

FRIEDMAN & GOTBAUM LLP

568 BROADWAY SUITE 505
NEW YORK NEW YORK 10012
TEL 212.925.4545
FAX 212.925.5199
ZONING@FRIGOT.COM

RECEIVED
PLANNING DEPARTMENT
MARCH 2 2 007
11:11

April 1, 2007

BY HAND

The Honorable Meenakshi Srinivasan
Chair
NYC Board of Standards and Appeals
40 Rector Street - 9th Floor
New York, New York 10006

**Re: Congregation Shearith Israel
6-10 West 70th Street/99 Central Park West
Block 1122 Lots 36, 37 - Manhattan**

Dear Madam Chair:

We are special land use counsel to Congregation Shearith Israel ("CSI"), owner of the above referenced premises. Enclosed please find one original and ten (10) copies of the following materials in connection with CSI's application for a variance pursuant to Sections 72-21 of the New York City Zoning Resolution:

1. BZ form;
2. Department of Buildings objection sheet dated March 27, 2007;
3. Statement of Findings and Facts;
4. BSA Zoning Analysis;
5. Zoning, Sanborn and Tax Maps;
6. Radius diagram;
7. 3 Sets of Drawings prepared by Platt Byard Dovell White Architects LLP dated March 27, 2007 as follows:
 - Existing Conditions (EX - 1 through EX - 14);
 - As-of-right Scheme (AOR - 1 through AOR - 15);
 - Proposed Scheme (P - 1 through P - 17);
8. Existing Certificate of Occupancy for current tax lot 37 (former tax lots 37 and 38);
9. Affected Property Owners List;
10. Environmental Assessment Statement form (one original and 7 (seven) copies);
11. Feasibility Study (one original and 7 (seven) copies);

12. Set of photographs (1 through 6);
13. Copies of the deeds conveying the premises to the CSI;
14. Affidavit of Ownership authorizing Friedman & Gotbaum, LLP to file this application;
15. Copy of New York State Tax Exempt Organization Certification (EX-106776),

If you should have any questions please feel free to call me at (212) 925-4545. Thank you.

Very truly yours,



Lori G. Cuisinier

Enclosures

cc: Hon. Sheldon J. Fine, CB 7
Hon. Gail A. Brewer, City Council Member
Hon. Scott Stringer, Manhattan Borough President
Mr. Alan Geiger, Department of City Planning, BSA liaison
Mr. Ray Gastil, Director, Manhattan Office, Department of City Planning
Hon. Christopher M. Santulli, P.E., Manhattan Borough Commissioner (BZ Form only)
NYC Fire Department
David J. Nathan, Esq.
Peter Neustadter
Dr. Alan Singer

"NO FEE"

www.protectwest70.org

ZONING (BZ) CALENDAR

Application Form



City of New York
Board of Standards and Appeals
 40 Rector Street, 9th Floor
 New York, NY 10006-1705
 Phone: (212) 788-8500
 Fax: (212) 788-8769

BSA APPLICATION NO. **74-07-BZ**

CEOR NO.

07-BSA-07114**Section A**Applicant/
Owner

FRIEDMAN & GOTBAUM, LLP
 (by Shelly S. Friedman, Esq.)

NAME OF APPLICANT

568 Broadway - Suite 505

ADDRESS

New York NY 10012

CITY STATE ZIP

212 925-4545

AREA CODE TELEPHONE

212 925-5199

AREA CODE FAX

sfriedman@frigot.com; lcuisinier@frigot.com

EMAIL

Congregation Shearith Israel a/k/a Trustees of the
Congregation Shearith Israel in the City of N.Y. a/k/a the
OWNER OF RECORD Spanish and Portuguese Synagogue

8 West 70th Street

ADDRESS

New York NY 10023

CITY STATE ZIP

LESSEE / CONTRACT VENDEE

ADDRESS

CITY STATE ZIP

Section BSite
DataAll sections
must be
completed**6-10 West 70th Street, New York, NY 10023 and 99-100 Central Park West**

STREET ADDRESS (INCLUDE ANY A/K/A) Premises is situated the south side of West 70th Street,

0 feet west of the corner formed by the intersection of Central Park West and West 70th Street

DESCRIPTION OF PROPERTY BY BOUNDING OR CROSS STREETS

1122 36 & 37 Manhattan 7 Lot 36: N/A; Lot 37: # 43472
 BLOCK LOT(S) BOROUGH COMMUNITY DISTRICT NO. CERTIFICATE OF OCCUPANCY NO.

R10A/R8B 8C Hon. Gail A. Brewer
 EXISTING ZONING DISTRICT ZONING MAP NUMBER CITY COUNCILMEMBER

(include special zoning district, if any)

Section C
 Department
 Of Buildings
 Decision

BSA AUTHORIZING SECTION(S): **Z.R. § 72-21** FOR: ☒ VARIANCE ☐ SPECIAL PERMIT (Including 11-41)SECTION(S) OF ZONING RESOLUTION SOUGHT TO BE VARIED: **Z.R. §§ 24-11/77-24; 23-633; 23-663;****23-711; 24-67; 24-36**DOB DECISION (OBJECTION / DENIAL) DATED: **March 27, 2007** ACTING ON APPLICATION NO: **NB-104250481****Section D**

Description

(LEGALIZATION ☐ YES ☒ NO ☐ IN PART)

Applicant proposes to construct new 8-story (plus PH), mixed-use building community
facility/residential on lot 37 (See, Statement of Findings).

Section EBSA History
and
Related
Actions

If "YES" to any of the below questions, please explain in the STATEMENT OF FACTS

YES

NO

Has the premises been the subject of any previous BSA application(s)?.....

☐☒

PRIOR BSA APPLICATION NO(S):)

Are there any applications concerning the premises pending before any other government agency?

☐☒

Is the premises the subject of any court action?.....

☐☒

I HEREBY AFFIRM THAT BASED ON INFORMATION AND BELIEF, THE ABOVE STATEMENTS AND THE STATEMENTS
CONTAINED IN THE PAPERS ARE TRUE

Shelly S. Friedman
 Signature of Applicant, Corporate Officer or Other Authorized Representative

SWORN TO ME THIS **30th** DAY OF **March** **2007**

Shelly S. Friedman
 Print Name

Counsel
 Title

Elena Aristova
 ELENA ARISTOVA
 NOTARY PUBLIC, State of New York
 No. 614800323
 Qualified in Kings County
 Commission Expires November 8, 2010



THE CITY OF NEW YORK
DEPARTMENT OF BUILDINGS

http://www.nyc.gov/buildings

X
MANHATTAN (1)
280 BROADWAY 3RD FLOOR
New York, NY 10007

BRONX (2)
1932 ARTHUR AVENUE
BRONX, NY 10457

BROOKLYN (3)
210 JORELOMON STREET
BROOKLYN, NY 11201

QUEENS (4)
120-55 QUEENS BLVD.
QUEENS, NY 11424

STATEN ISLAND (5)
BORO HALL- ST. GEORGE
STATEN ISLAND, NY 10301

DOB Application #	Examiner:	Date: 10/28/05
104250481	Application Type: XXX NB	Doc (s):
	Address / Location: 10 West 70th Street	Block: 1122
	Zoning District: R8B; R10A	Lot: 37

Examiners Signature: *[Signature]*

To discuss and resolve these objections, please call 311 to schedule an appointment with the Plan Examiner listed above. You will need the application number and document number found at the top of this objection sheet. To make the best possible use of the plan examiner's and your time, please make sure you are prepared to discuss and resolve these objections before your scheduled plan exam appointment.

Obj. #	Doc #	Section of Zoning/ Code	Objections	Date Resolved	Comments

REQUIRED ACTIONS BY THE BOARD OF STANDARDS & APPEALS

1. PROPOSED LOT COVERAGE FOR THE INTERIOR PORTIONS OF R8B & R10A EXCEEDS THE MAXIMUM ALLOWED. THIS IS CONTRARY TO SECTION 24-11/77-24. PROPOSED INTERIOR PORTION LOT COVERAGE IS .80.
2. PROPOSED REAR YARD IN R8B DOES NOT COMPLY. 20.00' PROVIDED INSTEAD OF 30.00' CONTRARY TO SECTION 24-36.
3. PROPOSED REAR YARD IN R10A INTERIOR PORTION DOES NOT COMPLY. 20.00' PROVIDED INSTEAD OF 30.00' CONTRARY TO SECTION 24-36.
4. PROPOSED INITIAL SETBACK IN R8B DOES NOT COMPLY. 12.00' PROVIDED INSTEAD OF 15.00' CONTRARY TO SECTION 23-633.
5. PROPOSED BASE HEIGHT IN R8B DOES NOT COMPLY. 94.80' PROVIDED INSTEAD OF 60.00' CONTRARY TO SECTION 23-633.
6. PROPOSED MAXIMUM BUILDING HEIGHT IN R8B DOES NOT COMPLY. 113.70' PROVIDED INSTEAD OF 75.00' CONTRARY TO SECTION 23-633.
7. PROPOSED REAR SETBACK IN R8B DOES NOT COMPLY. 6.67' PROVIDED INSTEAD OF 10.00' CONTRARY TO SECTION 23-663.
8. PROPOSED SEPARATION BETWEEN BUILDINGS IN R10A DOES NOT COMPLY. 0.00' PROVIDED INSTEAD OF 40.00' CONTRARY TO SECTION 24-67 AND 23-711.

DENIED
FOR APPEAL TO BOARD OF
STANDARDS AND APPEALS

MAR 27 2007

BORO COMMISSIONER

C

2007-10-23
2007-10-23 P 10:45

**STATEMENT IN SUPPORT
OF CERTAIN VARIANCES
FROM THE PROVISIONS OF
THE NEW YORK CITY ZONING RESOLUTION**

Affected Premises:

**CONGREGATION SHEARITH ISRAEL
6-10 West 70th Street/99-100 Central Park West
Block 1122 Lots 36 & 37
Manhattan**

**Friedman & Gotbaum LLP
568 Broadway, Suite 505
New York, NY 10012
(212) 925-4545**

THE APPLICATION

This statement is filed in support of the Application by Friedman & Gotbaum LLP on behalf of the Trustees of Congregation Shearith Israel ("CSI") pursuant to Section 72-21 of the Zoning Resolution of the City of New York (the "Zoning Resolution" or "ZRCNY") for a variance in connection with the construction of a new 8-storey (plus penthouse) community facility/residential building at 6-10 West 70th Street (Block 1122, Tax Lot 37) (the "New Building" or "Lot 37 Site"). The New Building will replace the current Community House, which is a support building in deteriorating condition connected to the CSI Synagogue (the "Synagogue"), also known as the "Spanish and Portuguese Synagogue in the City of New York," located on the southwest corner of Central Park West and West 70th Street.

The Congregation has worshipped in New York City for 350 years, holding its first services in Peter Stuyvesant's New Amsterdam in 1654. For almost two centuries it served as the only Jewish congregation in New York City, thus sharing its diverse history of serving its congregants and the larger community within the Dutch colonial experience, the British colonial experience and the American experience literally from its birth. The Synagogue is CSI's fifth edifice in New York City and is one of the City's earliest individually designated landmarks.

The New Building proposed in this Application will be developed on a zoning lot comprised of (1) Tax Lot 36, which is fully occupied by the Synagogue and an adjacent single family dwelling (99 Central Park West) that originally served as the Rabbi's Parsonage and (2) Lot 37, which currently consists of a 4-storey Community House constructed in 1954, which will be demolished, and a vacant parcel comprising almost 60 percent of that lot that was previously improved with two rowhouses, which were demolished in 1950. While the entire zoning lot is

situated in the Upper West Side/Central Park West Historic District, only the Synagogue is an individually designated landmark.

The purpose of the New Building is to address several infringements on the mission of CSI as a house of worship, center of Jewish education and culture and provider of community programming open to the public. The Synagogue has severe circulation limitations which interfere with its religious programming. These limitations cannot be addressed through interior alterations. In addition, the physical obsolescence and the ill-configured floorplans of the current Community House compromise CSI's religious, educational and cultural missions. Combined, the configuration of the structures on the zoning lot make it impossible to utilize in a feasible manner any of the lot's unbuilt zoning floor area in order to address any of these programmatic difficulties. As further described throughout the Application, the New Building addresses the programmatic difficulties by providing: (1) new horizontal and vertical circulation systems for the Synagogue to eliminate systemic shortfalls in its construction and design that limit barrier-free access to its sanctuaries and ancillary facilities and that cannot practically be addressed through physical exterior alterations and/or enlargements to the Synagogue itself, (2) a new "Community House" (being the two cellars and the first four floors of the New Building) providing offices and specialized rooms supporting religious, educational and cultural uses that are essential to CSI's mission but either cannot be accommodated within or beneath the Synagogue or can no longer be accommodated in the physically obsolescent and deteriorating existing Community House; and (3) residential use on floors 5 – 8 (plus penthouse) to be developed as a partial source of funding to remedy the programmatic religious, educational and cultural shortfalls on the other portions of the zoning lot. All told, the zoning lot possesses

144,857 sf of development rights. The Synagogue and Parsonage combined use 27,759.20 sf of those rights or 19.2 percent of those available. The Community House currently uses 11,078.8 sf (7.6 percent). When completed, the New Building will increase the zoning floor area for community facility uses by 8,843.56 sf above grade and will add 11,491.72 sf of floor area in two cellars below grade. The residential portion of the New Building will use 23,066.93 sf, out of 144,857 sf of potentially available development rights.

The New Building cannot be constructed in a manner consistent with the Zoning Resolution with regard to its yards, streetwall, lot coverage and height and setback that will overcome the current religious, educational and cultural programmatic difficulties. These zoning issues are described at length below. The need for the waivers requested in this Application stem from (1) the lack of any feasible options to modify the existing structures consistent with the Zoning Resolution that will address these severe programmatic difficulties; (2) the Synagogue's substantial existing zoning noncompliances and (3) the parallel jurisdiction of the Landmarks Preservation Commission, which has approved unanimously both the massing and the design of the New Building, and by so doing has expressed views substantially similar to CSI regarding the need to protect the architectural heritage of the landmarked Synagogue. In sum, while the landmark status of the Synagogue clearly presents hurdles in addressing the programmatic difficulties in a manner compliant with the Zoning Resolution, no claim is made herein for the granting of a variance based on the landmark status of the Synagogue or its location within a historic district. The hardships imposed by attempting to overcome the religious, educational and cultural difficulties facing CSI through a new building that complies with the Zoning

Resolution would be present even if the Synagogue was not so designated and the zoning lot was not located within a historic district.

BACKGROUND OF CSI AND THE SITE

Congregation Shearith Israel was founded in 1654 by twenty-three Sephardic Jews, who, having been kidnapped by pirates and freed by a French ship, were deposited on the shore of Peter Stuyvesant's New Amsterdam, whereupon they were immediately imprisoned in what must have been one of the earliest recorded cases of illegal immigration in the New World. Freed upon petition to the Dutch governments, these involuntary immigrants fought for their rights and prospered in the Dutch colony. Initially limited to these original immigrants, the Jewish community in the colony was relatively small and the Congregation met either in private homes or in rented quarters. On the seventh day of Passover, April 8, 1730, CSI consecrated its first synagogue building on Mill Street in what is now the Financial District and as such was the first structure designed and built to be a synagogue in North America. The first Mill Street Synagogue was replaced by a larger structure at the same location in 1818. In 1834, the Congregation moved to a new building on Crosby Street between Broome and Spring streets. CSI's fourth home was later built on West 19th Street, near Fifth Avenue. CSI owns and preserves the three small cemeteries associated with these earlier synagogues (55 St. James Place, opposite Chatham Square, in use 1682-1828; 76 West 11th Street, between 6th and 7th Avenues, in use 1805-1829 and 110 West 21st Street between 6th and 7th Avenues, in use 1829-1851) in which are buried some of its earliest congregants, including officers and financiers of the Revolutionary War and founders of Columbia University, the New York Stock Exchange and Mount Sinai and

Montefiore Hospitals. Emma Lazarus, whose poem is inscribed on the base of the Statue of Liberty, was a congregant, as were Supreme Court Justice Benjamin Cardozo and Commodore Uriah Phillips Levy, Revolutionary War naval hero and later owner and restorer of Thomas Jefferson's Monticello.

