest neighborhoods in the  
15      city, and, in part, because it will irreparably  
16      harm the balanced land use regulatory policy that  
17      has helped make this area one of America's leading  
18      urban neighborhoods.

19             The very fact that this project will  
20      require that various City agencies grant it a  
21      series of waivers, variances, special permits, in  
22      addition to a Certificate of Appropriateness,  
23      should set off alarm bells everywhere in the  
24      Planning and Preservation Committee.

25             The precedent that the granting of these

1       waivers, variances and special permits will create  
2       may effectively render the carefully crafted  
3       land-use development plan for the Upper West Side  
4       moot. The contextual zoning and landmark  
5       designations that guide this neighborhood's growth  
6       and change -- and this neighborhood has grown and  
7       changed -- were thoughtfully designed and  
8       democratically adopted policies intended to fairly  
9       balance the maintenance of this neighborhood's  
10      charms with the real needs for added development.  
11      This project will destroy this careful balance.

12               As a general matter, it is inherently  
13      improper for any developer, even a non-profit  
14      institution, to seek special exemption from a  
15      zoning policy that was crafted with meticulous care  
16      and community-wide support that this one received.

17               I am fully familiar with the background  
18      of this zoning. In the spring of 1982, I directed  
19      a graduate studio at Columbia University's Graduate  
20      School of Architecture, Planning and Preservation.  
21      That was the starting point for this zoning change.  
22      The client for that studio was the Department of  
23      City Planning. The student-produced work helped to  
24      launch the process that led to the adoption of the  
25      City's first contextual zone on the Upper West Side



1 in 1984. In total, eight new districts were  
2 created that essentially down-zoned the mid-blocks  
3 and up-zoned the avenues, in keeping with the  
4 existing context of that neighborhood. The new  
5 zoning identified the mid-blocks in which R8B zones  
6 were matched to replace R72 as having a strong and  
7 identifiable low-rise scale and coherence.

8 These building types create distinctive  
9 environments as stated in the City Planning  
10 Commission's report, and the boundaries between  
11 these environments are critical to maintain. The  
12 R10A district covering Central Park West gives way  
13 to the mid-block R8B district at a point 125 feet  
14 from the avenue. A 14-story building that is more  
15 than 125 feet into the mid-block -- or actually,  
16 straddled that line -- the majority of it being in  
17 the R8B district would destroy this crucial  
18 boundary. Indeed, it should be noted that the line  
19 between the old R10 Avenue zoning and R72 mid-block  
20 zoning, prior to the zoning amendment, used to be  
21 drawn at 150 feet. The City Planning Commission  
22 called this line "abnormally deep" and reduced it  
23 to 125 feet in order to contain tall construction  
24 closer to Central Park West. This is not an  
25 arbitrary change in policy, but a careful and

1 measured response to the Upper West Side building  
2 environment.

3 The Upper West Side today is a delicate  
4 balance of intense and highly congested urban  
5 living that has grown to the necessary respite to  
6 remain vital by its lower-scale mid-blocks. Once  
7 the scale of these mid-blocks is breached in one  
8 brace, the case for preservation in all others will  
9 be severely compromised.

10 Please deny this application.

11 Thank you.

12 MR. TIERNEY: Thank you.

13 Miriam Febus.

14 MS. FEBUS: I guess it's good afternoon  
15 now. Ladies and gentlemen, my name is Miriam  
16 Febus. I'm the president of the West Side  
17 Federation of Neighborhood and Block Associations.  
18 It's an umbrella organization representing block  
19 associations, neighborhood organizations, co-ops  
20 and so forth.

21 I just would like to list some of block  
22 associations. Since there are about 44 of them  
23 there won't be time to really name them, but I  
24 could just go through some of them. West 64th  
25 Street Block Association; West 67th Street

1 Committee, numbers 2, 15, 17, 27, 33, 39, 40, 45,  
2 50; West 69th Street Block Association; West 75th  
3 Street Block Association; West 77th Street Block  
4 Association; Park West 77th Street Block  
5 Association; West 78th Street; Museum Block  
6 Association; West 89th Block Association.

7 Am I going too fast?

8 MR. TIERNEY: No, but we have a flavor  
9 for how many you have. That will go on the record.  
10 In the interest of moving things along --

11 MS. FEBUS: Okay. There's only three  
12 more. West 90th Street Block Association; West  
13 92nd Street; west 93rd Street; West 123rd Street;  
14 and Duke Ellington Association. I'm sorry about  
15 that.

16 I just would like to let you know that  
17 we have been around for over 30 years trying to  
18 improve and maintain the quality of life on the  
19 West Side.

20 On January 13, 2003, the Federation  
21 passed the following resolution: Whereas, the  
22 proposal by Congregation Shearith Israel for a  
23 14-story, 157-foot tower is incompatible with the  
24 mid-block of West 70th Street, a brownstone block  
25 between Central Park West and Columbus Avenue.

5                   Whereas, this project will violate the  
6       existing zoning and undermine the character of the  
7       historic district;

14 I just wanted to make it very clear that  
15 the Federation is not opposed to development, but  
16 we need balance in every aspect of planning, and  
17 that includes not only the new, but preserving some  
18 of our history and character of this great city.  
19 Preserving the character of the Upper West Side  
20 Historic District is an integral part of the City's  
21 history and character.

1 Thank you for your patience.

2 MR. TIERNEY: Thank you.

3 Rena Rosen.

4 MS. ROSEN: Good afternoon,

5 Commissioners. My name is Rena Soshel Rosen. I'm  
6 a graduate of Columbia University's Historic  
7 Preservation Program and a resident of the Upper  
8 West Side. I have been asked to read the statement  
9 of Martin Gallent, former vice chairman of the New  
10 York City Planning Commission, who, unfortunately,  
11 could not be here today. His statement follows.

12 As a the former vice chairman of the New  
13 York Planning Commission, I took an active part in  
14 the report and consideration of the Commission's  
15 position on the Contextual Zoning Amendment dated  
16 April 9, 1984. I have reviewed the recent  
17 statements of Professor Elliot D. Sclar and Norman  
18 Marcus, Esquire, both of which are in the record,  
19 and I find myself in accord with both of their  
20 positions in support of denying a special permit to  
21 construct a 14-story building in the mid-block of  
22 70th Street between Central Park West and Columbus  
23 Avenue.

24 The Planning Commission was extremely  
25 concerned with the development in this area and

1 took a very thoughtful and reflective position.  
2 The statements of Professor Elliot D. Sclar and  
3 Norman Marcus, Esquire, certainly reflect my views,  
4 and, I believe, the sentiments of the City Planning  
5 Commission as of April 9, 1984. I can fully  
6 support their positions and arguments as reflected  
7 in their statements.

8 Permitting a 14-story building in the  
9 area would be a travesty and a denial of the  
10 planning principles which the Commission has sought  
11 to maintain and promote in the orderly development  
12 of this City.

