

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

September 1, 2006

Meenakshi Srinivasan
Chair
NYC Board of Standards and Appeals
40 Rector Street
9th Floor
New York, NY 10006-1705
(212) 788-8769 (Fax)

Re: Freedom of Information Request
Shearith Israel Project at 8 West 70th Street, New York, New York

Dear Chair Srinivasan:

Reference is made to the mixed use tower that has been proposed by the Congregation Shearith Israel (the "applicant") at 8 West 70th Street, New York, New York. As you might note, I live across the street from the proposed project.

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 the Congregation will require a variance from the BSA.

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.

We understand that the BSA has a procedure for a pre-application meetings and for draft applications.

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:

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- 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 BSA.
- Any requests or discussions concerning a pre-application meeting.
- Any pre-application or application or draft thereof or documents relating thereto from the applicant
- Any comments provided by the BSA 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.

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

Sincerely,



Alan D. Sugarman