CSI built the current Synagogue in 1896, as New York City's population increased and migrated northward. It was surrounded by farmlands at the time. In the Sephardic tradition, the congregants transported and incorporated elements of its past synagogues into its new building. The floorboards in the main sanctuary were originally used as such in the previous sanctuaries. The Reader's Desk on which the Torah Scrolls are opened and read and the four large candlesticks that surround it are original to the 1730 building. The small chapel in the current Synagogue, now a room in the Synagogue but known as the Little Synagogue, contains lighting fixtures, including the Ner Tamid (the Eternal Flame), the tablet of the Ten Commandments located over the Ark, benches and religious objects also used in the Mill Street Synagogue. Many of the religious objects used in the Little Synagogue have been used in daily services since Pre-Inquisition Spain. The Torah Scrolls encased in the Ark, which are also used on a daily basis, bear the slashes sustained by the sword of a British soldier when the City was attacked during the War of 1812. (Legend has it the soldier was severely punished for his sacrilege.) The silver bells and ornamental plates adorning those Torah Scrolls were smithed by Myer Myers, under whom a young Paul Revere served as an apprentice in Boston. These details of CSI's rich pre-colonial and colonial architectural and ceremonial history are provided to illustrate to the Board that CSI is not only a significant center of Jewish faith and culture, but that in addition its stewardship of its archeological, historical and architectural treasures, used in its everyday

services, has created a unique environment in which the exercise of faith occurs in a living museum. Jewish scholars and visitors from around the world come to visit the Synagogue, referred to by others as the “Mothership of the Jewish Experience in the Americas.” Indeed, its ties with the colonial experience are so deep that it once uniquely shared attributes with the Anglican Church of the 18th and 19th Centuries in referring to the home of its religious leader as the “Parsonage” (*i.e.*, 99 CPW) and referring to its Chief Rabbi by the honorific title “Rt. Reverend.”

This physical and cultural history of the Synagogue is an essential element of this Application. The physical appearance of the existing Synagogue has come to serve as an icon to World Jewry for the migration of Judaism to the New World and the founding of the Jewish experience in the Americas. While the Synagogue’s landmark designation is, of course, an honor, it comes centuries late for a congregation that has a 350 year unblemished history of approaching historic preservation with an orthodoxy and a purpose far and away exceeding municipal regulation. This stewardship is undeniably linked to the religious, cultural and educational mission of CSI. It informs every decision regarding the use and development of its property. It may, in fact, be true that the Landmarks Commission would not approve applications proposing to alter the Synagogue through additions over it or jeopardize its structural integrity by building under it, but with all due respect those regulatory issues are rendered meaningless by the superseding obligations succeeding generations of congregants have accepted to preserve the Synagogue and its traditions. CSI holds any effort to alter the Synagogue to be a violation of that obligation and antithetical to its mission. Thus, this Application, while tracking the hopes of most preservationists by (1) transferring available floor

area from the Synagogue footprint for use elsewhere on the zoning lot, (2) refraining from any form of construction or alteration above, within or below the Synagogue that might affect its integrity, and (3) dedicating itself to the continued archival restoration and maintenance of the landmarked Synagogue through capital fundraising that includes a one-time monetization of zoning floor area through developing a moderate amount of residential space, is otherwise driven by CSI's own core values as trustees of the Synagogue and its contents for the benefit of generations to come. All of the requests for relief presented in this Application are directed toward alleviating the hardships caused to that mission by the literal application of the cited provisions of the Zoning Resolution.

CURRENT USES AND CONDITIONS

As noted above, the Synagogue itself remains in constant use as a house of worship. In addition to its sanctuaries, the Synagogue contains small meeting rooms and a multifunction room in its basement. Although the Synagogue has a formal monumental entrance on Central Park West, it is almost never used. It is perhaps the most glaring design flaw of the Synagogue. Because according to Jewish Law a synagogue must be designed so worshippers face west when praying toward the altar, the altar is located along the western wall of the Synagogue. Thus, the monumental entrance is anything but monumental as once it is entered, without vestibule or foyer, it is reduced to small interior doors backstage of the altar and narrow passages to circumnavigate it. The daily route for entering and leaving the Synagogue is through its side doors on West 70th Street, which were never designed as a primary means of access or egress and which require the use of a steep interior stairway to enter the foyer leading to the sanctuaries.

This access was only moderately improved by the construction of the Community House in 1954, which provided additional doors but only through indirect means and in any event did nothing to alleviate the need for the stairs.

While one is tempted to conclude that this unfortunate result was solely due to religious orthodoxy, the fact remains that the lay architectural mandates (or hubris) of the day may also have contributed to creating this unpractical result. Most of the institutional buildings facing Central Park West have similar monumental entrances that either originally or over time have been abandoned by their occupants in favor of more practical side-street entrances. Such examples are the New-York Historical Society, which uses its West 77th Street on a daily basis but rarely uses its prominent CPW entrance, and the First Church of Christ, Scientist at CPW and West 68th Street.

CSI can no longer ignore the programmatic impacts caused by this inability to enter the Synagogue and move around it in a proper manner. When constructed in 1896, CSI was a congregation of 300 families. It is now a community of 550 families. Its primary sanctuary cannot be reached without great labor. Access to its sanctuaries and their ancillary facilities are not barrier-free. CSI has studied the options for internal alterations to the Synagogue to address these deficiencies. The studies have concluded that there are no good options and that in any event there are no options that would not necessitate significant loss of original historic material. These access deficiencies can only be addressed by demolishing the Community House and replacing it with a new contiguous building designed with circulation systems that can be appended to Synagogue.

In 1954, CSI converted two adjacent rowhouses into the current Community House. Aside from re-cladding the façade, the scope of the alterations to the rowhouses was minimal, as evidenced by the continued presence of the shared party wall between them in many areas of the building. These original structures now comprising the Community House have reached the end of their useful life and are in need of substantial improvement. The combined buildings house a 1,668 sf multipurpose room/auditorium, which is on the same level as the Synagogue's first floor albeit at a lower level and thus cannot be entered without the use of stairs. This room is used for various meetings and as a play space for a day school which leases the space to run its programs. Approximately 1,028 sf of offices and 2,554 sf of classrooms are located above the auditorium/multipurpose space. The entire CSI administration is housed in these quarters. These include the Rabbis' study and offices, and all of the Synagogue's executive offices. All of CSI's programming for religious services and community services, which are open to public, emanates from these small spaces. CSI's community services programming is extremely active, with a number of affiliate organizations, such as the longstanding Sisterhood providing community outreach to congregants and non-congregants, Hebra Hased Va-Amet, the City's oldest Jewish philanthropic organization, which provides dignified burials for indigents and the 1654 Society dedicated to preserving CSI's historical treasures and fostering a historical awareness of the Jewish American colonial experience. CSI has a rich and detailed history of championing the plight of the poor, homeless and hungry, both globally and within the West Side community. All of those efforts are administered by staff and volunteers from within the Community House.

In addition, the Community House needs to provide space for CSI's Hebrew School of approximately 40 students and its tenant school, which enrolls 125 children between the ages of

five and seventeen in full time attendance. Recently the Landmarks Preservation Commission approved the addition of a temporary trailer in the vacant portion of Lot 37 to permit these educators to alleviate the severe overcrowding in the Community House. In addition, CSI offers a wide range of youth activities such as monthly Shabbat dinners, “toddler Shabbat” and informal Saturday religious classes. During holidays, the students participate in traditional holiday community service programs which include delivery of food packages throughout the City. For adult congregants, the Community House provides space for educational studies in Mishneh Torah (basic principles in Jewish philosophy, ethics and law); Ladino (Judeo-Spanish language studies); Shabbat; and basic Judaism. These classes have been embraced by Jews throughout the metropolitan region seeking to reach a deeper connection with their heritage.

In addition, the lack of adequate storage space and offices has forced CSI to move off-site its seminal historical archives. It remains a long-held aspiration to have suitable archival facilities on site so that more could be made of this extraordinary collection for the benefit of the congregants and children in its educational programs and scholars.

With the construction of the New Building, the floorplate of the Community House will be increased by 3,259 sf and the overall square footage of community facility use will be increased by 8,843.56 sf above grade. In addition, the demolition and replacement of the Community House will permit excavation to provide two cellar levels for programming where none exist today. The programmatic improvements to functions currently in the Community House made possible through construction of the New Building are as follows:

- New 6,432 sf multi-function room at the subcellar level.
- New babysitting room, storage and office space, dairy and meat kitchens at the cellar level.

- Enlarged barrier-free vestibule and Synagogue lobby at the first floor level.
- Expanded Small Synagogue, new exhibition space and relocated archives at the first floor level.
- New barrier-free elevator dedicated solely to accessing the Synagogue's upper levels.
- Appropriately sized Rabbinical and executive offices on floors one and two.
- Twelve (versus six existing) appropriately sized barrier-free new classrooms on floors two through four.

Without the New Building requested in this Application, CSI's existing programmatic deficiencies will remain and continue to get worse. The continuation of these deficiencies through CSI's inability to construct the New Building would seriously undermine the religious, educational and cultural mission of CSI. Only through the approval of this Application can these deficiencies be eliminated.

THE LANDMARKS APPROVAL PROCESS

A Certificate of Appropriateness for the New Building was unanimously approved by the Landmarks Preservation Commission ("LPC") on March 14, 2006. One Commissioner described the New Building's design and massing as "thoroughly modern...but speak[ing] very eloquently both to the temple adjacent and to the other brick apartment buildings." It was not only an "appropriate addition to [the Upper West Side/Central Park West historic] district, but a very positive addition . . . that will stand on its own as a landmark . . ." The official LPC March 14, 2006 recorded transcript provides the excerpts from statements by various Commissioners preceding the unanimous vote to approve the New Building:

“...this is a fine example of what can happen i[f] careful evolution i[s] permitted...we have a contemporary design, finally in complete harmony with the classic building next to it...I think the reduction of height was one of the major things we felt from the beginning was necessary. Also, the redesign of the entrance relating to the old building is now very successful, and they work together beautifully.”

“I think the massing is appropriate. It is a massing that relates to the street and to its proximity to Central Park West. And, overall, I think the building will make a great contribution to the streetscape.”

“I do think [the proposal] is an elegant solution in many ways to what is a difficult and complex problem here, to try to insert this building into the existing synagogue and adjacent property.”

“ ...I think the massing with the removal of the upper penthouse is absolutely in line with the surrounding buildings, specifically, the building adjacent, with the single setback penthouse that is partially visible...Again, I have always felt that the limestone frame that is adjacent to the temple and soars over the main bulk of the building is inspired.”

The New Building represents a six-storey reduction from CSI's initial LPC submission in 2003.

The reduction was necessitated due to the LPC's concerns that the height of the initial submission was not in keeping with the character of the Historic District.

The reduction in height brought with it a profound change in the nature of the zoning waivers being sought, which is highly pertinent to this Application. As originally proposed, the New Building required the transfer of substantial zoning floor area across the zoning district boundary bisecting the zoning lot, in contravention of the Zoning Resolution. This would have

been another objection in addition to those presented in this Application. Inasmuch as the zoning floor area being transferred was being taken from air space over the designated landmark, and because the proceeds of the development of the residential portion of the New Building (ten floors in the initial Application) were being directed to the continued restoration and maintenance of the landmarked Synagogue, CSI believed that such an action would qualify the development under the LPC's precedents for a Special Permit pursuant to ZRCNY Sec. 74-711. However, the Commission's response to the initial LPC application, and in particular the use of ZRCNY Sec. 74-711 to transfer zoning floor area across a district boundary, was mixed, with some Commissioners opposed to finding that the requisite "preservation purpose" (NYCZR Sec. 74-711(a)(i)) would be served. The partial remarks of LPC Commissioner Gratz are hereby submitted as representative of that opposition:

"We are being asked to find appropriate a high rise building under a 74-711 Special Permit proceeding that spans two zoning districts if (1) it is appropriate to the landmark site and (2) if it serves the preservation purpose. . . . While the 74-711 provision allows some flexibility in order to achieve conformity with the existing neighborhood character, that flexibility was never meant to allow something so contrary to the site. This would surely lead to an erosion of the landmarks law that I believe would be beyond our wildest nightmares."

In fashioning its response to the Commissioners' comments, CSI choose to reduce the height of the New Building from 14 to 8 stories plus penthouse. In so reducing the floor area of the New Building, the distribution of zoning floor on each side of the zoning district boundary resolved itself without the need for waiver or special permit. In addition, the extent of the streetwall and height and setback waivers was also reduced. In consultation with the LPC staff, it appeared that

if the Commission was signaling that the larger project would fail the preservation purpose required for its support of a ZRCNY Sec. 74-711 Special Permit, there was no reason to believe the smaller building would. In returning to the LPC with the smaller New Building, CSI indicated its willingness to seek the variance requested in this Application. The Commissioners in attendance did not object to CSI's position and the Commission moved forward with its consideration of the revised Application and ultimately unanimously approved it.

This history of LPC consideration is submitted to substantiate that CSI took every available step to seek the administrative relief provided in the Zoning Resolution for seeking a special permit to modify the bulk regulations for which this variance Application now seeks waivers, thereby exhausting its administrative remedies prior to the filing of this Application.

THE ZONING LOT AND ZONING NON-COMPLIANCES

Tax Lots 36 and 37 have been in common fee ownership since 1949 and share the necessary contiguity set forth in ZRCNY 12-10 to be deemed a single zoning lot since that date. The zoning lot is a rectangle bounded on the west by Central Park West (100.5 ft frontage) and on the north by West 70th Street (172 ft frontage). On its east boundary is the building wall of 18 West 70th Street, a 9-storey multiple dwelling. Its southern lot line is shared with 91 CPW and a row house at 9 West 69th and forms an irregular pattern of rear yards and side and rear walls of various depths. The zoning lot's area is 17,286 sf. A zoning district boundary runs parallel to CPW 125 ft west of CPW. The R10A avenue portion of the zoning lot comprises 73 percent of the total area of the zoning lot. All of the Parsonage and Synagogue and approximately the easternmost 17 feet of the current Community House are located in the R10A portion of the

zoning lot. The remainder of the zoning lot (27 percent of its total) is zoned R8B. The maximum permissible FAR for a community facility in an R10A district is 10 and for a mixed use community facility/residential building in an R8B district is 4. Because the zoning lot has been in existence since prior to December 15, 1961, it is entitled under the provisions of ZRCNY 77-22 to utilize an average FAR across the entire zoning lot. The Applicant has calculated that averaged permissible FAR to be 8.38. Using that FAR, the R10A portion of the zoning lot is permitted 105,273.75 sf of zoning floor area and the R8B portion of the zoning lot is permitted 39,582.93 sf of zoning floor area. Upon completion, the New Building will contain 42,989.39 sf (11,197.09 on the R10A and 31,792.30 on the R8B portions of the zoning lot), which amounts to a total FAR on the zoning lot of 4.09, well under the amounts permitted. In addition, included in the LPC approvals is a determination to promote a distance between the landmark Synagogue and the New Building. This was satisfactorily achieved by employing a “notch” of open space pushing west the east elevation of the New Building. This notch was imposed without regard to zoning considerations, one of which was that it eliminated from full development the only portion of Lot 37 within the R10A district. Thus the notch has the effect of requiring more floor area to be built in the R8B portion of Lot 37, thereby increasing the extent of the bulk waivers requested in this Application.

With regard to the R10A portion of the zoning lot, development of available zoning floor area is complicated by the fact that beyond 100 ft from the avenue, the existing Synagogue and Community House already exceed permitted lot coverage and that, if the Synagogue is going to remain unaltered and the air space above it undeveloped, the further use of the unused zoning floor area must be restricted to the same westernmost portion of the R10A in which the lot

coverage exceedance exists. This limitation results in a severe limitation of the use of available zoning floor area, and its only feasible use is as set forth for the massing of the New Building.

The following exceedances are increased or created in the R10A portion of the zoning lot:

(1) ZRCNY Sec. 24-11/77-24: extent of the existing lot coverage noncompliance is increased, and

(2) ZRCNY Sec. 23-711: required 40 ft separation between buildings is not provided.