13 Thank you very much.

14 MR. TIERNEY: Melissa Baldock.

15 MS. BALDOCK: Good afternoon,  
16 Commissioners.

17 My name is Melissa Baldock, and I'm a  
18 second-year student in Columbia's Historic  
19 Preservation Program. I am strongly opposed to the  
20 proposed 14-story, mid-block building on West 70th  
21 Street. If built, the new building will have a  
22 detrimental effect on the integrity of the Upper  
23 West Side, Central Park West Historic District and,  
24 moreover, would set a dangerous precedent for new  
25 mid-block buildings and historic districts

1 throughout the city.

2 Using GIS, Geographic Information  
3 Systems, I produced this map of the buildings on  
4 the Upper West Side. The black boxes around are  
5 the areas which are zoned R8B. Just to go over the  
6 key, the yellow buildings, which are the majority  
7 of the buildings in the boxed areas, are buildings  
8 which are one to six stories in height, primarily  
9 row-house buildings, but a few tenement buildings.

10 The orange-brown buildings are buildings  
11 that are ten to twelve stories in height, which  
12 there are a few interspersed about the R8B area,  
13 but again, primarily, it is the one to six stories.

14 Lastly, the red buildings are special 13  
15 to 36 stories, which are primarily along the  
16 Central Park West thoroughfare and, also, the major  
17 cross streets such as 72nd Street and 81st Street.

18 So, I just want to point out again that  
19 the yellow buildings are primarily the ones that  
20 are within the district.

21 If I were to map the proposed building  
22 on the map, it would be a rare instance of a red  
23 building, or a 14-story building, in the R8B zone.  
24 In other words, it would stick out like a sore  
25 thumb compared to the neighboring blocks protected

1 under both the R8B zone and the Upper West Side  
2 Historic District. The new building, as the map  
3 illustrates, would be entirely out of context with  
4 the surroundings, overwhelming the synagogue and  
5 the neighboring row-house buildings.

6 I'm not sure if you can see, but some of  
7 buildings have black dots on them, and those black  
8 dots are non-profit or institutional buildings  
9 within the district. Some of those are churches or  
10 synagogues or different types of non-profits. I  
11 just wanted to show on the map that there are many  
12 other buildings that could apply for similar  
13 variances, and if this building is approved, it  
14 could set a dangerous precedent. In fact, there  
15 are eleven other institutional buildings within the  
16 R8B zone on this map, and this map just goes from  
17 Central Park West to Columbus Avenue. I didn't map  
18 the other blocks.

19 The Upper West Side is fortunate to have  
20 both a historic district and architectural zoning  
21 which work hand in hand to protect the area from  
22 buildings such as the one proposed for West 70th  
23 Street. Both the district and the R8B zoning were  
24 established in the area in order to prevent  
25 out-of-scale buildings like the one before us today



1 from permanently marring the streetscapes and  
2 quality of life on the row-house blocks. I urge  
3 you to give the district and the zoning the respect  
4 that they deserve.

5 Again, I implore you to protect the  
6 integrity of the Upper West Side/Central Park West  
7 Historic District and the designated mid-blocks  
8 throughout the City and deny the application before  
9 you.

10 MR. TIERNEY: Lauren Belfer.

11 MS. BELFER: Good afternoon. My name  
12 is Lauren Belfer, and I live in the Upper West Side  
13 Historic District. I'm going to read a statement  
14 sent by Architect Richard Roth, Jr., who couldn't  
15 be here today.

16 To the Commissioners, although now  
17 retired in the Bahamas, I remain a New Yorker  
18 fiercely committed to the architectural greatness  
19 of my city. Emory Roth & Sons, Architects, a firm  
20 I headed as chairman, contributed significantly to  
21 that greatness.

22 My grandfather, Emory, founder of our  
23 firm, more than any other architect in any era, was  
24 responsible for the creation of Central Park West's  
25 unique skyline, with 55 Central Park West, the San

1 Ramo, the Oliver Cromwell, the Berisford, the Alden  
2 Hotel, the Ardsley and the Eldorado, all bearing  
3 our firm's signatures. That is why I follow very  
4 closely any development that threatens the  
5 integrity of the Central Park West Historic  
6 District and why I was appalled by the proposal of  
7 the Spanish and Portuguese Synagogue to build a  
8 mixed-use high-rise condo development immediately  
9 behind the congregation's own landmark's synagogue.

10 I write respectfully to urge you to  
11 adhere unwaveringly to the existing landmark and  
12 zoning laws which protect our unique neighborhood.  
13 Any variance granted to Congregation Shearith  
14 Israel inevitably will establish adverse precedents  
15 which would echo throughout the city.

16 Existing laws and regulations were  
17 developed to counter years of neglect and were  
18 promulgated for the common good. Please, do not  
19 capitulate to the entreaties of vested special  
20 interests. Your grandchildren will thank you.

21 Sincerely,

22 Richard Roth, Architect.

23 MR. TIERNEY: Thank you.

24 Nina Gray and Alexander Gray.

25 MR. GRAY: Hello. My name is

1 Alexander Gray. I'm eleven years old and a 5th  
2 grade student. I live at 80 Central Park West just  
3 down the street from the synagogue.

4 I was born a year after the Upper West  
5 Side Historic District was designated. This fall  
6 at school my class learned about preservation and  
7 we studied our neighborhood. We learned that a  
8 historic district is designated to protect the  
9 special character of the architecture in the  
10 neighborhood.

11 In Ethics, we discussed the importance  
12 of community and being aware of everybody's needs.  
13 Laws and rules are made to protect the community.  
14 If this synagogue is allowed to break these rules  
15 by building a building exceeding the height laws  
16 put in place by the Landmark Preservation  
17 Commission, then what is going to stop everybody  
18 else from doing the same thing? Our historic  
19 district will be ruined if you allow this to  
20 happen. Preservation is for everyone.

21 MR. TIERNEY: Thank you, Alex. Very  
22 well delivered.

23 MS. GRAY: My name is Nina Gray, and I  
24 have the great distinction of being his mother.

25 I'm the consulting curator for the

1 Museum of Tiffany Glass which owns most of the  
2 remaining glass left over from Tiffany's furnaces.  
3 I was very pleased to see the conservation and  
4 restoration work of Tiffany's windows of the  
5 synagogue and the rest of the work that Tiffany's  
6 studios carried out there. I think it is highly  
7 inappropriate to jeopardize the integrity of this  
8 landmark and the landmark district by opening the  
9 door to this kind of development. This  
10 neighborhood has witnessed intense development  
11 around Lincoln Square in the past 15 years and will  
12 not benefit in any way from the addition of more  
13 luxury apartments, not least because it sets a  
14 precedent for other numerous developments.

15 Thank you.

16 MR. TIERNEY: Thank you very much to  
17 the Gray family.

18 Barry Rosenberg.

19 MR. ROSENBERG: Good afternoon. I am  
20 a member of Community Board 7, I represent the  
21 Community Board here today. I'm going to read a  
22 letter prepared by the Chair of the Landmarks  
23 Committee and the Chair of Community Board 7. They  
24 are Lenore Norman and Larry Horowitz.

