

**Alan D. Sugarman**  
**Attorney At Law**

17 W. 70 Street  
Suite 4  
New York, NY 10023  
212-873-1371  
mobile 917-208-1516  
fax 212-202-3524  
sugarman@sugarlaw.com

212-566-3843

December 19, 2006

Angela Driddle  
New York City Department of Buildings  
Records Access Center  
280 Broadway, 7<sup>th</sup> Floor  
New York, NY 10007

Re: Freedom of Information Law Request  
Shearith Israel Project at 8, 10, 12 West 70<sup>th</sup> Street, New York, New York

Dear Ms. Driddle:

Reference is made to the mixed use tower that has been proposed by the Congregation Shearith Israel (the "applicant" or "CSI") at 8, 10, and 12 West 70<sup>th</sup> Street, New York, New York. As you might note, I live across the street from the proposed project. This letter is written on my behalf as well as on behalf of other residents in this neighborhood.

On March 14, 2006, the New York City Landmarks Commission approved this project, over the opposition of the community. Because the project is not in conformance with zoning requirements, we understand that CSI will require a variance from the BSA to the extent the project is not approved by the Department of Buildings. It is also expected that variances as to permitted uses may be required.

It is our understanding that applicant has initiated communication with the Department of Buildings concerning this project and the necessary permits and may have filed plans with the Department.

It appears that substantially all of the non-conforming parts of the project relate to the income generating condominiums on the upper floors of the project. It also appears that the Congregation intends to use a subbasement as a Banquet Hall which will impact the character of the neighborhood and that it is the practice of the Congregation to rent its facilities to third parties to generate income. Part of the extension of the project into the lot appears to relate to this Banquet Hall and will require a variance and also appears to be a non-conforming use to the extent that it is rented to non-congregation members.

Pursuant to the Freedom of Information Law, we hereby request that the BSA provide copies of all documents and other records that relate to this project including without limitation:

- Communications between any member of the DOB and member of the Mayor's office concerning this project.

Page 2 of 2

- Correspondence with the applicant, member of the applicant, its attorneys, architects, and consultants, and other agencies with respect to the project in possession of the DOB.
- Any pre-application or application or draft thereof or documents relating thereto from the applicant
- Any comments provided by the DOB and its staff to the applicant.
- Minutes and notes of any meeting with applicant or its attorneys, architects, and consultants pertaining to the project.
- Any discussions or comments with the applicant or its attorneys, architects, and consultants, pertaining generally to zoning height waivers for not-for-profits where the waiver is requested to construct income generating property unrelated to the purpose of the not-for-profit.
- Any applicant financial information that supports a request by the applicant that waiver of the zoning laws is required in order to provide financial support for the applicant.
- Any professional comprehensive (or even cursory) studies of the shadows cast by the proposed building and the impact on the community.
- Plans whether preliminary or final concerning the project.
- Any expressions from the applicant as its financial need or the use of income to be derived from rental of the banquet hall and the condominium units.
- All other documents relating to the project in the possession of DOB.

This is a continuing request, and applies to records generated after the date of this request.

Sincerely,



Alan D. Sugarman

cc: Felicia Miller, Esq. Deputy General Counsel, Department of Buildings