Within the R8B portion of the zoning lot, the New Building is underbuilt based on the permitted FAR 8.38, but its massing cannot be provided in an as-of-right manner due to the unique role it must play in addressing the Synagogue's deficiencies as well in providing the types of spaces required for CSI to maintain its religious, educational and cultural activities. The following exceedances are created in the R8B portion of the zoning lot:

(1) ZRCNY Sec. 24-11/77-24: permitted lot coverage is exceeded,

(2) ZRCNY Sec. 23-633: permitted base height, setback and building height requirements are exceeded, and

(3) ZRCNY Sec. 23-663: required rear setback is not provided.

Finally, in order to provide for the appropriate connections between the Synagogue and the New Building and in order to provide suitable floorplans and adjacencies for the portion of the New Building to be used by CSI for Community House purposes (floors 1 – 4), the first floor will fully cover the lot and floors 2 – 4 will set back 20 ft from the rear property line. Such coverage is permitted for the first floor but the other three floors fail to provide the required 30 ft rear yard in either the R10A portion or the R8B portion of the zoning lot as set forth in ZRCNY Sec. 24-36.

FIFTY YEAR SITE HISTORY

The Synagogue was built in on Lot 36 in 1896-97. The Community House was created in 1954 through the combination of two turn of the century rowhouses on what is now a portion of Lot 37. The Community House and Synagogue have come to share the same property address: 8 West 70th Street. The vacant portion of Lot 37 was created when two of the four rowhouses owned by CSI, presumably numbered Nos. 16 and 14 West 70th Street, were demolished in 1950. These houses no doubt once existed on individual tax lots, but over time those lots have been merged into Lot 37. No use or bulk modifications have occurred since 1954. In 2006 the LPC approved the installation of one trailer for educational purposes on the vacant portion of Lot 37.

THE NEW BUILDING DEVELOPMENT PROGRAM

For all of the reasons set forth above, CSI can no longer meet its religious, educational and cultural programmatic needs without significantly modifying the access and egress for the sanctuaries. Because there is no practical solution that includes alteration work within the Synagogue, and because any such alteration work would be contrary to CSI's mission, the solution must be found within the footprint of the New Building. Although the Synagogue's CPW and West 70th Street entrances will remain where currently located, the New Building will provide a more generous barrier-free set of door leading to a vestibule off an expanded Synagogue lobby and gallery. The New Building will include elevators designed to provide access to the balcony seating area of the main sanctuary. Adjacent to the gallery, an archives room worthy of CSI's historical relics, papers and documents for exhibition and scholarly study

will be located. Of major importance to CSI is the first floor's proposed 1,258 sf enlargement of the Little Synagogue into the New Building, which remains the most important room within the Synagogue for daily sunrise and sunset prayer services, small ceremonies and personal prayer.

In addition, CSI's ability to continue to operate within the limitations of the existing Community House has ended and it now must address the need for both newly designed and enlarged community facility space beneath and within a newly constructed New Building. Below-grade levels will provide an appropriately sized and barrier-free multi-function rooms, meat and dairy kitchens, a babysitting room, residential storage space and building services. Rabbinical and executive offices currently in the Community House have been given more appropriately sized and barrier-free locations on the Floors 1 and 2. Floors 2, 3 and 4 will contain appropriately sized and barrier-free classrooms for CSI and its tenant school's educational purposes. Floors 5 through 8 and the penthouse will be residential.

The additional space in the New Building allocated to CSI's religious, educational and cultural mission is the first such increase in space for CSI since 1954. The addition of this space will permit the Synagogue leaders to address the needs of its 550 families, which is an increase of 30 percent in the number of families that were congregants in 1954. In addition to administrative space, the creation of a suitable multipurpose room for larger ceremonies, meetings, lectures, etc and the addition of classrooms will address significant shortfalls in CSI's ability to serve both its members and the community. Finally, the addition of residential use in the upper portion of the building is consistent with CSI's need to raise enough capital funds to correct the programmatic deficiencies described throughout this Application. The residential floor area uses only 16 percent of the zoning lot's available zoning floor area. When completed

with the New Building, more than half the development rights on the zoning lot (74,108.09 sf) will remain unused.

THE OBJECTIONS

The following objections were received from the Department of Buildings (the "DOB") on March 27, 2007:

1. Proposed lot coverage for the interior portions of R8B & R10A exceeds the maximum allowed. This is contrary to Section 24-11/77-24. Proposed interior portion lot coverage is .80.
2. Proposed rear yard in R8B does not comply. 20.00' provided instead of 30.00' contrary to Section 24-36.
3. Proposed rear yard in R10A interior portion does not comply. 20.00' provided instead of 30.00' contrary to Section 24-36.
4. Proposed initial setback in R8B does not comply. 12.00' provided instead of 15.00' contrary to Section 23-633.
5. Proposed base height in R8B does not comply. 94.80' provided instead of 60.00' contrary to Section 23-633.
6. Proposed maximum building height in R8B does not comply. 113.70' provided instead of 75.00' contrary to Section 23-633.
7. Proposed rear setback in an R8B does not comply. 6.67' provided instead of 10.00' contrary to Section 23-663.
8. Proposed separation between buildings in R10A does not comply. 0.00' provided instead of 40.00' contrary to Section 24-67 and 23-711.

ZRCNY Sec. 72-21 REQUIRED FINDINGS

There are unique physical conditions, including irregularity, narrowness or shallowness of lot size or shape, or exceptional topographical or other physical conditions peculiar to and inherent in the particular zoning lot; and that, as a result of such unique physical conditions, practical difficulties or unnecessary hardship arise in complying strictly with the use or bulk provisions of the [zoning] resolution; and that the alleged practical difficulties or unnecessary hardships are not due to circumstances created generally by the strict Application of such provisions in the neighborhood or district in which the zoning lot is located. ZRCNY Sec. 72-21(a)

The unique physical conditions peculiar to and inherent in CSI's zoning lot include: (1) the presence of a unique, noncomplying, specialized building of significant cultural and religious importance occupying two-thirds of the footprint of the zoning lot, the disturbance or alteration of which would undermine CSI's religious mission; (2) a development site on the remaining one-third of the zoning lot whose feasible development is hampered by the presence of a zoning district boundary and requirements to align its streetwall and east elevation with the existing Synagogue building; and (3) dimensions of the zoning lot that preclude the development of floorplans for community facility space required to meet CSI's on-site religious, educational and cultural programmatic needs. These physical and regulatory constraints are unique to this zoning lot. The strict application of the ZRCNY provisions raised as objections to the approval of the New Building will preclude CSI from developing the New Building or any substantially similar building and as such represents a practical difficulty in developing any feasible as-of-right New Building. Such strict compliance with the ZRCNY would therefore present a serious hardship in the furtherance of CSI's religious, educational and cultural mission.

For the programmatic reasons described above, none of CSI's religious, educational or cultural programmatic difficulties can be addressed through further development or alteration to the Synagogue on Lot 36. The Lot 37 Site has an area of 6,432 sf and is improved with a

building in very poor condition which long ago ceased to provide CSI with the offices, meeting rooms, archives and classrooms it requires. The allowable zoning floor area on Lot 37 totals 53,900.16 sf (based on an averaged FAR 8.38), but due to the zoning district boundary 26.6 percent of Lot 37 must be developed with R10A Quality Housing bulk regulations and 74.4 percent of Lot 37 must be developed with R8B Quality Housing bulk regulations. While the ZRCNY recognizes that the zoning lot is entitled to average the FAR of the two zoning districts, it does not provide a similar mechanism for providing relief from the R8B height and setback, streetwall and rear yard provisions correlating to the FAR 4 massing established for R8B Quality Housing developments. This alone creates practical difficulties in this case; as it is essential that the New Building's massing accommodate its role in providing circulation space for the Synagogue and appropriately sized floorplates for the Community House, which cannot be achieved within the R8B Quality Housing regulations.

Lot Coverage in R10A and R8B. (Objection 1) ZRCNY Sec. 24-11 imposes a maximum lot coverage of 70 percent for interior lots, or portions of zoning lots that are interior lots. There is no similar requirement for corner lots within 100 ft of a corner. The CSI zoning lot is partially a corner lot, which portion is entirely zoned R10A and fully covered by the Synagogue and Parsonage, and partially an interior lot. The maximum permitted lot coverage is exceeded in the remaining R10A portion located beyond 100 ft from the avenue. Within the R8B portion of the zoning lot, the New Building covers 79.8 percent of the lot measured from above its groundfloor, below which is exempt from the calculation. Without a waiver permitting lot coverage in excess of 70 percent, the New Building cannot provide the floorplans that can address the existing programmatic difficulties in either the Synagogue or the new Community House.

Rear Yard in R10A and R8B. (Objections 2 & 3) ZRCNY Sec. 24-36 requires a rear yard of not less than 30 ft for interior lots or portions of zoning lots which are interior lots in R8B and R10A districts. ZRCNY Sec. 24-33 permits community facilities to build within a required rear yard to an elevation of 23 ft or one storey above grade, whichever height is lower. The New Building does not provide a 30 ft rear yard for its first four floors, those floors constituting the community facility portion of the building to be occupied by the Community House. The first floor is fully built to the rear property line as permitted. Floors 2-4 provide only a 20 ft rear yard because those floors must align properly with the Synagogue and must provide the appropriately sized offices and classrooms. The Application is limited to requesting a waiver from the rear yard requirement for floors 2 through 4 only. Above those floors, the remaining residential floors of the New Building provide a fully compliant rear yard.

Height and Setbacks in R8B only. (Objections 4, 5 & 6) ZRCNY Sec. 23-633 governs height and setback requirements for buildings in contextual zoning districts such as R10A and R8B. The regulations establish a base height, require a setback above the base height and establish building height. The portion of the New Building within the R10A is fully compliant. In an R8B district, the permitted base height can range between 55 and 60 ft above curb, at which point the front elevation must set back 15 ft. The overall building height cannot exceed 75 ft. The New Building has a base height of 94.8 ft, a setback of 12 ft and a building height of 105.8 ft. The unique aspects of the zoning lot, including the footprint of the Synagogue, the presence of the zoning district boundary in the only portion of the zoning lot capable of development, combined with the interests of the LPC in providing a front elevation harmonious

with both the designated landmark and the historic district render it impossible to provide any useful development in accordance with the applicable provisions of ZRCNY Sec. 23-633.

With regard to LPC's consideration of the location and height of the streetwall, the Commission took note of all of the surrounding buildings in approving the New Building, none of which comply. The 9-storey building to the west, 18 West 70th, located entirely within the R8B district, has a base height of approximately 100 ft, with no setback. With an FAR of 7.23, it is almost twice its permitted bulk. The buildings directly to the north and south, 101 CPW and 91 CPW respectively, each of 15- and 13-stories, also exceed these zoning requirements in the R8B portion of their zoning lots to an extent much greater than the New Building. The FAR of 101 CPW is 13.92 and the FAR of 91 CPW is 13.03. In reducing the New Building from the 14-storey initial application to the approved 8-storey plus penthouse New Building, the Commission worked closely with CSI's architects to gauge the precise elevations for the New Building's base, its setbacks and its height so as to strike a balance with the monumental architecture of the Synagogue to its east and the considerably noncompliant streetwalls to its west and north.

Rear Yard Setback. (Objection 7) ZRCNY Sec. 663(b) requires that in both R10A and R8B districts no part of a building that exceeds the maximum building height established in ZRCNY 633 can be located within 10 ft of the rear lot line. The New Building's height complies with the maximum height provisions applicable in an R10A district. The New Building exceeds the maximum building height provisions applicable in an R8B district, thus triggering the requirements of ZRCNY Sec. 663(b). Because the ground floor of the New Building is built full to the rear property line, an objection was issued. As discussed, the ground floor of the New Building, which is permitted to be built full because its use will be an eligible community facility

use group, must spatially align with the Synagogue to provide the necessary circulation space and to provide for the expansion of the Little Synagogue.

Building Separation. (Objection 8) ZRCNY Sec. 23-711 imposes a 40 ft separation between the facing walls of the Synagogue and New Building. Inasmuch as the Synagogue and the New Building are connected for the full height of the Synagogue, there is no separation between the two buildings, thus generating the objection. Given the remaining depth of the zoning lot beyond the Synagogue's footprint is only 64 ft, providing a complying 40 ft setback for the height of the Synagogue's sloped roof would leave a developable footprint of 24 ft, which is wholly impractical.

Because of the physical conditions there is no reasonable possibility that the development of the zoning lot in strict conformity with the provisions of this resolution will bring a reasonable return, and that the grant of a variance is therefore necessary to enable the owner to realize a reasonable return from such zoning lot. ZRCNY Sec 72-21(b)

CSI's status as a not-for-profit religious organization renders this finding unnecessary. At the Board's request, however, due to the fact that the Application presents a situation in which Use Group 2 floor area is being created for sale to third parties as a component of the CSI's financial strategy for producing the New Building, CSI has retained the services of Freeman Frazier Associates to provide a Feasibility Study analyzing potential mixed use development on Lot 37. This analysis compared the rate of return that could be expected from the New Building containing 16,242 sf of residential floor area with a hypothetical as-of-right building that would provide 5,022 sf of residential floor area. It concluded that due to existing physical conditions on the zoning lot, including the need to address the Synagogue's circulation problems and the need to replace and enlarge the functions in the Community House, there is no reasonable possibility

that a financially feasible mixed use building could be developed in strict conformity with the Zoning Resolution. The 27,302 sf as-of-right building yields 5,022 sf of residential sellable area. The total investment for such a project would be \$27,696,000 on a net project value of \$11,574,000, producing a capital loss to a developer of \$8,672,000.

In comparison, the New Building as proposed herein with 16,242 sf of residential sellable area requires an investment of \$33,688,000 on a net project value of \$39,606,000. This is a 6.55 percent rate of return, which Freeman Frazier posits to be minimally sufficient consideration as an investment opportunity.

The variance, if granted, will not alter the essential character of the neighborhood or district in which the zoning lot is located; will not substantially impair the appropriate uses or development of adjacent property; and will not be detrimental to the public welfare. ZRCNY Sec. 72-21 9 (c)

The Variance, if granted, will not alter the essential character of the neighborhood or the historic district; nor will it either substantially impair the appropriate uses or development of the adjacent properties or be detrimental to the public welfare. It is indisputable that a diversity of uses has been what has distinguished New York City neighborhoods and the Upper West Side is no exception. Approval of this Application will add 8,843.56 sf of Use Group 3 Use to CSI's current total of 38,838.10 sf, or an approximately 23 percent increase. It will add 23,066.93 sf of Use Group 2 residential use to a block developed with hundreds of thousands of feet of residential use. There will be no significant environmental consequences attributable to adding this minimal amount of square footage to the existing condition, which already includes the Synagogue, Parsonage and Community House. Moreover, at eight stories and one penthouse, the New Building will be a minor addition to the streetscape. It is dwarfed by the 13-storey 91 CPW

to its south and the 15-storey 101 CPW to its north (both developed in excess of FAR 13) and has been limited by the LPC to the same height as 18 West 70th to its west. Viewed from the east in Central Park, it will rise but a few stories over the pitched roof of the Synagogue.

With regard to the New Building's impacts on the landmarked Synagogue and the historic district, the LPC has spoken definitively on the acceptability of the new design as appropriate regarding both urban design and preservation values. CSI has worked hard to earn the LPC's acclimation and enthusiasm for the New Building and believes the LPC Certificate of Appropriateness should be considered the final word on its impact regarding urban design and historic preservation. With regard to CSI's rear and side property line neighbors, the interior rear yard and rear yard setback waivers will have minimal impact. To the extent that construction at the ground floor will extend to Lot 37's southern lot line, it must be recalled that full lot coverage up to 23 ft above mean curb elevation is permitted as a matter of right on interior lots (or portions of zoning lots deemed interior lots) for qualifying community facilities. The rear yard waiver is required for floors 2 through 4 because a 20 ft rear yard is provided instead of 30 ft. Noncompliances with rear yard and rear yard setback requirements for the relatively small portion of this zoning lot deemed an interior lot are more than adequately compensated by the fact that yard conditions of the existing adjacent buildings, are both idiosyncratic and deep, producing distances between rear walls of up to 120 ft.

The practical difficulties or unnecessary hardships are inherent in the zoning lot and were not created by the Applicant or its predecessor in title. ZRCNY Sec 72-21(d)

CSI acquired Lot 36 in 1895 and Lot 37 in 1949. Both were purchased specifically for development of the Synagogue and Community House, respectively. Conditions since the last

alterations to the property in 1954 now impose economic hardships that could not have possibly been envisioned at the time the buildings were developed. Accordingly, neither the current nor the past Trustees have taken any steps leading to or increasing the extent of the conditions that result in the objections giving rise to this Application.