25 Dear Chairman Tierney:

1                   Manhattan Community Board 7 urges the  
2 Landmarks Commission to deny the proposal by  
3 Congregation Shearith Israel that is before you  
4 today. This application for the construction of a  
5 14-story, 159-foot building on West 70th Street  
6 between Central Park West and Columbus Avenue is  
7 totally inappropriate in a number of ways.

8                   No one denies the importance of  
9 preserving the economic viability of our religious  
10 and cultural institutions along Central Park West;  
11 however, this cannot be done at the expense of a  
12 community which fought long and hard to establish  
13 the mid-block zoning which is designed to protect  
14 the character of the neighborhood.

15                  The proposal before you violates the  
16 tenants of the "brownstone block." The building is  
17 two times the height of what is allowable on the  
18 block; does not have a harmonious relationship with  
19 the other structures on the block or with the  
20 synagogue itself; the visibility from Central Park  
21 creates a negative impact; and, finally, there are  
22 many institutions that would like to have the same  
23 opportunity. This is a dangerous precedent.

24                  Again, we urge the Commission to  
25 continue to protect our historic districts and

1 mid-block zoning and reject this application.

2 The Committee's resolution -- which I am  
3 submitting here, I will not read -- was voted  
4 against this proposal, 60 by the committee members,  
5 and at the full board vote, it was turned down 30  
6 against the proposal and four abstentions.

7 Simultaneously, in conjunction with land  
8 use, the same resolution was rejected by that  
9 committee, 60 committee members again, and the full  
10 board vote was 29 against, as well.

11 I call this to your attention for a  
12 matter of process. This particular proposal came  
13 to Landmarks at Community Board 7, the full board,  
14 in the due course of coming before you today. The  
15 fact that our Land Use Committee, at the request of  
16 the synagogue and its interests, took up this  
17 particular proposal and basically rejected it in  
18 the same numbers foretells the position of  
19 Community Board 7 if this proposal should pass here  
20 and come back to Community Board 7. So, it is,  
21 perhaps, a telling indication of how Community  
22 Board 7 would vote and I think it's representative  
23 of the community's interests.

24 Thank you very much.

25 MR. TIERNEY: Thank you.

1 MR. ROSENBERG: If I may, one other  
2 thing, Community Board 8, basically the other side  
3 of the park, has presented a letter here that I  
4 won't read just because of time, but essentially  
5 expresses the same thing. I will submit it,  
6 however.

7 MR. TIERNEY: Thank you.

8 Elizabeth Evans.

9 Steven Gottlieb.

10 MS. SIMON: I'm not Stephen Gottlieb,  
11 but I am Arlene Simon. Stephen Gottlieb had to  
12 leave so he asked if I could read this, and I said  
13 I would.

14 The Fine Arts Federation urges the  
15 Landmarks Commission to disapprove the application  
16 for a 14-story building behind the landmark  
17 Shearith Israel Synagogue on West 70th. The  
18 building's height and design are inappropriate for  
19 the synagogue and for the historic district.

20 The Fine Arts Federation was founded in  
21 1895 in association of 20 arts organizations  
22 dedicated to fostering and protecting the artistic  
23 interests of New York City.

24 A 14-story building will loom over the  
25 low-rise Beaux-Arts style synagogue detracting from

1 its silhouette and visual impact on Central Park  
2 West.

3 As our past president, Georgio  
4 Caveliere, points out, Central Park West is a  
5 unique avenue with Central Park on one side, and on  
6 the other side, a mix of tall apartment buildings  
7 and low-rise institutional buildings like the  
8 synagogue and the New York Historical Society. A  
9 14-story apartment building so close to the  
10 synagogue and to Central Park West will alter that  
11 historic and scenic streetscape. The low-rise  
12 houses on the side streets in the Upper West  
13 Side/Central Park West Historic District are a key  
14 feature of the district. While West 70th Street  
15 between Central Park West and Columbus Avenue is  
16 not monolithically low rise, the proposed 14-story  
17 building is much higher than any other buildings on  
18 the block and the typical side-street profile. The  
19 present design of the proposed building does not  
20 relate to the base, materials and fenestration of  
21 the synagogue.

22 Yours truly,

23 Stephen Gottlieb, President.

24 MR. TIERNEY: Ron Prince.

25 MR. PRINCE: Thank you. My name is



1 Ron Prince, and I'm a resident of the Central Park  
2 West/Upper West Side Historic District for ten  
3 years. I'm not a lawyer or an architect, but I do  
4 want to offer some common-sense observation on this  
5 proposed project.

6 We've heard so much in the presentation  
7 from the applicant about how this building relates  
8 to the world of Central Park West. It harmonizes  
9 with the landmark buildings, we're told, on Central  
10 Park West, it's of the scale of buildings on  
11 Central Park West. We are to believe that it's a  
12 Central Park West building, and it is. And that  
13 is, of course, precisely its problem. It is not on  
14 Central Park West. It is on 70th Street, and it is  
15 geographically -- and in reality -- very much of  
16 that world.

17 Here's a nugget for you to just sort of  
18 underscore that point. According to architects'  
19 drawings that we have, the building would reach 172  
20 feet into the block. If you would imagine, if you  
21 would, the longest field goal in NFL history. That  
22 is 63 yards. I looked it up. I'm not really good  
23 at football. 63 yards. This building would reach  
24 into the block 57 yards or just six yards less than  
25 the world longest field goal. That's a long way.

1                   There's another big problem with the  
2                   proposal's unmistakable Central Park's centrality.  
3                   This is a building that looks entirely to the park,  
4                   but what if you have the bad fortune of coming into  
5                   70th Street from the other side? Any approach from  
6                   the west, from Columbus Avenue or from Broadway,  
7                   the very dominant item on your cityscape would be  
8                   the building's rather unflattering derriere.  
9                   Please keep in mind that is not a subtlety. The  
10                  building would loom 60 feet above the next tallest  
11                  building on the block. It's an effect that you can  
12                  see right there on the architect's model. I  
13                  encourage you, Commissioners to please take a look  
14                  at how much it rises and what the facade would be  
15                  looking westward. 70th Street as a whole, not just  
16                  the synagogue, is a gem of the historic district,  
17                  and you are involved in this matter in nothing less  
18                  than a policy call on whether the laws and  
19                  designations protecting it are to be construed as  
20                  merely soft guidelines.

21                 Mr. Tierney, we're delighted you're on  
22                 board on this matter, continuing the great work  
23                 started by Ms. Paulsen and the other commissioners.  
24                 And we hope you'll be guided by some of our own  
25                 words. You write -- and we got it from your

1 website -- the Commission's mission to safeguard  
2 the city's unique historic, esthetic and cultural  
3 heritage has never been more vital. At the same  
4 time, we must press forward to develop what the  
5 mayor has aptly called the "landmarks of the  
6 future." I am certain that all but the most  
7 cynical would agree that 14 stories devoted to yet  
8 more luxury condos on a site designated for  
9 brownstone height in the heart of the rightly  
10 designated historic district do not a "landmark of  
11 the future" make.

