**FRIEDMAN & GOTBAUM LLP**

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January 12, 2007

**BY FACSIMILE**

Alan D. Sugarman  
17 West 70<sup>th</sup> Street, #4  
New York, NY 10023

Re: Congregation Shearith Israel ("CSI")

Dear Mr. Sugarman:

Once again, we appreciate the concerns set forth in your latest letter dated January 9, 2007 in connection with Congregation Shearith Israel's proposed community facility/residential development at 8 West 70<sup>th</sup> Street. I would first like to correct what perhaps was misunderstanding during our recent telephone conversation: at no point during that communication did I "confirm that DOB ha[d] already reviewed the Congregation's application." I did, however, indicate that plans were submitted to the DOB (as is customary in the Board of Standards & Appeals ("BSA") process) to generate a DOB "objection letter." And, I reiterate that all of CSI's BSA submission-related plans and documents will be available for public review once filed by our office. Thus, our position concerning your request for clearance to access to DOB files is that a more full record will be made available through our BSA filing and we respectfully request your patience until that time.

Second, and with respect to your assertion regarding an alleged "ex parte meeting ... with Commissioner of the BSA to discuss...how to present the application so as to gain the BSA's waiver of zoning requirements," the BSA procedures for pre-application meetings and staff directory are both posted on its website. Our project team's meeting on November 8, 2006 was entirely within all procedural BSA guidelines as posted. As specifically stated on its website, these meetings are "conducted on an informal basis, and have no bearing on the ultimate outcome of the case if subsequently filed."

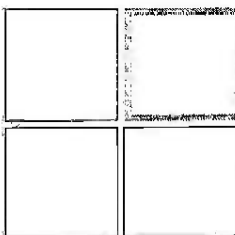
I might add that this Firm's administrative practice before the BSA has in every case since the Firm's founding, begun with a pre-application meeting with the Chair, Executive Director and whomever else the Chair asks to attend the meeting. Our pre-application meeting regarding CSI was no different than the dozens of other cases for which such meetings were routinely scheduled.

Should you have any further questions, please contact me. Thank you.

Very truly yours,

Lori G. Cuisinier

cc: Peter Neustadter



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**FACSIMILE COVER PAGE**

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**MESSAGE**

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