Within the intent and purposes of this resolution the variance, if granted, is the minimum variance necessary to afford relief. ZRCNY Sec. 72-21(e)

The Application provides nothing more than the waivers necessary to resolve CSI's religious, institutional and cultural programmatic difficulties. Specifically, the waivers are those minimally necessary to permit the New Building envelope to provide, in part: (1) the minimally necessary number of classrooms and the minimally necessary number of offices; both of suitable size, design and quality required, (2) a modest increase in the size of the Little Synagogue, (3) a multi-function room with ancillary kitchen facilities of suitable size and configuration for the many functions -- social, religious and educational -- any religious institution is called upon to provide, (4) archival facilities such that CSI's papers and relics can be brought back from an off-site facility and integrated into the religious, educational and cultural missions of CSI, (5) the incorporation in the New Building of a system of circulation designed to provide improved and barrier-free access to the sanctuaries in the Synagogue, and (6) the addition of residential units at floors 5 through 8 (plus penthouse) levels, representing a small amount of the unused zoning floor area available after the new community facility floor area is taken into account.

These programmatic elements described above must occupy a specific floor area and floor area configuration, which in the aggregate result in the New Building's development in a manner which requires the waivers described above. The waivers requested in this Application

have been carefully reviewed so as to assure they both qualitatively and quantitatively represent the smallest necessary waiver to address each of the programmatic hardships.

Without the waivers requested in this Application, CSI will not be able to build a Community House in a manner which addresses the access deficiencies of the Synagogue, nor can it hope to provide better classrooms, offices, and specialized facilities that are critical to the continuation of its religious, educational and cultural missions. In every category the demand for these programmatically required elements is increased, and CSI considers it essential to provide these services without compromising the landmarked Synagogue building.

CONCLUSION

CSI has one of the longest histories of any existing religious institution in the City of New York, of attending to the needs of its congregants and the community. From the basement where it held its first services in 1654 through to the construction of the Community House in 1954, CSI has proceeded slowly and carefully to provide worship and cultural space. While this is its fifth location, a change of real estate venue averaging once every 75 years can hardly be considered aggressive. It has been in its present house of worship since 1896. Since that time its only expansion has been in 1954, at which time it combined the two rowhouses to form the current Community House. Now, 53 years since taking its last measures to adjust its space for programmatic purposes, it needs to do so again. It began those measures in 2001 with a \$9 million restoration of the Synagogue, raised entirely from within the Congregation. That work continues, under such strict (and self-imposed) preservation guidelines that it has been the

subject of glowing reviews by such local entities as the Landmarks Conservancy and such foreign interested parties as the Vatican, which has sent a delegation to observe the work.

Having begun the work to preserve this sacred site with a world-class restoration, CSI must now address with equal conviction the gap between what its facilities can provide and its programmatic goals. The gap is presently wide, but through careful analysis a plan has emerged that leaves the Synagogue untouched but requires that CSI utilize 42,989.39 sf of the 121,789.75 sf (35 percent) of unused floor area available to it on its zoning lot to redress these deficiencies. The successful deployment of that floor area resolves a complex matrix of Synagogue circulation issues, educational issues and administrative issues. Successful deployment includes the construction of 23,066.93 sf of new residential space, a small fraction of the available floor area intended to subsidize the endeavor. This successful deployment cannot occur without the approval of this Application.

On the basis of the foregoing statements, the Applicant respectfully requests that the Board make the requisite findings and grant the requested variances.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Shelly S. Friedman', with a long horizontal flourish extending to the right.

Shelly S. Friedman, Esq.
FRIEDMAN & GOTBAUM, LLP

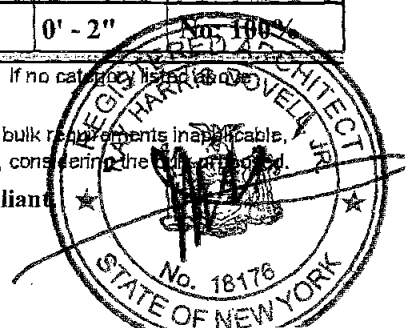
Dated: New York, New York
March 30, 2007

NYS RA / PE SEAL AND SIGN		BSA ZONING ANALYSIS					REVISED APRIL 2004	
BSA CALENDAR NO.	-07-BZ	BLOCK 1122					LOT 36 & 37	
SUBJECT SITE ADDRESS	6-10 West 70th Street; 99-100 Central Park West							
APPLICANT	Friedman & Gotbaum, LLP for Congregation Shearith Israel							
ZONING DISTRICT	R8B; R10A	PRIOR BSA # N/A					COMPLIANT: "Y"	
SPECIAL DISTRICT	UWS/CPW						IF NOT: "N" and	
COMMUNITY BOARD	7						INDICATE AMT	
		* APPLICABLE	MAXIMUM	MINIMUM	LEGAL PER			
		ZR SECTION	PERMITTED	REQUIRED	C of O or BSA	EXISTING	PROPOSED	OVER/UNDER
LOT AREA						17,286.0	17,286.0	Yes
LOT WIDTH						172'	172'	Yes
USE GROUP (S)	22-00					4	2 & 4	Yes
FA RESIDENTIAL	23-145; 77-22	144,856.70			N/A	0	23,066.93	Yes
FA COMMUNITY FACILITY	24-11; 77-22	144,856.70			N/A	38,838.10	47,681.66	Yes
FA COMMERCIAL/INDUST.	N/A	N/A			N/A	0	0	N/A
FLOOR AREA TOTAL		144,856.70			N/A	38,838.10	70,748.59	Yes
FAR RESIDENTIAL **	23-145; 77-22	8.38 adj.*			N/A	0	1.33	Yes
FAR COMMUNITY FACILITY **	24-11; 77-22	8.38 adj.*			N/A	2.25	2.76	Yes
FAR COMMERCIAL/INDUST. **	N/A	N/A			N/A	0	0	N/A
FAR TOTAL **	77-22	8.38 adj.*			N/A	2.25	4.09	Yes
OPEN SPACE	28-30		None		N/A	N/A	N/A	Yes
OPEN SPACE RATIO **	N/A		None		N/A	N/A	N/A	N/A
LOT COVERAGE (%) **	24-11; 77-24	Interior: .70 Corner: 1.0			N/A	Corner: .89	Interior: .80 Corner: .89	Interior: No 10% Corner: Yes
NO. DWELLING UNITS **	23-22; 23-24	32			N/A	0	5	Yes
WALL HEIGHT *(base height)	24-522; 23-633; 77-28	R8B: 55'-60' R10A: 60-125'			N/A	52.81'	R8B: 94.8' R10A: 105.8'	R8B: No R10A: Yes
TOTAL HEIGHT	24-522; 23-633; 77-28	R8B: 75' R10A: 185'			N/A	52.81'	R8B: 105.8' R10A: 105.8'	R8B: No R10A: Yes
NUMBER OF STORIES					N/A	4	8 (+PH)	Yes
FRONT YARD	24-34		None		N/A	None	None	Yes
SIDE YARD					N/A			
SIDE YARD	24-35		None		N/A	None	None	Yes
REAR YARD	24-36; 24-391		R8B/R10A: 30'		N/A	Int. lot: 26.5	20'	No, 33%
SETBACK (S)	24-522; 23-633; 77-28 (front/narrow street)		R8B/R10A: 15'		N/A	N/A	R8B: 12' R10A: 15'	R8B: No, 20% R10A: Yes
SKY EXP. PLANE (SLOPE)	43-43	85'			N/A	None	None	Yes
NO. PARKING SPACES	13-42	7	None		N/A	None	None	Yes
LOADING BERTH (S)	N/A	N/A	N/A		N/A	N/A	N/A	N/A
OTHER: Standard minimum distance between buildings	24-67; 23-711		40'		N/A	None	0' - 2"	

Be sure that all elements noted in the DOB Denial/Objection are consistently and accurately reflected in the BSA analysis. If no category listed above corresponds to the DOB Denial/Objection, indicate in OTHER; or explain in NOTES; or attach explanation.

* In Applicable ZR Section column, if proposed use does not conform to the district's use regulations, thereby making the bulk requirements inapplicable, indicate "NA," and where ** is noted, instead of "NA," indicate the EQUIVALENT DISTRICT in which that use is permitted, considering the bulk proposed.

NOTES: Rear setback: 24-522; 23-663; 10' required; R8B - 6.5' proposed (noncompliant); R10A compliant



THE NEW YORK CITY PLANNING COMMISSION

Major Zoning Classifications:
The number(s) and/or letter(s) that follows an **M**, **C** or **W** District designation indicates use, bulk and other controls as described in the text of the Zoning Resolution.

R -- RESIDENTIAL DISTRICT
C -- COMMERCIAL DISTRICT
M -- MANUFACTURING DISTRICT

AREA(S) REZONED

EFFECTIVE DATE(S) OF REZONING:

9-28-2005 C 040488 ZMM

SPECIAL PURPOSE DISTRICT
The letter(s) within the shaded area designates the special purpose district as described in the text of the Zoning Resolution.

D - RESTRICTIVE DECLARATION

**E - CITY ENVIRONMENTAL QUALITY
REVIEW DECLARATION**

REFERS TO BLOCKS WITH LOTS SUBJECT
TO CEQR DESIGNATION E-137. SEE Z.R.
APPENDICES (CEQR DECLARATIONS) FOR
LIST OF AFFECTED BLOCK AND LOTS.

ZONING MAP

8c

2

MAP KEY

Ed
Pp

99

0a

4.00

no	no
----	----

© Copyrighted by the City of New York.

100

100

information, as shown on this map is subject to change without notice. For the most up-to-date zoning information for a particular area, please contact the Planning Department at 311-222-2222.

Department of Sky Planning website.

www.cityofchicago.org/city/departments/development/zoning.html

2000-01-01

Click red box on map to view attached sketch map

6-10 West 70th Street Congregation Shearith Israel

Zoning Map

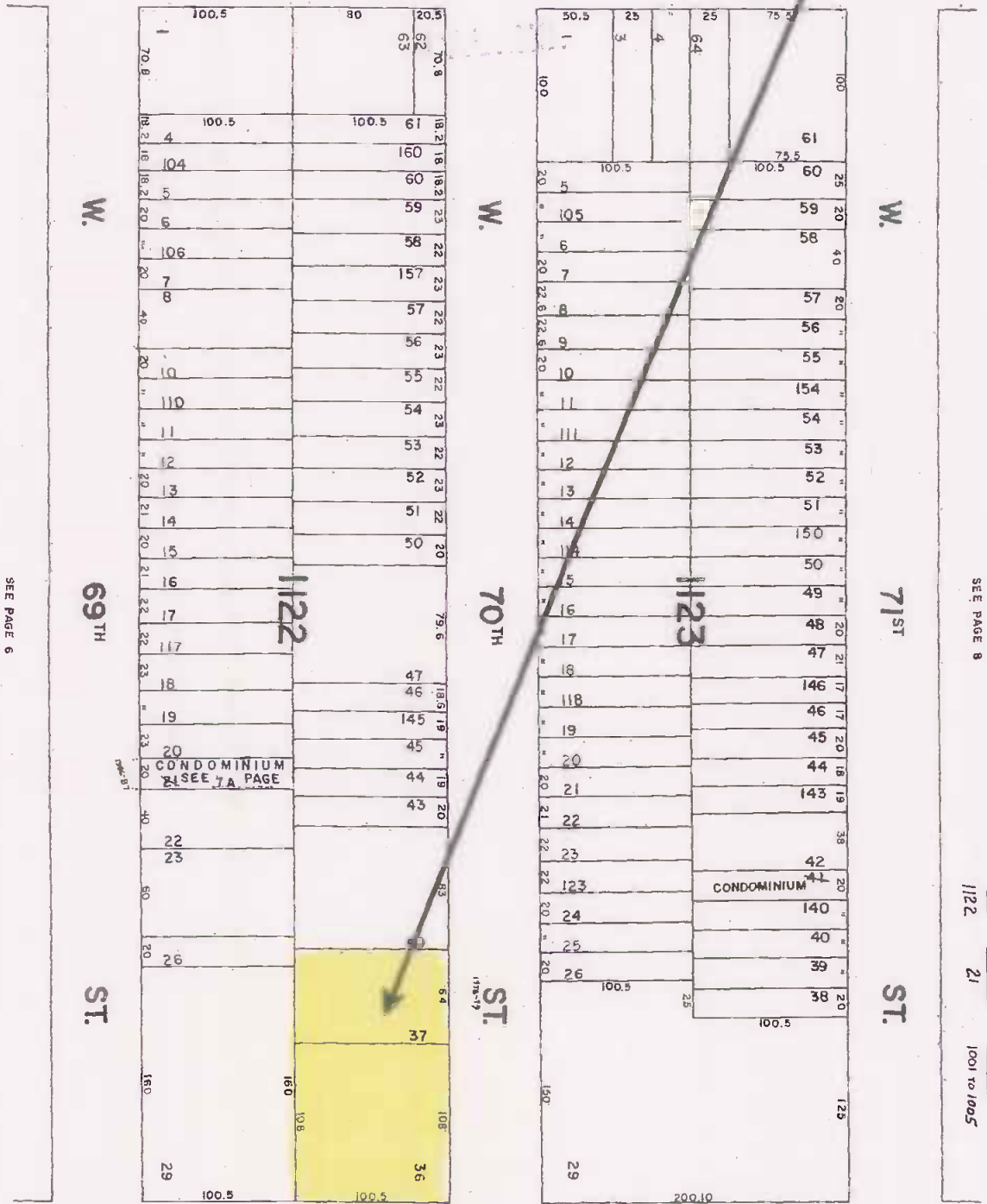
SEE PAGE 16



COLUMBUS

AVE.