12 This proposal is not right for this  
13 historic district and it is not right for New York  
14 City. Thank you very much.

15 MR. TIERNEY: Thank you.

16 Jonathan Kurtin.

17 MR. KURTIN: My name is Jonathan  
18 Kurtin. I live at 101 Central Park West, across  
19 from the proposed project.

20 I sympathize with the synagogue. We are  
21 under stressful economic times and we're all having  
22 budget problems. But the issue here is not whether  
23 you like the project or whether I like the project.  
24 I think my position is: What is this group of  
25 people here who are going to vote on this? They

1 were appointed to uphold the law. If you grant  
2 this variance, you may not be breaking the law but  
3 you're breaking the spirit of the law. The spirit  
4 of the law was to protect this community.

5 That's all I have to say.

6 MR. TIERNEY: Thank you.

7 Robert Goldrich.

8 MR. GOLDRICH: My name is Robert  
9 Goldrich, and I live at 91 Central Park West. My  
10 apartment will not be obstructed by this new tower.  
11 I'm against development of this residential  
12 multi-million dollar condominium tower. I believe  
13 that this development is wrong in the context of  
14 all the hard work put into the development of this  
15 historic district in the 1980's. I believe it is  
16 not in the community's interest.

17 I hope that the very wealthy  
18 congregation will reconsider its proposed real  
19 estate tower and, instead, build a townhouse-type  
20 school and community house in its place. This  
21 would be the appropriate size for this block, 70th  
22 Street.

23 The lawyers and architects and synagogue  
24 board members are trying to fool us to believe that  
25 this is a Central Park West building. 70th Street

1 is one of the prettiest blocks in the City. As Ron  
2 Prince from 70th Street just described with his  
3 field goal description, this building is on that  
4 block, removed from the avenue and out of context  
5 with the gorgeous townhouses on that block. I  
6 believe that if the City allows tower development  
7 in a historic district, the City will negatively  
8 affect the economic benefits of a historic  
9 district. It will ruin the character of those  
10 districts and the historic beauty which helps  
11 attract money into New York and keeps us all in New  
12 York.

13 This will be a dangerous precedent, as  
14 we have heard many times over and over again today,  
15 for every historic district. Please rule against  
16 this very unpopular tower and, instead, rule in  
17 favor of an appropriate-scale building and in favor  
18 of the historic district and permit the development  
19 of a beautiful townhouse-type community house and  
20 school.

21 MR. TIERNEY: Thank you.

22 Thomas Lynch.

23 MR. LYNCH: My name is Thomas Lynch.  
24 I'm not an expert. 62 years ago and two months and  
25 one week and six days, I saw that synagogue for the

1 first time. My father was holding my hand. He was  
2 an Irish immigrant. He showed me Central Park  
3 West. We came down from 10th Avenue and 206th  
4 Street. He said, "Tommy, this is one of the most  
5 beautiful places in New York, one of the most  
6 beautiful." I never forgot that.

7 I'm glad, after 62 years, that it's  
8 still standing there and that I'm still able to  
9 stand here. It would be wrong to spoil it. I  
10 remember Abraham Lincoln being quoted, having come  
11 back from hearing a preacher preach on sin. Upon  
12 being asked, "What did the preacher say," he said,  
13 "I'm against it." Me, too.

14 MR. TIERNEY: Patti Lieberman.

15 MS. LIEBERMAN: My name is Patti  
16 Lieberman. My husband and my children and I have  
17 lived on the Upper West Side. My husband and I  
18 have lived there for 28 years, at 101 Central Park  
19 West for the past 17. And I have been very  
20 interested in this process.

21 I've attended the Committee Community  
22 Board Subcommittee meeting and the previous  
23 Landmarks Preservation Committee meeting and have  
24 listened carefully to the various testimonies both  
25 for and against the project. Much has been said

1 that's very similar, but the argument against this  
2 building that stands out most for me is a precedent  
3 that it would set for other synagogues, churches  
4 and non-profits in the City.

5 At the last Landmarks Preservation  
6 meeting, many of the congregants spoke about the  
7 importance of the synagogue to them, and I think  
8 that's great. The synagogue is doing its job of  
9 creating a spiritual home for its congregants, just  
10 like my synagogue on the Upper West Side has done  
11 for me and my family.

12 Others have said that it's difficult to  
13 raise money in these economic times for capital  
14 improvements. My synagogue on the Upper West Side  
15 and my children's school on the Upper West Side  
16 also underwent difficult capital campaigns to  
17 renovate their facilities, but never was there talk  
18 of luxury condos on the top to finance these  
19 renovations, and never was there an attempt to turn  
20 a home renovation, whether it be a spiritual home  
21 or an educational home, into a real estate  
22 development project.

23 The historic district was created with  
24 zoning standards that related to all buildings so  
25 that no one would have to play the role of deciding

1       whether one synagogue or church or institution was  
2       more welcoming or more historic or more important  
3       than the other. So, in my view, it's very simple.  
4       A building should be judged on its physical  
5       structure, not whether its windows match or its  
6       roof is zinc. It is still 100 feet taller than the  
7       zoning regulations allow and, therefore,  
8       inappropriate. But build a building within the  
9       current zoning regulation, and I, for one, would  
10      welcome it on my street.

11               Thank you.

12              MR. TIERNEY:     Dana Cappitta.

13              MS. CAPPITTA:    Hi. My name is Dana  
14      Cappitta. I'm an Upper West Sider. I'm going to  
15      read a letter to Mr. Robert Tierney from  
16      biographer, historian, and Upper West Sider Robert  
17      Carro.

18              Dear Mr. Tierney,

19              I am writing to express my opposition to  
20      a proposal by Congregation Shearith Israel at 8  
21      West 70th Street which would violate the zoning  
22      codes established for the Central Park West  
23      District.

24              I object because it would set a  
25      dangerous precedent. If you walk along Central



1 Park West today, there are a number of low-rise  
2 religious buildings whose membership could, for the  
3 same reasons, request the same waivers, variances  
4 and special permits as has been set before you  
5 today by Congregation Shearith Israel. Setting a  
6 precedent is often only the first step in changing  
7 existing rules and regulations.

8 Furthermore, if we grant a special  
9 exemption to Congregation Shearith Israel to alter  
10 the contextual zoning district of the Upper West  
11 Side and allow it to construct a building higher  
12 than the five or six stories mid-block, it will not  
13 only alter the nature of the 70th Street block but  
14 will endanger the entire West Side Historic  
15 District. It is a district, a neighborhood, a  
16 fabric whose parts fit together and complement each  
17 other. One particular vital piece of the fabric is  
18 the low-rise nature of the mid-blocks. This is a  
19 key element in the delicate balance between  
20 high-rise and low-rise buildings which makes this  
21 area so harmonious.

22 There were, moreover, other excellent  
23 reasons for establishing zoning regulations  
24 limiting the height of mid-block buildings in this  
25 district. None of those reasons have changed.

1       There exists sufficient areas adjacent to the West  
2       Side Historic District which have no height  
3       restrictions, which provide adequate areas for  
4       high-rise development south towards Columbus Circle  
5       and beyond and west of Broadway. If for no other  
6       reason, the area should be preserved as an  
7       alternative to high-rise neighborhoods.

8               Cordially,

9               Robert Carro.

10              Thank you.

11              MR. TIERNEY:       Mark Hartnett.

12              MR. HARTNETT:     My name is Mark  
13       Hartnett and I'm a resident on 70th Street, and I  
14       just want to make my presence counted as a person  
15       against this building.

16              MR. TIERNEY:       Thank you.

17              Moisha Blechman.

18              MS. BLECHMAN:     Good afternoon. My  
19       name is Moisha Blechman. I live at 64th and  
20       Central Park West. I'm Chairman of the 64th Street  
21       Block Association, but I speak here, really, as a  
22       citizen who has lived in the neighborhood for 34  
23       years and watched incrementally as the sky and the  
24       sun has been disappearing from this neighborhood.  
25       And I feel that this is a fundamental problem that

1 we are losing so much sky, so much air and so much  
2 sunlight. Many times it goes because there's an  
3 "as of right" building, and this happened at the  
4 corner of our street. We had a splendid building  
5 which should have been landmarked. So, if there is  
6 flexibility to the law, this was the time to use  
7 this flexibility when it came to an "as of right."  
8 Therefore, I'm wondering does the City stand behind  
9 its laws or is it weighted in one direction alone,  
10 that we stand behind the laws when it's "as of  
11 right," but we don't when it's this kind of a law?  
12 So, that is my question.

13 The other is that I am concerned about  
14 the esthetics, because it seems to me that building  
15 this new building behind it is a contradiction to  
16 the whole idea of restoration and maintenance of  
17 our landmarks because, again, we're talking of --  
18 the word "context" has been used a great deal  
19 today. And in Paris -- when we discussed Paris, it  
20 was always looking down an avenue to see a  
21 building. How is it placed in terms of the sky?  
22 What are we looking at around the building? So,  
23 this is very important. And it seems to me that  
24 fixing a new door, new railings, et cetera, what  
25 worth is that if what sets off the architecture as

1 a whole is gone? You have something else.

2 So, those are my two remarks. Thank  
3 you.

4 MR. TIERNEY: Thank you.

5 Elizabeth Mayers, 25 Central Park West.

6 MS. MAYERS: Good afternoon. My name  
7 is Elizabeth Mayers, and I live at 25 Central Park  
8 West and 62nd Street, and I would like to read my  
9 own letter to the chair of the Commission here.

10 I am writing to express my dismay at  
11 Congregation Shearith Israel's request for a  
12 variance to allow the construction of a 14-story  
13 building on West 70th Street. This application  
14 represents a flagrant exception to existing zoning,  
15 which would result in an inappropriate intrusion in  
16 a carefully crafted contextual zone. As you know,  
17 the R8B zoning prevents such large structures from  
18 rising above the surrounding brownstones and other  
19 low buildings. It is astonishing that anyone would  
20 consider that the zoning, which was created after  
21 much deliberation in 1984, should be scrapped for  
22 this project, opening precedents for further  
23 destruction of this R8B zone.

24 My extended family has had a long  
25 relationship with Congregation Shearith Israel and

1 with the Upper West Side. The Chanin family built  
2 the Century and the Majestic apartment buildings.  
3 My husband's uncle, Harry Bernstein, held the  
4 honorary position of custodian of Shearith Israel's  
5 cemetery in lower Manhattan for many years, and the  
6 family was in the congregation of this august  
7 synagogue for two generations. He lived at 25  
8 Central Park West, where I live, and he was always  
9 concerned with the character of the area and proud  
10 of Shearith Israel as a beautiful and elegant  
11 edifice to which he had made many contributions.  
12 In the current circumstances, I feel certain that  
13 this relative of ours, whom we remember for his  
14 concern for the neighborhood where he had chosen to  
15 live, would have encouraged other members of the  
16 congregation to play by the existing rules. That  
17 was who he was, and giving his well-known sense of  
18 humor and the esteem in which he was held by his  
19 friends and associates, I imagine that he would  
20 have been pretty successful at persuading others.

21 Despite my respect for this congregation  
22 and its present home, and the meaning that it has  
23 had for so many generations of Jewish New Yorkers,  
24 I ask that the R8B zoning not be waived for this  
25 building, which would so markedly diminish the

1 Upper West Side Historic District.

2 Sincerely,

3 Elizabeth Mayers.

4 Thank you.

5 MR. TIERNEY: Deirdre Stanforth.

6 MS. STANFORTH: Good afternoon and  
7 welcome to Commissioner Tierney.

8 I'm Deirdre Stanforth, owner of a  
9 brownstone on West 83rd Street and an early pioneer  
10 on the West Side when it was still considered a  
11 slum. We were refugees from the East Side, victims  
12 of not one, but two apartments' demolitions. In  
13 1966 we were looking for a brownstone to call home  
14 so that we would never have to move again, and I  
15 never have.

16 Not only did I become a preservationist,  
17 I even wrote two or three books about it. This is  
18 one, published in 1976 for the Bicentennial.

19 By the time Landmark West was founded, I  
20 was only too happy to join the effort achieve a  
21 historic district designation to save the West Side  
22 from losing its character to the overbuilding,  
23 overcrowding and anonymity that has overwhelmed the  
24 East Side. We might have believed the Landmarks  
25 Commission would protect our historic district from

1 all future harm, but new battles arise constantly,  
2 with incredibly imaginative excuses for breaking  
3 the rules.

4 The application from Shearith Israel for  
5 a Certificate of Appropriateness is an oxymoron if  
6 there ever was one. This was clearly demonstrated  
7 by the enormous turn-out of protesting neighborhood  
8 residents at the Community Board meeting that was  
9 held to discuss the subject.

10 Under the absurd pretense of  
11 "preservation," they seek permission to erect a  
12 grossly oversized cash-cow of a rental building,  
13 which defaces their own property, as well as the  
14 Central Park West profile and the entire historic  
15 district.

16 A wealthy congregation proposes to  
17 finance the maintenance of their fine Greek Revival  
18 building by erecting a totally inappropriate tower  
19 which will loom over their synagogue, severely  
20 damaging the appearance of their house of worship  
21 and the low-rise neighborhood surrounding it, as  
22 well as the elegant Central Park skyline.

23 Raising funds for so-called  
24 "preservation" is no excuse for destroying it. In  
25 fact, this outrageous proposal is exactly what the

1 Landmarks Commission was designed to protect us  
2 against. This application must not be granted.

3 MR. TIERNEY: Thank you.

4 A representative of Andrew Dolkart.

5 MS. COSSON: My name is Polly Cosson,  
6 and I'm a student at Columbia University's Historic  
7 Program, and I will be reading a statement prepared  
8 by one of my professors, Andrew Dolkart, as  
9 follows:

10 I would like to add my voice to the  
11 chorus of New Yorkers opposed to the granting of  
12 variance for Congregation Shearith Israel to build  
13 a 14-story building, including an apartment house  
14 on a mid-block behind the synagogue.