2001-2 P 16-47



SEE PAGE 6

SEE PAGE 8

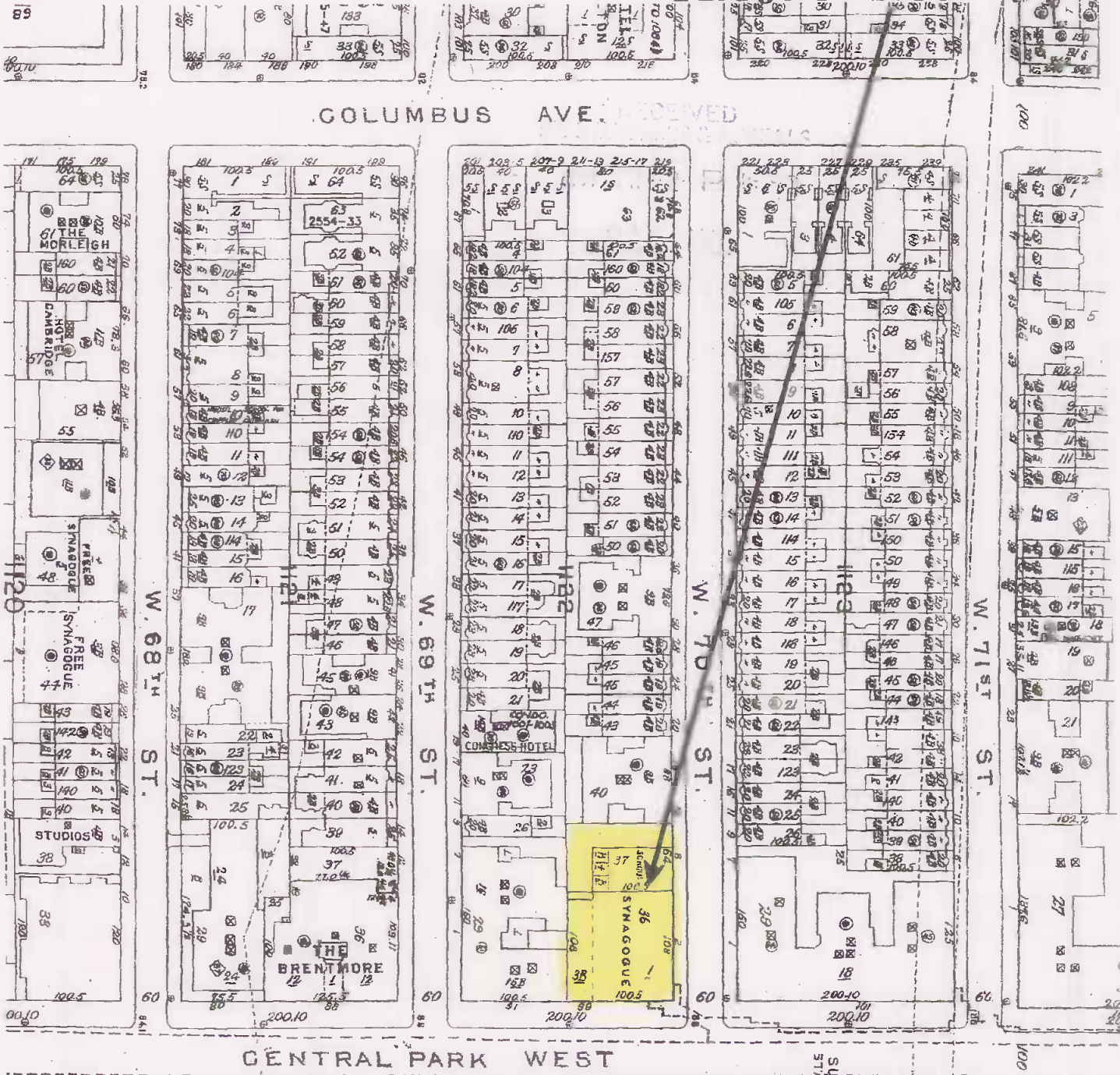


CENTRAL PARK

WEST

CONDOMINIUM	TAX LOT	AREA
1001	1	2.4
1002	2	2.4
1003	3	2.4
1004	4	2.4
1005	5	2.4
1006	6	2.4
1007	7	2.4

SEE PAGE 1



C E N T R A L P A R K

PART OF
SECTION 4
SCALE OF FEET
120 80 0 120
COPYRIGHT SANBORN MAP COMPANY, INC.
BUILDING ZONE RESTRICTIONS
USE ZONES

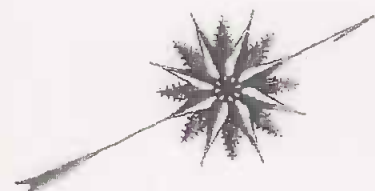


PLATE 89

DEPARTMENT OF HOUSING AND BUILDINGS

www.protectwest70.org

BOROUGH OF MANHATTAN

CITY OF NEW YORK

No. 43472

Date December 13, 1954

LIABE STATE **CERTIFICATE OF OCCUPANCY** DEMAND ON

(Standard form adopted by the Board of Standards and Appeals and issued pursuant to Section 646 of the New York Charter, and Sections C.26-181.0 to C.26-187.0 inclusive Administrative Code 2.13.1. to 2.13.7. Building Code.)

This certificate supersedes C. O. No. 28280.

To the owner or owners of the building or premises:

THIS CERTIFIES that the ~~new~~ altered ~~existing~~ building premises located at

6-8 West 70th Street

Block 1122 Lot 37 & 38

conforms substantially to the approved plans and specifications, and to the requirements of the building code and all other laws and ordinances, and of the rules and regulations of the Board of Standards and Appeals, applicable to a building of its class and kind at the time the permit was issued; and

CERTIFIES FURTHER that, any provisions of Section 646F of the New York Charter have been complied with as certified by a report of the Fire Commissioner to the Borough Superintendent.

Permit No. 679-1953

Construction classification—nonfireproof

Occupancy classification—Public Bldg.

Height Bsmt. & 3 stories,

51 feet.

Date of completion—December 13, 1954

Located in Residence

Use District.

B' Area 1A

Height Zone at time of issuance of permit 1211-1954; 2397-1953

This certificate is issued subject to the limitations hereinafter specified and to the following regulations of the Board of Standards and Appeals: (Calendar numbers to be inserted here)

PERMISSIBLE USE AND OCCUPANCY

STORY	LIVE LOADS Lbs. per Sq. Ft.	PERSONS ACCOMMODATED			USE
		MALE	FEMALE	TOTAL	
Basement	on ground	100	50	150	Auditorium and kitchen
1st story	75	20	20	40	Offices and classrooms
2nd story	75	20	20	40	Office and classrooms
3rd story	75	2	2	4	Office, book storage and one (1) janitor's apartment

Sec. 6.123 sub 1 Building Code C.26-272.0 Admin. Code

placed in the main entrance hall of such structures.

DEPARTMENT OF HOUSING AND BUILDINGS

CITY OF NEW YORK BOROUGH OF

STATE

NO CHANGES OF USE OR OCCUPANCY NOT CONSISTENT WITH THIS CERTIFICATE SHALL BE MADE, UNLESS FIRST APPROVED BY THE BOROUGH SUPERINTENDENT

Unless an approval for the same has been obtained from the Borough Superintendent, no change or rearrangement in the structural parts of the building, or affecting the light and ventilation of any part thereof, or in the exit facilities, shall be made; no enlargement, whether by extending on any side or by increasing in height shall be made; nor shall the building be moved from one location or position to another; nor shall there be any reduction or diminution of the area of the lot or plot on which the building is located.

The building or any part thereof shall not be used for any purpose other than that for which it is certified.

The superimposed, uniformly distributed loads, or concentrated loads producing the same stresses in the construction in any story shall not exceed the five loads specified on reverse side; the number of persons of either sex in any story shall not exceed that specified when sex is indicated; nor shall the aggregate number of persons in any story exceed the specified total; and the use to which any story may be put shall be restricted to that fixed by this certificate except as specifically stated.

This certificate does not in any way relieve the owner or owners or any other person or persons in possession or control of the building, or any part thereof from obtaining such other permits, licenses or approvals as may be prescribed by law for the uses or purposes for which the building is designed or intended; nor from obtaining the special certificates required for the use and operation of elevators; nor from the installation of fire alarm systems where required by law; nor from complying with any lawful order for additional fire extinguishing appliances under the discretionary powers of the fire commissioner; nor from complying with any lawful order issued with the object of maintaining the building in a safe or lawful condition; nor from complying with any authorized direction to remove encroachments into a public highway or other public place, whether attached to or part of the building or not.

If this certificate is marked "Temporary", it is applicable only to those parts of the building indicated on its face, and certifies to the legal use and occupancy of only such parts of the building; it is subject to all the provisions and conditions applying to a final or permanent certificate; it is not applicable to any building under the jurisdiction of the Housing Division unless it is also approved and endorsed by them, and it must be replaced by a full certificate at the date of expiration.

If this certificate is for an existing building, erected prior to March 14, 1916, it has been duly inspected and it has been found to have been occupied or arranged to be occupied prior to March 14, 1916, as noted on the reverse side, and that on information and belief, since that date there has been no alteration or conversion to a use that changed its classification as defined in the Building Code, or that would necessitate compliance with some special requirement or with the State Labor Law or any other law or ordinance; that there are no notices of violations or orders pending in the Department of Housing and Buildings at this time; that Section 646F of the New York City Charter has been complied with as certified by a report of the Fire Commissioner to the Borough Superintendent, and that, so long as the building is not altered, except by permission of the Borough Superintendent, the existing use and occupancy may be continued.

"§ 646 F. No certificate of occupancy shall be issued for any building, structure, enclosure, place or premises wherein containers for combustibles, chemicals, explosives, inflammables and other dangerous substances, articles, compounds or mixtures are stored, or wherein automatic or other fire alarm systems or fire extinguishing equipment are required by law to be or are installed, until the fire commissioner has tested and inspected and has certified his approval in writing of the installation of such containers, systems or equipment to the Borough Superintendent of the borough in which the installation has been made. Such approval shall be recorded on the certificate of occupancy."

Additional copies of this certificate will be furnished to persons having an interest in the building or premises, upon payment of a fee of fifty cents per copy.

NAMES AND ADDRESSES OF AFFECTED PROPERTY OWNERS

Compiled from the records of the New York City Department of Finance
and the Office of the City Register, New York County
(as of 03/27/2007)

**Premises: 6-10 West 70th Street/99 Central Park West
New York, NY
Block 1122 Lots 36 & 37**

BLOCK	LOT	OWNER'S NAME AND ADDRESS
1121	17	25 WEST 68TH STREET LLC 640 5TH AVE FL 3 NEW YORK NY 10019
1121	22, 23, 24, 123	FINE TIMES, INC 1270 AVE OF THE AMERICAS SUITE 2116 NEW YORK NY 10020
1121	25	15 WEST 68 TH STREET, LLC C/O FINE TIMES, INC. 1270 AVE OF THE AMERICAS 21 ST FL. NEW YORK NY 10020
1121	29	80 CPW APARTMENTS CORP. C/O GOODSTEIN MGMT. 211 E 46TH ST NEW YORK NY 10017
1121	36	88 ASSOCIATES INC C/O HERON, LTD 820 2ND AVE FL 4 NEW YORK NY 10017
1121	37	BRATTFORD INVESTMENTS LIMITED 12 W 69TH ST NEW YORK NY 10023
1121	39	FONDOULIS GEORGE 14 W 69TH ST NEW YORK NY 10023
1121	40	16 WEST 69 TH STREET LLC C/O SMULEWICZ RENATE 44 W 70TH ST NEW YORK NY 10023
1121	41	18 WEST 69TH STREET, LLC 18 WEST 69TH STREET, NEW YORK NY 10023 18 WEST 69TH STREET, LLC 70 W 71ST ST NEW YORK NY 10023
1121	42	20 WEST 69TH STREET, LLC 70 W 71ST ST APT 1C NEW YORK NY 10023

1121	43	22-24 WEST 69TH ST CORP. 24 W 69 TH ST NEW YORK NY 10023 R A COHEN & ASSOCIATES, INC. 60 EAST 42 ND STREET ROOM 1250 NEW YORK NY 10165
1121	45	26-28 WEST 69TH STREET HOUSING CORP. ADVANCED MANAGEMENT SERVICES 26 COURT ST STE 804 BROOKLYN NY 11242
1121	46	HERBERT W & PAMELA HIRSCH 30 W 69 TH ST NEW YORK NY 10023
1121	47	WID RLTY CP 32 W 69 TH ST NEW YORK NY 10023
1121	48	34 WEST 69 TH STREET, LLC C/O COLLEN HANFIELD 33 W 75TH ST APT 1B NEW YORK NY 10023
1121	49	36 W 69 APT INC C/O AMS 25 W 45TH ST NEW YORK NY 10036-4902
1121	50	38 WEST 69TH STREET CO. (LP) C/O VELTRI JAMES 27 W 70TH ST APT 2A NEW YORK NY 10023
1122	13	ROSANNA BRUECK 130 LYNN STREET HARRINGTON PARK NJ 07640
1122	14	ARLENE M. KAHN 39 WEST 69 TH STREET NEW YORK, NY 10024
1122	15	CLAUDIA HENSCHKE 37 W 69TH STREET NEW YORK NY 10023
1122	16	35 WEST 69TH STREET, LLC 163 W 74TH ST NEW YORK NY 10023
1122	17	33 WEST 69TH STREET, LLC 33 W 69TH STREET NEW YORK NY 10023
1122	18	29 WEST 69TH STREET ASSOCIATES, LLC 29 W 69 STREET NEW YORK NY 10023
1122	19	TOWNHOUSE ESTATES 27 W 69TH ST NEW YORK NY 10023

1122	20	HONG BOOM SIM AND FANG SHIUAN WU 25 W 69TH ST NEW YORK NY 10023
1122	22	PIERRE CONGRESS APARTMENTS, LLC 19 W 69TH ST NEW YORK NY 10023
1122	23	11-69 OWNERS CORP. C/O HERON, LTD 820 2ND AVE FL 4 NEW YORK NY 10017
1122	26	9 WEST 69 ST CO 9 W 69TH ST NEW YORK NY 10023
1122	29	91 CENTRAL PARK WEST CORPORATION 91 CENTRAL PARK WEST NEW YORK NY 10023 91 CENTRAL PARK WEST CORPORATION C/O HERON, LTD 820 2ND AVE FL 4 NEW YORK NY 10017
1122	40	18 OWNERS CORP. C/O MIDBORO MANAGEMENT, INC. 148 W 37TH ST NEW YORK, NEW YORK, 10018 PATRICIA K ISSAESCU 30 HAZARD AVE PROVIDENCE, RI 02906-3308
1122	43	20 WEST 70 TH STREET LLC 105 CLAY STREET BROOKLYN NY 11222 20 WEST 70 TH STREET LLC 20 W 70TH ST NEW YORK NY 10023
1122	44	CATHOLIC HIGH SC ASSOC 1011 1ST AVE NEW YORK NY 10022
1122	45	24 WEST 70TH STREET APARTMENT CORP. C/O MELANIE J. WALKER 101 W 70TH ST APT. 2N NEW YORK NY 10023
1122	46	KANDER JOHN 28 W 70TH ST NEW YORK NY 10023
1122	47	30 W. 70TH ST CORP C/O PETER J KLEIN 225 BROADHOLLOW RD MELVILLE NY 11747
1122	50	BARBARA HOROWITZ 38 WEST 70 STREET NEW YORK NY 10023

1122	51, 145	LINCOLN PARK REALTY COMPANY 26 WEST 70 STREET NEW YORK NY 10023
1122	52	KAYE STEPHEN C 42 W 70TH ST NEW YORK NY 10023
1122	117	SIDMAR PROPERTY CORP C/O PETER KHOURY 31 W 69TH ST NEW YORK NY 10023
1122	1001	JULIO BOGORICIN 23 WEST 69 TH STREET - UNIT A NEW YORK NY 10023
1122	1002, 1003, 1004, 1005	23 WEST 69TH STREET CORP. C/O IRVINE REALTY GROUP 122 E 55TH ST FL 3 NEW YORK NY 10022
1123	13	KAZ NATHANIEL 43 WEST 70 STREET 10023
1123	14	COHEN, JOAN S.COHEN,KENNETH C/O PANTHEON PROPERTIES 119 W 57TH ST PH SO NEW YORK NY 10019
1123	15	WENNER JANN S 37 W 70TH ST NEW YORK NY 10023
1123	16	GROSBARD, BRENDA Y 35 W 70 ST NEW YORK NY 10023
1123	17	HIRSCH LANA F 33 W 70TH ST NEW YORK NY 10023
1123	18	KIZNER ASSOCIATES, INC. 144 W 72ND ST NEW YORK NY 10023
1123	19	FRANCESCO VELTRI 65 W 68TH ST NEW YORK NY 10023
1123	20	25 W 70 LLC 25 W 70TH ST NEW YORK NY 10023
1123	21	MALA REALTY CORP. 1064 RIVER RD EDGEWATER NJ 07020
1123	22	PERLMAN ITZHAK 21 W 70TH ST NEW YORK NY 10023
1123	23	VELTRI FRANCESCA 65 WEST 68 TH STREET 10023

1123	24	KETTANEH, NIZAM PETER 15 WEST 70 STREET 10023
1123	25	ROSINA A VELTRI PO BOX 30 ALBERTSON NY 11507-0030
1123	26	VAKNIN, AHARON 9 W 70TH ST NEW YORK NY 10023
1123	29	103 CENTRAL PARK WEST CORP C/O INSIGNIA RESIDENTIAL GROUP 201 E 42ND ST FL 6 NEW YORK NY 10017
1123	38	JULY REALTY INC 6 WEST 71STH STREET NEW YORK NY 10023
1123	39	DAVID WANAT 8 W 71ST ST APT 1B NEW YORK NY 10023
1123	40	CATHOLIC DAUGHTERS OF THE AMERICAS 10 W 71ST ST NEW YORK NY 10023
1123	42	HEIT REALTY CORP 16 W 71ST ST NEW YORK NY 10023
1123	44	TIGER HOLDING CO. 22 WEST 71STH STREET NEW YORK NY 10023
1123	45	ARRIEN SCHILTKAMP 24 W 71ST ST NEW YORK NY 10023
1123	46	WYDRO KENNETH 26 W 71ST ST NEW YORK NY 10023
1123	47, 48	FINE TIMES INC 1270 AVE OF THE AMERICAS SUITE 2116 NEW YORK NY 10020
1123	49	VEDANTA SOCIETY 34 W 71ST ST NEW YORK NY 10023
1123	114	GROSBARD, RICHARD 39 W 70TH ST NEW YORK NY 10023
1123	118	LINCOLN PARK REALTY COMPANY 29 WEST 70 STREET 10023
1123	123	17 WEST 70TH STREET CO. (LP) 17 W 70TH ST NEW YORK NY 10023
1123	140	RUCH JULIA 40 W 83RD ST NEW YORK NY 10024

1123	143	TWENTY SEVENTY ONE REALTY CORP. 20 WEST 71 STREET NEW YORK NY 10023
1123	146	IAN & TERESA CANINO 28 W 71ST ST NEW YORK NY 10023
1123	1001-1004, 1006, 1007	DANIEL MARI 14 W 71ST ST NEW YORK NY 10023
1123	1005	DANIEL MARI C/O MARILOU MARI 14 W 71ST ST NEW YORK NY 10023
1124	21	17 WEST APARTMENTS CORP C/O HERON, LTD 820 2ND AVE FL NEW YORK NY 10017
1124	27	115 CENTRAL PARK WEST CORP C/O WALLACK MGMT CO 18 E 64TH ST NEW YORK NY 10021 C/O AKAM ASSOCIATES INC. 8 WEST 38 TH STREET 7 TH FLOOR NEW YORK NY 10018
SITE 1122	36, 37	CONGREGATION SHEARITH ISRAEL A/K/A TRUSTEES OF THE CONGREGATION OF SHEARITH ISRAEL 8 WEST 70 TH STREET NEW YORK NY 10023

AFFIDAVIT

STATE OF NEW YORK)
)
COUNTY OF NEW YORK) ss.:


Elena Aristova, being duly sworn, deposes and says:

- (1) I reside at 8020 Fourth Avenue, Brooklyn, NY 11209.
- (2) I am affiliated with Friedman & Gotbaum, LLP, special land use counsel to Congregation Shearith Israel ("CSI").
- (3) In connection with CSI's application for a variance, attached is a true and complete list of Affected Property Owners within the radius shown on drawing Radius Diagram, compiled based on the information obtained from the records of the New York City Department of Finance, Tentative Assessment Roll 2007/2008, and the Office of the New York City Register, New York County.