15 I am an architectural historian and  
16 adjunct associate professor in the Columbia  
17 University School of Architecture where I teach  
18 about New York City. I have, over the years, had a  
19 special interest in the Upper West Side, and I'm a  
20 founding board member of Landmark West.

21 I believe that the synagogue's proposal  
22 defies the carefully crafted 1984 contextual zoning  
23 instituted on the Upper West Side, which permits  
24 tall buildings on the avenues but restricts the  
25 height of buildings on low-rise mid-blocks.



1                   Permitting the speculative apartment  
2                   building, with Synagogue use at the base, would  
3                   open the door to additional out-of-scale  
4                   construction in the low-rise zoning district and  
5                   within the Upper West Side Historic District.  
6                   While Congregation Shearith Israel is certainly an  
7                   institution of great historic significance, it  
8                   should be abiding by the same zoning rules that  
9                   regulate all other land owners in the area.

10                  In addition, I oppose any action by the  
11                  Landmarks Preservation Commission to assist the  
12                  synagogue in applying for a variance since the  
13                  synagogue has not established a pressing  
14                  preservation purpose for this project except to  
15                  state that funds from development will assist in  
16                  maintaining their buildings, something that any  
17                  building owner is required to do on a regular  
18                  basis.

19                  I hope that this project is rejected and  
20                  that Shearith Israel and its talented architects  
21                  will return with a new proposal to erect an  
22                  up-to-date community house that fits within the  
23                  area zoning.

24                               Sincerely,

25                               Andrew Dolkart.

1 MR. TIERNEY: Thank you.

2 Jamie Lynton.

3 MS. LYNTON: Hi. I'll make this very  
4 brief.

5 I am a brownstone owner on 70th Street,  
6 and I would like to thank the Commission for  
7 protecting our street. It's a beautiful street and  
8 I recommend you all go take a walk down it. It's  
9 really a rare gem in New York.

10 We painstakingly renovated our  
11 brownstone over the last twelve years, and we have  
12 come in much contact with the Commission. To clean  
13 the front of our building, we make an application.  
14 We have air conditioning issues, we have windows  
15 that need to be changed. Everything we do to our  
16 building really needs to be passed by you. And, as  
17 many brownstone owners know, that can be a pain,  
18 but we're so happy to have you there protecting us.  
19 Even the most routine things, sometimes -- the  
20 things that seem most routine need to be passed by  
21 you. And you know what? It's worth it. We  
22 appreciate it as owners.

23 When we first bought the house, my  
24 husband had a fantasy about building a little sort  
25 of thing at the top, a two-story penthouse with

1 lots of light for a kind of a studio kind of thing.  
2 We never did it, but -- and I hope this isn't  
3 revealing too much about our marriage, but we never  
4 did it. And he still has that fantasy. It's his  
5 real estate fantasy. Everyone has their own little  
6 secret real estate fantasy, and that's his. And we  
7 walked by one in another neighborhood that doesn't  
8 have any historic preservation. They're building  
9 this beautiful, modern, two-story penthouse, and he  
10 goes, "God, why can't we do that? Let's do that.  
11 We can do that."

12 And I said, "Honey, I love you very  
13 much. Hell would have to freeze over before  
14 Landmarks Preservation would allow us to build that  
15 on our roof. They're just not going to let us do  
16 it. Pigs would have to fly."

17 And my six-year-old goes, "What do you  
18 mean 'Pigs would have to fly, Mommy?'" And I had  
19 to go through the whole thing, what Landmarks  
20 Preservation Commission does for us, that that's  
21 what allows our brownstone block to stay the way it  
22 is, and that's why we have it.

23 And she said, "You mean they're sort of  
24 the Dumbledore of our house, Mom? They protect  
25 us?"

1 I said, "Yes. That's what's going on.  
2 We have somebody that's protecting our  
3 neighborhood. They're looking over us. They're  
4 not going to let Daddy build that thing on our  
5 roof." So, I want to thank you for being my  
6 daughter's Dumbledore.

7 MR. TIERNEY: Thank you.

8 I believe that concludes at least those  
9 who have signed up. We passed over two people.  
10 I'm not sure they're still here, but if they are  
11 here, they're welcome to give a quick summary.

12 Ron Kahan and Elizabeth Evans.

13 UNIDENTIFIED SPEAKER: No.

14 MR. TIERNEY: If not, I wonder if  
15 there's anyone else here who has not signed up who  
16 wishes to speak briefly.

17 Please.

18 MS. LUCASH: My name is Sherry Lucash.  
19 I live at 50 West 70th Street.

20 I think it's important for you all to  
21 know that the street really cares about this.  
22 Nobody has quite mentioned the traffic which runs  
23 west to east on 70th, and everybody who drives down  
24 70th Street will see the back side of this  
25 building, which we have been told is not pretty. I

1 haven't seen it myself, but I believe it.

2 It will create more congestion on our  
3 little street, which is already taxed with school  
4 buses and oil trucks and many maintenance trucks.  
5 If we could eliminate a little bit of that, it  
6 would be all to the good.

7 And I think the most dramatic person who  
8 spoke today was the woman who mentioned the  
9 building on Central Park West and 68th Street which  
10 is a blot. And I don't think anybody here can deny  
11 that, and I would feel really sad if we had a blot  
12 on 70th Street.

13 Thank you.

14 MR. TIERNEY: Anyone else?

15 (No response.)

16 Let me just briefly mention that since  
17 our last hearing on November 26th, in addition to  
18 all of the testimony heard here today, for which I  
19 thank everyone who's still here who did come  
20 forward to speak, we have a stack of some letters  
21 that have been coming in. A rough count is 67  
22 letters in opposition, 7 letters in support,  
23 400-odd postcards in support, and then I have a lot  
24 of e-mail, all of which I read on the subject as  
25 well. So, I appreciate all the input, as do all

1 members of the Commission. It's a very important  
2 part of our deliberations as we consider this and  
3 other matters that come before the Commission.

4 As I said at the outset, I don't know  
5 how our scheduling is. I'll do a quick sense of  
6 whether the proponents, the applicants, would care  
7 to -- right at this moment -- respond, if they  
8 choose, to any of the specifics that might have  
9 been raised during the last couple of hours, if you  
10 wish. If not, it's your choice.

11 MR. FRIEDMAN: No. We're happy to  
12 proceed.

13 MR. TIERNEY: Then maybe we would then  
14 have a discussion among the Commission about what  
15 we all heard here today.

16 Who would want to begin? How about my  
17 immediate predecessor, Commissioner Paulsen?

18 MS. PAULSEN: I would be happy to  
19 start the discussion. I, too, would like to thank  
20 the community. And I, in my capacity as chair, was  
21 the recipient of many of the postcards, letters and  
22 e-mails prior to Chair Tierney assuming the job,  
23 and it was very moving testimony, both at the  
24 previous public hearing and today, and all of those  
25 communications.

1 I think that with all deference to  
2 Elliot Sclar and Norman Marcus and many of the  
3 other esteemed former members of the Planning  
4 Commission, this proposal is following the process  
5 that it needs to follow with respect to our review.  
6 This is a proposal that is asking for a Certificate  
7 of Appropriateness. We are being asked to judge  
8 whether this building, this specific proposal is  
9 appropriate to this historic district. We are not,  
10 and by law, cannot determine whether this building  
11 merits any variances, waivers or special permits  
12 from the City Planning Commission. That is the  
13 venue for that discussion.

14 What the applicants have presented to us  
15 is a building on a lot that is split, a lot that  
16 falls both in the Central Park West higher-density  
17 district and in the R8B lower-density district.  
18 The zoning envelope that would be produced by an  
19 "as of right" development would not be appropriate  
20 to this historic district. It would not relate to  
21 anything in the district. It would not be a  
22 handsome building. It would not, in Commissioner  
23 Tierney's words, be a "future landmark."

24 The proposal that we have before us does  
25 propose a building that could be appropriate in

1 this district. It is harmonious in scale. These  
2 blocks, the mid-blocks, especially south of 72nd  
3 Street in the Upper West Side Historic District,  
4 have many taller buildings. Having resided myself  
5 in one of those taller mid-block buildings in the  
6 Upper West Side Historic District, they are not  
7 intrusive, they are totally appropriate, and our  
8 historic district designation recognizes that there  
9 are not two types in the Upper West Side Historic  
10 District, but many.

11 A building of this scale could be  
12 harmonious, could be appropriate. I do not believe  
13 that the design details presented before us today  
14 with respect to fenestration and some of the  
15 specific design elements of the facade at the base  
16 of the building are yet fully resolved and  
17 appropriate. Nor do I think that the types of  
18 windows proposed at the top of the building relate  
19 well to the context. So, I'm going to frame my  
20 comments with respect to the massing, which I  
21 believe can be found appropriate to the district.

22 MR. OLCOTT: I agree completely with  
23 those comments. I actually think that much has  
24 been said today about the notion of this being a  
25 mid-block building. I think that's an



1       oversimplification. I've been saying that it's a  
2       Central Park West building as well. As  
3       Commissioner Paulsen pointed out, it is on the  
4       border between the two. But from where I sit, it  
5       looks to me to be significantly closer to Central  
6       Park West than to the mid-block. How long is this  
7       block? 400 feet?

8               UNIDENTIFIED SPEAKER: It's longer than  
9       that. It's one of the long blocks, but I'm not  
10      sure. I may be talking through my hat.

11             MR. OLCOTT: It's interesting -- I  
12      guess, before the line was moved, it would have  
13      been considered on the corner. In fact, I think  
14      it's rather important to note that directly across  
15      the street is 109 feet, not including this tower,  
16      and on the other side of the building is a building  
17      that is equally tall. So, it seems to me that it's  
18      taken its place quite well along the row of tall  
19      buildings that occur along Central Park West and  
20      extend well into the middle of the blocks. So, in  
21      that way, I find it to be appropriate.

22             However, I don't think that, in  
23      particular, the massing of the building is fully  
24      resolved. Actually, it's also important to note  
25      that I think the applicants have taken great care

1 to push the mass away from the individual landmark  
2 building whereas they could easily have come to a  
3 proposal that put it cantilevered over it or  
4 pushing or without the ten-foot reveal, in fact,  
5 put much more of the bulk in the corner lot zone,  
6 the R10 rather than R8. I think that they've done  
7 the right thing in not doing that. In fact, this  
8 is exactly the kind of application that should be a  
9 74-711. This is exactly why we have such a  
10 regulation because the zoning doesn't necessarily  
11 fit what this particular layout of the lots do.

12 I think, having said all that, that the  
13 massing of this building is really rather  
14 oversimplified itself. In fact, it's a box. I  
15 think it can go much farther than having some  
16 setbacks, as many buildings do on Central Park  
17 West. I think, in particular, it could have  
18 setbacks on the side street, which would go a very  
19 long way towards relating to mid-block. The fact  
20 that it is close to Central Park West does not mean  
21 that it shouldn't have some relationship to it. I  
22 don't see any reason why the sides have to be all  
23 the same because, clearly, their positions are not  
24 all the same. I think, in particular, the top  
25 needs a great deal more development and could be

1 much more delicately handled by the position of  
2 setbacks.

3 MR. VENGOECHEA: I agree with the  
4 comments that were made by both Sherry and Richard.  
5 I think that the issue of zoning here -- we  
6 recognize that oftentimes zoning puts out a series  
7 of generalized district boundary lines that apply  
8 equally -- whether it's a 150-foot boundary or a  
9 100-foot boundary -- equally throughout a  
10 particular district. In fact, it doesn't recognize  
11 the specific variance that might be noted in this  
12 particular block or in a two- or three-block area  
13 where you do have changes both in depth of  
14 building -- and I think that that is where the  
15 74-711 and the work we do here at the Commission  
16 can recognize and fine tune that condition.

17 This building is obviously both of a  
18 mid-block context, as well as a Central Park  
19 context. In that respect, I think that greater  
20 work has to be done with respect to the massing to  
21 bring it in relationship to both of those contexts.  
22 I think one of the things that one can easily do is  
23 look where corner signs are and setbacks are on  
24 existing buildings. They occur throughout -- just  
25 in looking at the elements, we have the 12th and

1 13th floor of the building, both on Central Park  
2 West, having setbacks or having expressions, very  
3 strong architectural expressions. So, I think that  
4 the massing can be looked at in a lot more detail,  
5 and, of course, a better relationship to the  
6 existing context, both Central Park, as well as the  
7 mid-block, by incorporating some of these lines  
8 somehow on the facade of this new proposal.

9 I think that the architectural -- we  
10 really are going to have to be a little bit more --  
11 I agree with the idea that the windows, as well as  
12 the lower part of the design of the new building, I  
13 don't think relates at all to the character both of  
14 the synagogue, nor the building itself. There's a  
15 dual reading that's unresolved in my mind. The  
16 building doesn't have its own identity, which I  
17 think it's very important that it present its own  
18 identity, that it has a certain distinctiveness  
19 about it, even though it is a building that must by  
20 its nature, in terms of the floor plan, take into  
21 account its relationship with the synagogue. But  
22 the way that it's being, at this point, proposed,  
23 it's not achieving that at all. I think the  
24 setback is fine, and creating a transition between  
25 the two buildings is the right way to go. And

1 regarding the roofscape, at this point, I agree  
2 with the comments, that I think they are related to  
3 what I mentioned, either setting back of some sort  
4 or adding other elements that create a better  
5 relationship for the building and its surroundings.