Elena Aristova

Sworn to before me this
27th day of March 2007



Notary Public

LORI G. CUISINIER
Notary Public, State of New York
No. 02CU6017170
Qualified in Queens County
Commission Expires May 25, 2007



City Environmental Quality Review

ENVIRONMENTAL ASSESSMENT STATEMENT**PART I, GENERAL INFORMATION****Reference
Numbers**

1. 07-BSA-071M
CEQR REFERENCE NUMBER (TO BE ASSIGNED BY LEAD AGENCY)

74-07-BZ
BSA REFERENCE NO. IF APPLICABLE

ULURP REFERENCE NO. IF APPLICABLE

OTHER REFERENCE NO.(S) IF APPLICABLE
(e.g. Legislative Intro, CAPA, etc.)

**Lead
Agency &
Applicant
Information**
PROVIDE APPLICABLE
INFORMATION

2a. Lead Agency

New York City Board of Standards and Appeals

NAME OF LEAD AGENCY

Rory Levy

NAME OF LEAD AGENCY CONTACT PERSON

40 Rector Street - 9th Floor

ADDRESS

New York NY 10006-1705

CITY STATE ZIP

212-788-8749 212-788-8769

TELEPHONE FAX

RLEVY@dcas.nyc.gov

EMAIL ADDRESS

2b. Applicant Information

Congregation Shearith Israel ("CSI")

NAME OF APPLICANT

Friedman & Gotbaum, LLP/Shelly S. Friedman, Esq.

NAME OF APPLICANT'S REPRESENTATIVE OR CONTACT PERSON

568 Broadway - Suite 505

ADDRESS

New York NY 10012

CITY STATE ZIP

212 925-4545 212 925-5199

TELEPHONE FAX

sfriedman@frigot.com; lcuisinier@frigot.com

EMAIL ADDRESS

**Action
Description**
SEE CEQR MANUAL
SECTIONS 2A & 2B

3a. NAME OF PROPOSAL CSI / New Building

3b. DESCRIBE THE ACTION(S) AND APPROVAL(S) BEING SOUGHT FROM OR UNDERTAKEN BY CITY (AND IF APPLICABLE, STATE AND FEDERAL AGENCIES) AND, BRIEFLY, DESCRIBE THE DEVELOPMENT OR PROJECT THAT WOULD RESULT FROM THE PROPOSED ACTION(S) AND APPROVAL(S):

Applicant proposes to construct new 8-story (plus PH) mixed-use community facility/residential building. Zoning Lot consists of two tax lots: lot 36 (improved with an existing CSI Synagogue Building) and lot 37 (the Project Site).

3c. DESCRIBE THE PURPOSE OF AND NEED FOR THE ACTION(S) AND APPROVAL(S):

Applicant proposes to replace an existing obsolete and inefficient community house with an 8-story plus Penthouse mixed-use New Building, which will accommodate CSI's educational, religious and cultural programs and provide a critical tie into the Synagogue's circulation system.

4. CITY PLANNING COMMISSION ☐ Yes ☒ No
- ☐ Change in City Map ☐ Zoning Certification ☐ Site Selection - Public Facility
- ☐ Zoning Map Amendment ☐ Zoning Authorization ☐ Disposition - Real Property ☐ Franchise
- ☐ Zoning Text Amendment ☐ Housing Plan & Project ☐ UDAAP ☐ Revocable Consent ☐ Concession
- ☐ Charter 197-a Plan _____
- ☐ Zoning Special Permit, specify type: _____
- ☐ Modification of _____
- ☐ Renewal of _____
- ☐ Other _____

5. UNIFORM LAND USE PROCEDURE (ULURP) ☐ Yes ☒ No

6. BOARD OF STANDARDS AND APPEALS ☒ Yes ☐ No

☐ Special Permit ☐ New ☐ Renewal ☐ Expiration Date _____

☒ Variance ☐ Use ☒ Bulk

Specify affected section(s) of Zoning Resolution Z.R. §§ 24-11/77-24; 23-633; 23-663; 23-711; 24-67; 24-36

7. DEPARTMENT OF ENVIRONMENTAL PROTECTION ☐ Yes ☒ No

☐ Title V Facility ☐ Power Generation Facility ☐ Medical Waste Treatment Facility

**Required
Action or
Approvals**

03/30/2007

PLEASE NOTE THAT
MANY ACTIONS ARE
NOT SUBJECT TO
CEQR. SEE SECTION 110
OF TECHNICAL
MANUAL

8. OTHER CITY APPROVALS ☒ Yes ☐ No
☐ Legislation ☐ Rulemaking; specify agency: _____
☐ Construction of Public Facilities ☐ Funding of Construction, Specify _____ ☐ Funding of Programs, Specify _____
☐ Policy or plan ☒ Permits, Specify: Landmarks Preservation Commission application to demolish the existing Lot 37 Community House and construct a new building;
 Other; explain: Status Update Letter 06-6545 was issued in March 14, 2006.

9. STATE ACTIONS/APPROVALS/FUNDING ☐ Yes ☒ No

If "Yes," identify _____

10. FEDERAL ACTIONS/APPROVALS/FUNDING ☐ Yes ☒ No

If "Yes," identify _____

Action Type

- 11a. ☐ Unlisted; or ☒ Type I; specify category (see 6 NYCRR 617.4 and NYC Executive Order 91 OF 1977, as amended): 617.4(9)
Project Site is within the Upper West Side/Central Park West Historic District and adjacent to NYC Landmark
 11b. ☒ Localized action, site specific ☐ Localized action, change in regulatory control for small area ☐ Generic action

Analysis Year

12. Identify the analysis year (or build year) for the proposed action: 2008/2009
 Would the proposal be implemented in a single phase? ☒ Yes ☐ No ☐ NA.
 Anticipated period of construction: 18 months
 Anticipated completion date: December 2009

Would the proposal be implemented in multiple phases? ☐ Yes ☒ No ☐ NA.

Number of phases: _____

Describe phases and construction schedule: _____

Directly Affected Area

INDICATE LOCATION
OF PROJECT SITE FOR
ACTIONS INVOLVING A
SINGLE SITE ONLY
(PROVIDE
ATTACHMENTS AS
NECESSARY FOR
MULTIPLE SITES)

- 13a. LOCATION OF PROJECT SITE
10 West 70th Street, New York, NY 10023
 STREET ADDRESS Premises is situated the south side of West 70th Street, 108 feet west
of the corner formed by the intersection of Central Park West and West 70th Street
 DESCRIPTION OF PROPERTY BY BOUNDING OR CROSS STREETS
R8B / R10A (Upper West Side/Central Park West Historic District)
 EXISTING ZONING DISTRICT, INCLUDING SPECIAL ZONING DISTRICT DESIGNATION IF ANY
Block 1122, Lots 37 & 36* Manhattan CB 7
 TAX BLOCK AND LOT NUMBERS BOROUGH COMMUNITY DISTRICT NO.

- 13b. PHYSICAL DIMENSIONS AND SCALE OF PROJECT
 TOTAL CONTIGUOUS SQUARE FEET OWNED OR CONTROLLED BY PROJECT SPONSOR: 17,286 SQ. FT.
 PROJECT SQUARE FEET TO BE DEVELOPED: 42,989.39 SQ. FT.
 GROSS FLOOR AREA OF PROJECT: 56,272.59 SQ. FT.
 IF THE ACTION IS AN EXPANSION, INDICATE PERCENT OF EXPANSION PROPOSED N/A
 IN THE NUMBER OF UNITS, SQ. FT. OR OTHER APPROPRIATE MEASURE: _____ % OF _____
 DIMENSIONS (IN FEET) OF LARGEST PROPOSED STRUCTURE: 105.8' HEIGHT; 64' WIDTH; 100.50' LENGTH.
 LINEAR FEET OF FRONTAGE ALONG A PUBLIC THOROUGHFARE: 172' along West 70th Street; 105.5' along Central Park West

- 13c. IF THE ACTION WOULD APPLY TO THE ENTIRE CITY OR TO AREAS THAT ARE SO EXTENSIVE THAT A SITE-SPECIFIC DESCRIPTION IS NOT APPROPRIATE OR PRACTICABLE, DESCRIBE THE AREA LIKELY TO BE AFFECTED BY THE ACTION:
NA

- 13d. DOES THE PROPOSED ACTION INVOLVE CHANGES IN REGULATORY CONTROLS THAT WOULD AFFECT ONE OR MORE SITES NOT ASSOCIATED WITH A SPECIFIC DEVELOPMENT? ☐ Yes ☒ No
 IF "YES," IDENTIFY THE LOCATION OF THE SITES PROVIDING THE INFORMATION REQUESTED IN 13a & 13b ABOVE.

* Lots 37 and 36 constitute a single zoning lot. While zoning calculations are based on the single zoning lot comprising tax lots 36 and 37, the EAS analyzes only the New Building (located on tax lot 37)

PART II, SITE AND ACTION DESCRIPTION**Site
Description**

EXCEPT WHERE OTHERWISE INDICATED, ANSWER THE FOLLOWING QUESTIONS WITH REGARD TO THE DIRECTLY AFFECTED AREA. THE DIRECTLY AFFECTED AREA CONSISTS OF THE PROJECT SITE AND THE AREA SUBJECT TO ANY CHANGE IN REGULATORY CONTROLS.

1. **GRAPHICS** Please attach: (1) a Sanborn or other land use map; (2) a zoning map; and (3) a tax map. On each map, clearly show the boundaries of the directly affected area or areas and indicate a 400-foot radius drawn from the outer boundaries of the project site. The maps should not exceed 8½ x 14 inches in size. **See Figures 1 through 3**

2. **PHYSICAL SETTING** (both developed and undeveloped areas)

Total directly affected area (sq. ft.): 17,286 sq.ft. Water surface area (sq. ft.): N/A
Roads, building and other paved surfaces (sq. ft.): N/A Other, describe (sq. ft.): N/A

3. **PRESENT LAND USE**

Residential N/A

Total no. of dwelling units _____ No. of low-to-moderate income units _____
No. of stories _____ Gross floor area (sq. ft.) _____

Describe type of residential structures:

Commercial N/A

Retail: No. of bldgs _____
Office: No. of bldgs _____
Other: No. of bldgs _____
Specify type(s): _____

Gross floor area of each building (sq. ft.): _____
Gross floor area of each building (sq. ft.): _____
Gross floor area of each building (sq. ft.): _____
No. of stories and height of each building: _____

Manufacturing/Industrial N/A

No. of bldgs _____

Gross floor area of each building (sq. ft.): _____

No. of stories and height of each building: _____

Type of use(s): _____

Open storage area (sq. ft.) _____

If any unenclosed activities, specify: _____

Community facility

Community House for existing Synagogue on Lot 36

Type of community facility: _____

No. of bldgs 1

Gross floor area of each building (sq. ft.): 11,078.9 sq.ft.

No. of stories and height of each building: 4-story/52.81 feet

Vacant land

Is there any vacant land in the directly affected area? ☐ Yes ☒ No

If yes, describe briefly: _____

Publicly accessible open space

Is there any existing publicly accessible open space in the directly affected area? ☐ Yes ☒ No

If yes, describe briefly: _____

Does the directly affected area include any mapped City, State or Federal parkland? ☐ Yes ☒ No

If yes, describe briefly: _____

Does the directly affected area include any mapped or otherwise known wetland? ☐ Yes ☒ No

If yes, describe briefly: _____

Other land use

N/A

No. of stories _____

Gross floor area (sq. ft.) _____

Type of use: _____

4. **EXISTING PARKING**

Garages

83 (80 CPW)

No. of public spaces: _____

No. of accessory spaces: 0

Operating hours: _____

Mon.-Thurs.: 6:30 AM - 1 AM;
Fri. - Sun.: 24 hours

Attended or non-attended? attended

Lots

N/A

No. of public spaces: _____

No. of accessory spaces: _____

Operating hours: _____

Attended or non-attended? _____

Other (including street parking) - please specify and provide same data as for lots and garages, as appropriate.

5. **EXISTING STORAGE TANKS**

Gas or service stations? ☐ Yes ☒ No

Oil storage facility? ☐ Yes ☒ No

Other? ☐ Yes ☒ No

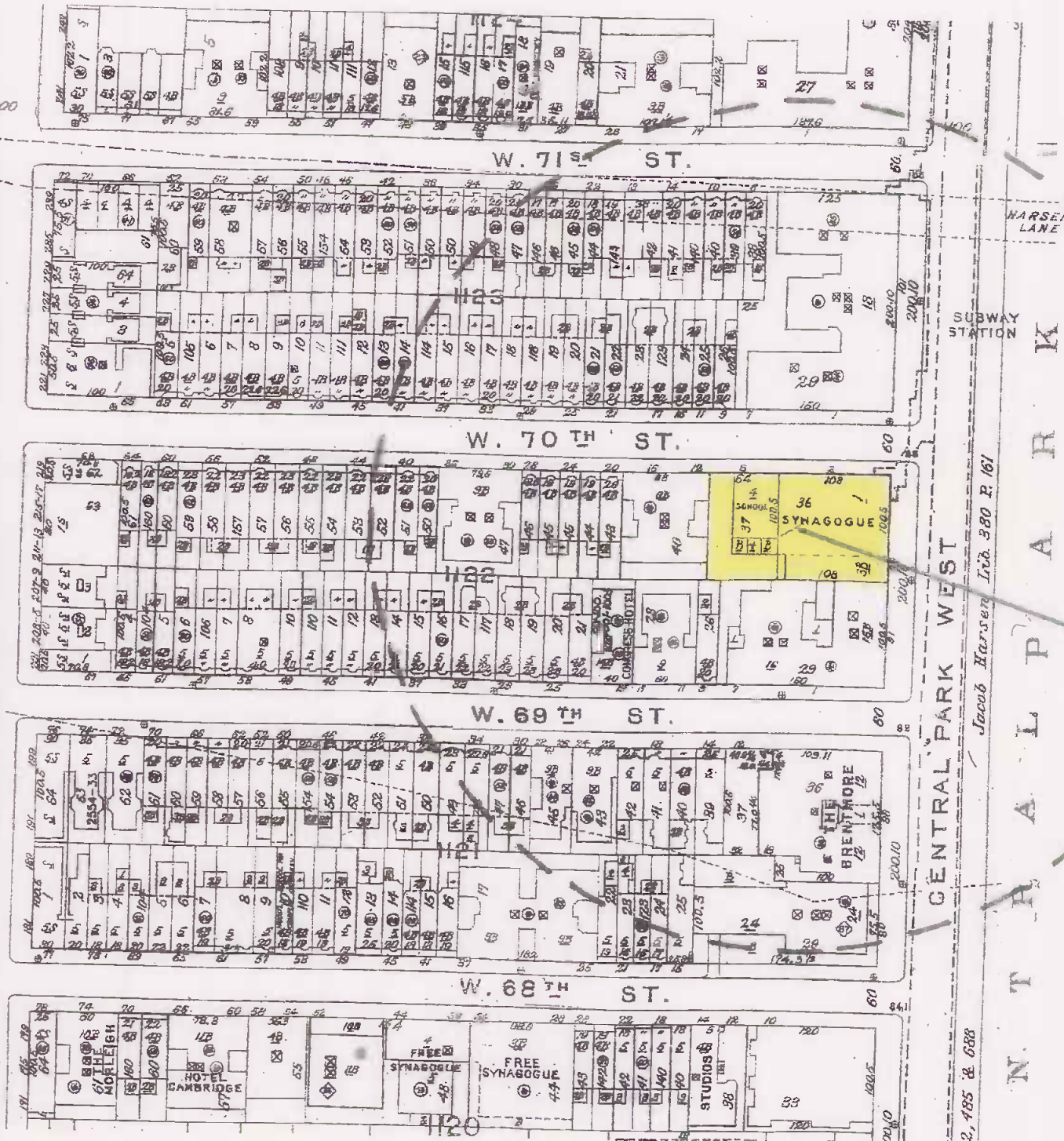
If yes, specify: _____

Number and size of tanks: _____

Last NYFD inspection date: _____

Location and depth of tanks: _____

COLUMBUS AVE.