6 I think that will be all.

7 MR. TIERNEY: Tom?

8 MR. PIKE: I especially identify with  
9 what Commissioner Paulsen and Commissioner Olcott  
10 said. They said it better than I could. But I  
11 have no problem about them voting for  
12 appropriateness of a building on this site. I  
13 think the concept of having a building here is  
14 okay.

15 I think in this particular design, the  
16 massing and the height and the fenestration need to  
17 be worked on. Especially, I'm concerned about the  
18 height. But the concept of having a building here,  
19 I think, is a good one. And I also think that this  
20 design has respected the landmark. It's a major,  
21 major site in New York City and I think the design  
22 has respected that, and that's one of the things I  
23 like about the design. But I would like to see  
24 more workup.

25 MR. TIERNEY: Meredith?

1 MS. KANE: I want to start, first of  
2 all, by just complimenting the general level of  
3 discussion around this application. I think that  
4 the presentation, first of all, by the applicants  
5 was an extraordinarily high quality,  
6 well-thought-through application. And I think that  
7 the discussion by the community and the passion --  
8 the knowledge of zoning, the passion shown for the  
9 preservation of the neighborhood is really -- is  
10 just extraordinary. And I know I learned an  
11 enormous amount by sitting and listening,  
12 basically, to both parties in the discussion. One  
13 thing that's extremely heartening is the commitment  
14 to preservation that is so evident and the passion  
15 for preservation that is so evident both from the  
16 applicant and from the community.

17 I know the applicant, basically, took a  
18 shorter time today to go through the preservation  
19 of the existing individual landmark. At the  
20 previous hearing that we held, the applicant went  
21 through in somewhat more detail the preservation of  
22 the individual landmark and tying that and the  
23 commitment to preservation in with the history of  
24 the applicant, and the applicant's presence in New  
25 York was really an extraordinarily moving process.

1 I want to speak to the preservation  
2 purpose in the 74-711 because I think that that is  
3 something that -- it was certainly addressed in the  
4 testimony from the community. And I think under  
5 the standards that we have applied to many  
6 applications, the preservation purpose here for the  
7 74-711 is more than abundant. I think that the  
8 preservation purpose, really, I think, falls into a  
9 couple of different categories. The first is the  
10 physical improvements and physical preservation of  
11 the individual landmark that is on the landmark  
12 site that gives rise to the 74-711. The applicant  
13 today presented the remaining uncompleted portions  
14 of what is an almost complete historic restoration  
15 of this extraordinary individual landmark, a great  
16 many parts of which have been completed over the  
17 course of the last several years of preservation  
18 activity.

19 I know that a number of commissioners  
20 went on an informal tour to see some of the  
21 interior preservation work that had been done, and  
22 it was absolutely extraordinary, the level of work  
23 and the quality of work, the care, and the way that  
24 that will preserve this individual landmark well  
25 into the next century and beyond. I think that the

1 additional work that is planned to be done as part  
2 of this application, combined with the  
3 extraordinary work that has already been done by  
4 the applicant, which I think you really fairly can  
5 take into account here, certainly brings us -- and  
6 the continuing maintenance declaration that we put  
7 in place on this, brings us very, very, very well  
8 within the scope of preservation work that -- the  
9 preservation purpose that would justify the 74-711.

10 I think the second thing that we need to  
11 look at is the improvement that is proposed to the  
12 lot, that to the extent that we are granting -- or  
13 that we are applying -- I guess we're not applying  
14 anymore, but we're basically issuing a report to  
15 the City Planning Commission in support of  
16 modifications of bulk, et cetera, you know, in  
17 support of the preservation purpose. And I believe  
18 that they do here for the reasons described by, you  
19 know, our fellow commissioners, including the  
20 separation of the new building from the individual  
21 landmark building and that that does result, in  
22 fact, in a shift of more of the bulk into what is  
23 the R8B district from what otherwise would have  
24 been located in a R10 district, but I think the  
25 preservation purpose is served by that shift.



1 I think, too, that the argument was well  
2 made better than I could for the height of the  
3 building, being within the context, you know,  
4 largely within the line of what is appropriate. It  
5 is a building that is not quite in the mid-block,  
6 although the zoning line is drawn in the middle it.  
7 It's also, as we talked about, not quite of Central  
8 Park West because it is, in fact, the first  
9 building in on the block.

10 I certainly support the comments that  
11 have been made for various design changes in the  
12 building that I think will enable it to relate even  
13 more harmoniously both to the individual landmark  
14 and to the building.

15 MR. TIERNEY: Thank you, Meredith.

16 Chris?

17 MR. MOORE: I think the opposition  
18 made a good case. I think the applicant has also  
19 made a pretty good case. I think the application  
20 itself, I don't think this is a precedent setter.  
21 I think this is a pretty unique condition.  
22 Overall, the applicant has shown sensitivity to the  
23 synagogue. I think the applicant itself, that the  
24 presence of that nine-story building next to the  
25 site -- I think the applicant would be helped

1       tremendously if it lopped a few floors off, but  
2       failing that, I think this proposal is going to  
3       fall through.

4               MR. TIERNEY:       Sherry, did you speak of  
5       the demolition? I should ask you if you --

6               MS. PAULSEN:       I think that it is  
7       totally appropriate to demolish the existing  
8       community house on the site. It represents no  
9       particular style or significant era of  
10      architectural development on the Upper West Side.  
11      I think that it is appropriate to allow for the  
12      demolition of the existing building on this site,  
13      of course, waiting until we find an appropriate  
14      design for the new building.

15              MR. TIERNEY:       Sure. All tied in.

16              MR. PIKE:        Agreed on the demolition.

17              MR. TIERNEY:       Any of the commissioners  
18      wish to add anything else at this juncture?

19                      (No response.)

20              If not, I think what we would like to do  
21      is probably close the public hearing for today.  
22      And you all will take with you these comments that  
23      have been made here at the end. I think there's a  
24      certain amount of consensus on some of the major  
25      issues and some others not necessarily a consensus,

1 but deriving from some of those thoughts and maybe  
2 come back to us with something that reflects an  
3 attempt to address those, and not only to us but  
4 also to those who represent the community, having  
5 an interest here and spoken today and spoken on  
6 other occasions and have a very real interest in  
7 everything that's transpired here today. I would  
8 think that that would be the next step in this  
9 process, and presumably, it's been made clear  
10 enough in these comments and would give you the  
11 guidelines to do that.

12 MR. FRIEDMAN: We'll be back.

13 MR. TIERNEY: Good. I would entertain  
14 a motion to close the hearing for today.

15 Tom?

16 MR. PIKE: Motion.

17 MR. TIERNEY: And seconded?

18 MR. VENGOCHEA: Second.

19 (Time noted: 1:30 p.m.)  
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21  
22  
23  
24  
25

C E R T I F I C A T I O N

I, MARGARET EUSTACE, a Shorthand Reporter  
and a Notary Public, do hereby certify that the  
foregoing is a true and accurate transcription of my  
stenographic notes.

I further certify that I am not employed  
by nor related to any party to this action.

  
MARGARET EUSTACE,  
Shorthand Reporter