Jacob Harsen Ltd. 380 P. 161

CENTRAL PARK WEST

C E N T R A L P A R K

2,485 & 688

0 400 FEET

SCALE

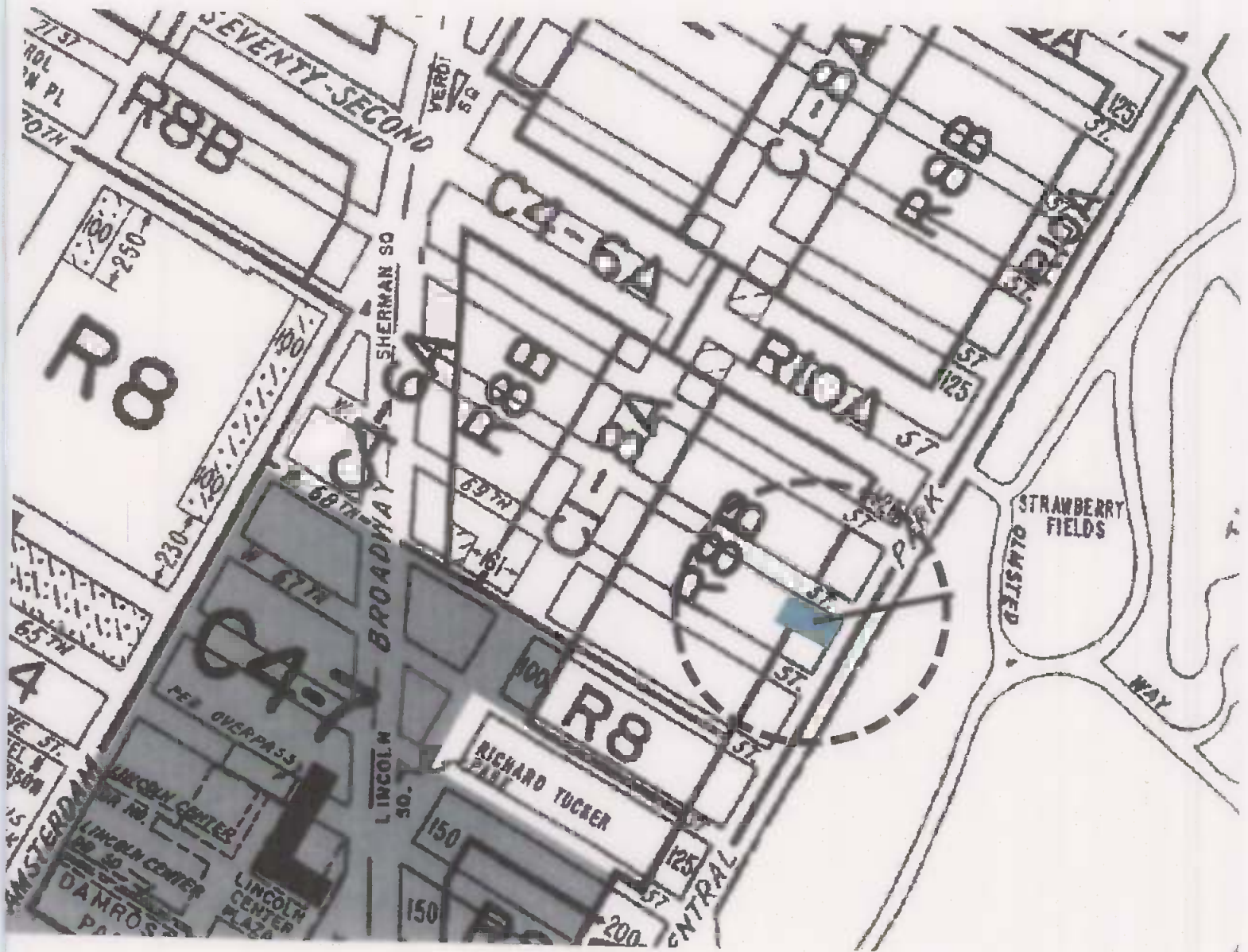


Project Site

400 Foot Perimeter

6-10 West 70th Street Congregation Shearith Israel

Sanborn Map
Figure 1



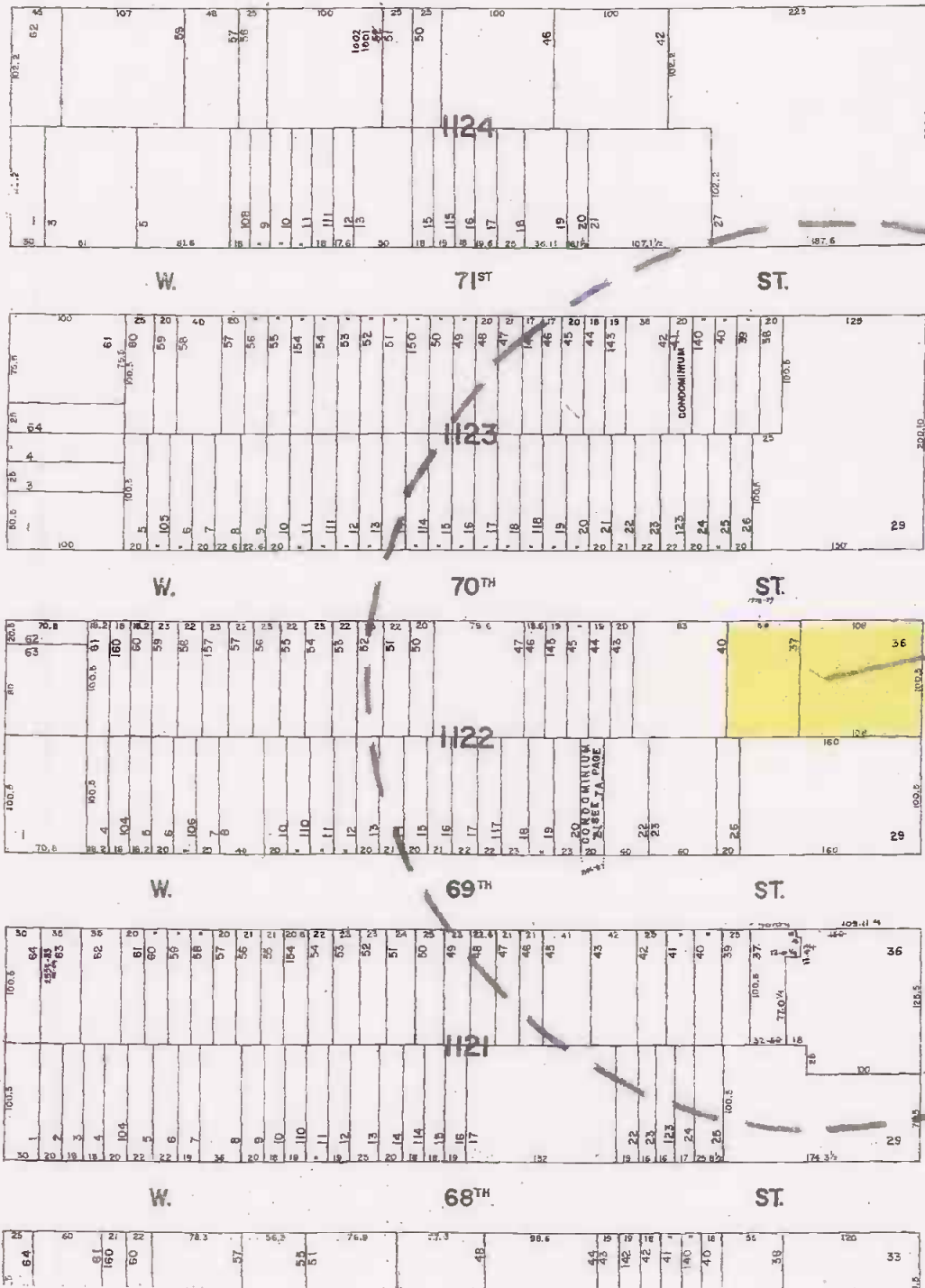
 Project Site
- - - - - 400 Foot Perimeter

0 400 FEET
SCALE



AVE

COLUMBUS



Block	Lot	Area
1001	1	100.0
1002	2	100.0
1003	3	100.0
1004	4	100.0
1005	5	100.0
1006	6	100.0
1007	7	100.0

WEST

CENTRAL PARK

K
R
A
P
L
A
R
T
H
C
O

0 400 FEET

SCALE



Project Site

400 Foot Perimeter

6. CURRENT USERSNo. of residents: N/ANo. and type of workers by businesses: 251 (community facility/community
No. and type of businesses: house for adjacent synagogue
No. and type of non-residents who are not workers: 165 (students)**7. HISTORIC RESOURCES (ARCHITECTURAL AND ARCHAEOLOGICAL RESOURCES)**

Answer the following two questions with regard to the directly affected area, lots abutting that area, lots along the same blockfront or directly across the street from the same blockfront, and, where the directly affected area includes a corner lot, lots which front on the same street intersection.

Do any of the areas listed above contain any improvement, interior landscape feature, aggregate of landscape features, or archaeological resource that:

- (a) has been designated (or is calendared for consideration as) a New York City Landmark, Interior Landmark or Scenic Landmark; **CSI Synagogue on lot 36** **Yes**
- (b) is within a designated New York City Historic District; **Upper West Side / Central Park West Historic District** **Yes**
- (c) has been listed on, or determined eligible for, the New York State or National Register of Historic Places; **No**
- (d) is within a New York State or National Register Historic District; or **No**
- (e) has been recommended by the New York State Board for listing on the New York State or National Register of Historic Places? **No**

Identify any resource:

Landmarks Preservation Commission files

Do any of the areas listed in the introductory paragraph above contain any historic or archaeological resource, other than those listed in response to the previous question? Identify any resource. **No**

SEE CEQR
TECHNICAL MANUAL
CHAPTER III K,
WATERFRONT
REVITALIZATION
PROGRAM**8. WATERFRONT REVITALIZATION PROGRAM**

Is any part of the directly affected area within the City's Waterfront Revitalization Program boundaries? ☐ Yes ☒ No
(A map of the boundaries can be obtained at the Department of City Planning bookstore.)

If yes, append a map showing the directly affected area as it relates to such boundaries. A map requested in other parts of this form may be used.

9. CONSTRUCTION

Will the action result in demolition of or significant physical alteration to any improvement? ☒ Yes ☐ No

If yes, describe briefly: **Demolition of existing Community House on Lot 37**

Will the action involve either above-ground construction resulting in any ground disturbance or in-ground construction? ☒ Yes ☐ No

If yes, describe briefly: **Excavation for new cellar & subcellar will be undertaken, as well as structural underpinning & reinforcing of the adjacent buildings' foundation: Synagogue's (lot 36) and 18 West 70th Street (lot 40).**

10. PROPOSED LAND USEResidential

Total no. of dwelling units 5 No. of low-to-moderate income units 0 Gross floor area (sq. ft.) 24,858.41 sq. ft
No. of stories floors 5-8 (plus PH) Describe type of residential structures:

Commercial

Retail: No. of bldgs N/A Gross floor area of each building (sq. ft.): _____

Office: No. of bldgs N/A Gross floor area of each building (sq. ft.): _____

Other: No. of bldgs N/A Gross floor area of each building (sq. ft.): _____
Specify type(s): _____

No. of stories and height of each building: _____

Manufacturing/Industrial N/A

No. of bldgs _____ Gross floor area of each building (sq. ft.): _____

No. of stories and height of each building: _____

Type of use(s): _____ Open storage area (sq. ft.) _____ If any unenclosed activities, specify: _____

Community facility

Type of community facility: **Community House for adjacent Synagogue**

No. of bldgs Part of 1 Gross floor area of each building (sq. ft.): 31,414.18 sq.ft

(Floors 1-4)
No. of stories and height of each building: _____

Vacant land

Is there any vacant land in the directly affected area? ☒ Yes ☐ No

If yes, describe briefly: **Approximately 50% of lot 37 is vacant.**

Project**Description**

THIS SUBPART SHOULD
GENERALLY BE
COMPLETED ONLY IF
YOUR ACTION
INCLUDES A SPECIFIC
OR KNOWN
DEVELOPMENT
AT PARTICULAR
LOCATIONS

Publicly accessible open space

Is there any existing publicly accessible open space in the directly affected area? ☐ Yes ☒ No
If yes, describe briefly:

Does the directly affected area include any mapped City, State, or Federal parkland? ☐ Yes ☒ No
If yes, describe briefly:

Does the directly affected area include any mapped or otherwise known wetland? ☐ Yes ☒ No
If yes, describe briefly:

Other land useGross floor area (sq. ft.) N/A

No. of stories _____ Type of use: _____

11. PROPOSED PARKINGGaragesNo. of public spaces: 83 (80 CPW)Operating hours: Mon.-Thurs.: 6:30 AM - 1 AM;
Fri. - Sun.: 24 hoursNo. of accessory spaces: 0
Attended or non-attended? N/ALotsNo. of public spaces: N/A

Operating hours: _____

No. of accessory spaces: _____
Attended or non-attended? _____

Other (including street parking) - please specify and provide same data as for lots and garages, as appropriate.
No. and location of proposed curb cuts: _____

12. PROPOSED STORAGE TANKSGas or service stations? ☐ Yes ☒ No

If yes, specify: _____

Size of tanks: _____

Oil storage facility? ☐ Yes ☐ No Other? ☐ Yes ☒ No

Location and depth of tanks: _____

13. PROPOSED USERSNo. of residents: 13 (5 units)No. and type of businesses: 1 (community facility/community house
for adjacent synagogue)No. and type of workers by businesses: 50No. and type of non-residents who are not workers: 165 (students)**14. HISTORIC RESOURCES (ARCHITECTURAL AND ARCHAEOLOGICAL RESOURCES)**

Will the action affect any architectural or archaeological resource identified in response to either of the two questions at number 7 in the Site Description section of the form? ☒ Yes ☐ No
If yes, describe briefly: _____

15. DIRECT DISPLACEMENT

Will the action directly displace specific business or affordable and/or low income residential units? ☐ Yes ☒ No
If yes, describe briefly: _____

16. COMMUNITY FACILITIES

Will the action directly eliminate, displace, or alter public or publicly funded community facilities such as educational facilities, libraries, hospitals and other health care facilities, day care centers, police stations, or fire stations? ☐ Yes ☒ No
If yes, describe briefly: _____

17. What is the zoning classification(s) of the directly affected area? **R8B/R10A (Upper West Side/
Central Park West Historic District)**

18. What is the maximum amount of floor area that can be developed in the directly affected area under the present zoning?
Describe in terms of bulk for each use. **R8B portion of Zoning Lot: 4,723.5 sq.ft. @ 4 FAR = 18,894 sq.ft.**
R10A portion of Zoning Lot: 12,562.5 sq. ft. @ 10 FAR = 125,625 sq.ft.
Max. on Zoning Lot: 17,286 sq.ft. @ 8.38 adj.max. FAR = 144,856.68 sq.ft.

19. What is the proposed zoning of the directly affected area?
No zoning change is proposed; the proposed action is a variance

20. What is the maximum amount of floor area that could be developed in the directly affected area under the proposed zoning?
Describe in terms of bulk for each use. **See above, #18**

21. What are the predominant land uses and zoning classifications within a 1/4 mile radius of the proposed action?

Predominant Land Use: UG 2 (Residential); UG 3A (School); UG 4A (Ambulatory diagnostic or treatment health care facilities, Houses of worship; UG 6A (restaurants, grocery stores etc.); UG 6B (offices); UG 6C (clothing stores)

Zoning classification: R8; R8B; R10A; C1-8A; C4-7; C4-6A

SEE CEQR
TECHNICAL MANUAL
CHAPTER III B.,
SOCIO-ECONOMIC
CONDITIONS

SEE CEQR
TECHNICAL MANUAL
CHAPTER III C.,
COMMUNITY FACILI-
TIES & SERVICES

Zoning Information

**Additional
Information**

22. Attach any additional information as may be needed to describe the action. If your action involves changes in regulatory controls that affect one or more sites not associated with a specific development, it is generally appropriate to include here one or more reasonable development scenarios for such sites and, to the extent possible, to provide information about such scenario(s) similar to that requested in the Project Description questions 9 through 16.

Analyses

23. Attach analyses for each of the impact categories listed below (or indicate where an impact category is not applicable): **see pages 6a-6**
- | | |
|--|---|
| a. LAND USE, ZONING, AND PUBLIC POLICY | See CEQR Technical Manual Chapter III.A. N/A |
| b. SOCIOECONOMIC CONDITIONS | See CEQR Technical Manual Chapter III.B. N/A |
| c. COMMUNITY FACILITIES AND SERVICES | See CEQR Technical Manual Chapter III.C. N/A |
| d. OPEN SPACE | See CEQR Technical Manual Chapter III.D. N/A |
| e. SHADOWS | See CEQR Technical Manual Chapter III.E. N/A |
| f. HISTORIC RESOURCES | See CEQR Technical Manual Chapter III.F. N/A |
| g. URBAN DESIGN/VISUAL RESOURCES | See CEQR Technical Manual Chapter III.G. N/A |
| h. NEIGHBORHOOD CHARACTER | See CEQR Technical Manual Chapter III.H. N/A |
| i. NATURAL RESOURCES | See CEQR Technical Manual Chapter III.I. N/A |
| j. HAZARDOUS MATERIALS | See CEQR Technical Manual Chapter III.J. N/A |
| k. WATERFRONT REVITALIZATION PROGRAM | See CEQR Technical Manual Chapter III.K. N/A |
| l. INFRASTRUCTURE | See CEQR Technical Manual Chapter III.L. N/A |
| m. SOLID WASTE AND SANITATION SERVICES | See CEQR Technical Manual Chapter III.M. N/A |
| n. ENERGY | See CEQR Technical Manual Chapter III.N. N/A |
| o. TRAFFIC AND PARKING | See CEQR Technical Manual Chapter III.O. N/A |
| p. TRANSIT AND PEDESTRIANS | See CEQR Technical Manual Chapter III.P. N/A |
| q. AIR QUALITY | See CEQR Technical Manual Chapter III.Q. N/A |
| r. NOISE | See CEQR Technical Manual Chapter III.R. N/A |
| s. CONSTRUCTION IMPACTS | See CEQR Technical Manual Chapter III.S. N/A |
| t. PUBLIC HEALTH | See CEQR Technical Manual Chapter III.T. N/A |

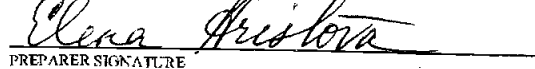
The CEQR Technical Manual sets forth methodologies developed by the City to be used in analyses prepared for the above-listed categories. Other methodologies developed or approved by the lead agency may also be utilized. If a different methodology is contemplated, it may be advisable to consult with the Mayor's Office of Environmental Coordination. You should also attach any other necessary analyses or information relevant to the determination whether the action may have a significant impact on the environment, including, where appropriate, information on combined or cumulative impacts, as might occur, for example, where actions are interdependent or occur within a discrete geographical area or time frame.

**Applicant
Certification****24. Elena Aristova**

PREPARER NAME

Paralegal

PREPARER TITLE



PREPARER SIGNATURE

March 30, 2007

DATE

Congregation Shearith Israel

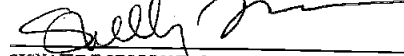
PRINCIPAL

Shelly S. Friedman, Esq.

NAME OF PRINCIPAL REPRESENTATIVE

Counsel

TITLE OF PRINCIPAL REPRESENTATIVE



SIGNATURE OF PRINCIPAL REPRESENTATIVE

March 30, 2007

DATE

NOTE: Any person who knowingly makes a false statement or who knowingly falsifies any statement on this form or allows any such statement to be falsified shall be guilty of an offense punishable by fine or imprisonment or both, pursuant to Section 10-154 of the New York City Administrative Code, and may be liable under applicable laws.

**Attachment to the
Environmental Assessment Statement
8-10 West 70th Street/99 Central Park West,
New York, New York**

Project Description

The applicant proposes to construct an 8-story (plus penthouse) mixed use building at 6-10 West 70th Street (Block 1122, Lot 37) in the Borough of Manhattan (the "New Building"). The New Building will replace the current 11,079- sf Community House, a support building connected to the adjacent Congregation Shearith Israel ("CSI") Synagogue (the "Synagogue") located on the southwest corner of Central Park West and West 70th Street (tax lot 36). Following demolition of the Site's existing Community House, the proposed New Building will include, in part, (1) a new "Community House" (being the two cellars and the first four floors of the New Building) providing offices and specialized rooms supporting religious, educational and cultural uses that are essential to CSI's mission; and (2) residential use at the fifth through eighth floor (plus penthouse) levels. The New Building's circulation system will then be linked to that of the adjacent CSI Synagogue building. The 42,989.39 sf New Building's development requires a variance from the Board of Standards and Appeals to waive the following sections of the Zoning Resolution of the City of New York ("ZR"): ZR 24/11/77-24 (lot coverage/R8B & R10A portion); ZR 24-36 (rear yard-interior lot/R8B & R10A portion); 23-633/77-28 (building and base height & setback/R8B portion); ZR 23-663 (maximum building height & rear setback/R8B portion); ZR 24-674 and ZR 23-711 (standard building separation requirements/R10A portion).

The proposed New Building Site, which has a 64-foot frontage on West 70th Street, and the landmarked CSI Synagogue to its east on lot 36 constitute a single Zoning Lot¹ and are located in the Upper West Side/Central Park West Historic District. The Zoning Lot is divided by zoning district boundaries: its eastern portion (12,562.5 sf, or 73%) is located within an R10A zoning district and the remainder of the Zoning Lot (4,723.5, or 27%) is located within an R8B zoning district. The Zoning Lot has a total square footage of 17,286 sf (Lot 36 contains 10,854 sf and is located entirely within an R10A-zoned portion of the Zoning Lot; Lot 37 contains 6,432 sf and is located partially within an R10A portion (1,708.5 sf) and partially within an R8B portion (4,723.5

¹ Applicant is the owner of both tax lots that constitute a single Zoning Lot: Lot 36 (99 Central Park West) and lot 37 (6-10 West 70th Street). The existing CSI Synagogue building on lot 36 will remain unchanged, therefore only the proposed New Building will be subject of present analysis.

sf) of the Zoning Lot). Lot 36, which is located on the southwest corner of West 70th Street and Central Park West, is developed with the CSI Synagogue building containing 27,759.20 zoning floor area ("zfa"). The Zoning Lot's adjusted maximum permitted FAR for both community facility and residential use is 8.38².

The proposed action will result in development at the Project Site of a mixed-use New Building containing 42,989.39 zfa: 19,922.45 zfa (31,414.18 gsf) of community facility use and 23,066.93 zfa (24,858.41 gsf) of residential use (5 units). The Zoning Lot will contain a total of 70,748.59 zfa on the Zoning Lot (4.09 FAR).

Absent the proposed action (i.e., the No Action condition), the applicant could develop a mixed-use building at the Project Site containing 17,869.98 zfa (29,351.70 gsf) of community facility use and 9,431.62 zfa (11,223.10 gsf) of residential use (2 units), or a total 55,060.80 zfa on the Zoning Lot (3.19 FAR). The difference between the Proposed Action and No Action condition amounts to (i) 2,052.48 sf of community facility use and 13,635.31 sf of residential (3 units) use.

Both Proposed and No Action scenarios' total Zoning Lot's FARs (4.09 and 3.19, respectively) are significantly lower than the adjusted maximum permitted FAR for the Zoning Lot (8.38).

TECHNICAL ANALYSIS

1) Land Use, Zoning and Public Policy

No significant adverse impacts related to Land Use, Zoning and Public Policy are anticipated. The area of the proposed action is located entirely within the UWS/CPW Historic District in an R8B/R10A zoning district: approximately 12,562.5 sf of the total lot area are located within the R10A district and the remaining 4,723.5 sf are located in the R8B district. Applicant's Zoning Lot is a 17,286-sf lot with a 172' frontage along West 70th Street (the northern lot line) and a 100.5' frontage along Central Park West (the eastern lot line). The surrounding area is characterized with a mix of pre-war apartment buildings, multi-family elevator and walk-up buildings ranging from 3 to 30 stories in height. A 16-story residential building is located at the Synagogue/Lot 37 southern lot line and an 18-story residential building is located directly to its north on Central Park West. The R8B zoned expanse along the north and south sides of East 70th Street is exclusively occupied by 4-story multi-family walk-ups, with the exception of two 9-story residential buildings, one adjacent to the New Building's western lot line and another located midblock on the south side of West 70th Street. The R10A zoned expanse along Columbus Avenue between East 70th and 71st Street includes several 5-story residential buildings with ground floor commercial use and one 1-story commercial building. The area surrounding the project site is zoned R10A to the south-east of the site; R8 - to

² Maximum permitted floor area ratio for both residential and community facility uses is 4 FAR for R8B districts and 10 FAR for R10A districts. 27% of the Zoning Lot is located within an R8B district, and the remaining 73% is located within an R10A district, thus permitting an adjusted maximum FAR of 8.38 on the Zoning Lot $((0.27 \times 4.00 = 1.08) + (0.73 \times 10.00 = 7.30) = 8.38)$.

the south and C4-7 beyond that and to its south-west; R8B to the west and C1-8A beyond that, and again R8B further west; C4-6A to north-west with R8B and C1-8A beyond that; and R8B followed by R10A and R8B again to its north.

The proposed action would result in development on the Zoning Lot of a New Building containing 23,066.93 sf of residential floor area (1.34 FAR) and 19,922.45 sf of community facility use floor area (1.15 FAR). The 42,989.39-sf (2.49 FAR) New Building is 10,910.77 sf less than a 53,900.16-sf building (8.38 FAR) that could be developed on a Zoning Lot divided by district boundaries. The applicant has worked extensively with the Landmarks Preservation Commission ("LPC") to ensure that the New Building is an appropriate addition to the UWS/CPW Historic District. Accordingly, the proposed action would result in no change of land use on the project site or surrounding area; is consistent with the existing zoning and would have no adverse impact related to the Land Use, Zoning and Public Policy.

2) Socioeconomic Conditions

The proposed action would result in a 56,272.59-gsf New Building with approximately 31,414.18 gsf of community facility use and 24,858.41 gsf of residential use. This proposal would not create substantial socioeconomic changes within the surrounding area. The action would not directly displace any businesses. There would be no displacement of any residents. The proposed action would result in a mixed-use building of less than 200,000 square feet, the *CEQR Technical Manual* threshold, therefore, it would not have significant adverse socioeconomic impacts and a detailed assessment is not necessary.

3) Community Facilities and Services

The proposed action would result in a 56,272.59-gsf New Building with approximately 31,414.18 gsf of community facility use and 24,858.41 gsf of residential use. The New Building includes replacement of the Synagogue's previously existing Community House (*i.e.* a community facility) within its new envelope. The proposed action would not displace or otherwise alter any additional community facilities and will result in only 5 new residential units on the site, therefore, it would not have significant adverse community facilities impact and, pursuant to the *CEQR Technical Manual*, a detailed assessment is not necessary.

4) Open Space

The proposed action does not displace or alter any public or private open space, nor is it adjacent to any public or private open space. The proposed action's population is fewer than 200 residents or 500 employees, the *CEQR Technical Manual* threshold. Therefore, pursuant to the *CEQR Technical Manual* the proposed action would not have any significant adverse open space impacts and a detailed assessment is not necessary.

5) Shadows

It is not anticipated that the proposed action would have any shadows impacts. This will be confirmed based on the results of the Shadows Study.

6) Historic Resources

Archaeological Resources

It is not expected that the action will result in an archaeological resources impact. On March 14, 2006, Landmarks Preservation Commission ("LPC") issued a Status Update Letter 06-6545 for the demolition of the existing Community House on lot 37 and construction of an eight-story (plus PH) community facility/residential building (attached).

Architectural Resources

It is not expected that the action will result in an architectural resources impact. On March 14, 2006, Landmarks Preservation Commission ("LPC") issued a Status Update Letter 06-6545 for the demolition of the existing Community House on lot 37 and construction of an eight-story (plus PH) community facility/residential building (attached).

7) Urban Design and Visual Resources

As indicated previously, the applicant has worked extensively with the LPC to ensure that the New Building is an appropriate addition to the UWS/CPW Historic District with respect to its height, bulk, form, setbacks, size, scale use or arrangements. The action will not result in a building substantially different from its surroundings in its height, bulk, form, setbacks, size, scale use or arrangements. It will not alter the street grid. The New Building will not block any views, natural resources, or landmark structures, therefore, pursuant to the *CEQR Technical Manual*, no detailed assessment of urban design and visual resources is necessary.

8) Neighborhood Character

The Site is located within an R8B/R10A zoning district and the area surrounding the Site is characterized by a mix of residential walk-up and elevator buildings within the R8-B zoned area ranging from 3 to 8 stories in height, while the R10-A zoned area is predominantly developed with high-rise buildings up to 30-story high with ground floor doctors' offices. Central Park is located directly east of the Zoning Lot. Therefore, pursuant to the *CEQR Technical Manual*, the proposed action would not have any significant neighborhood character impacts and a detailed assessment is not necessary.

9) Natural Resources

It is not anticipated that the proposed action would have any natural resources impacts. This will be confirmed based on the results of the Shadows Study.

10) Hazardous Materials

There are no existing or proposed storage tanks at the New Building site. Prior to its current use as a Community House for the adjacent Synagogue, lot 37 was developed with four rowhouses.

Neither uses are listed in *CEQR Technical Manual* Hazardous Materials Appendix 1, List of Facilities, Activities, or Conditions Requiring Assessment. Plans include the removal of a non-working storage tank located in a vault below the sidewalk. The tank will be closed and removed properly during the construction.

A review of information obtained from USEPA and NYSDEC indicated no reported incidents concerning hazardous materials or wastes, major spills, or existing landfills at the subject property. The site is not listed as a CERCLIS, NPL or NYSDEC Inactive Hazardous Waste Disposal site and did not appear within the NYSDEC Spills Report.

There are no elevated levels of hazardous materials present at the project site; the proposed action will not introduce new activities or processes using hazardous materials, therefore there will be no risk of increase of human or environmental exposure. Accordingly, pursuant to the *CEQR Technical Manual*, no further analysis is required.

11) Waterfront Revitalization Program

The area of proposed action is located outside of the coastal zone boundary.

12) Infrastructure

The proposed action would not result in an exceptionally large demand for water, nor is the Site located at the end of the water system. Therefore, pursuant to *CEQR Technical Manual*, no assessment of water supply is required.

13) Solid Waste and Sanitation Services

The proposed action would result in a New Building with approximately 31,414.18 gsf of community facility space with approximately 50 employees and 165 students, and 24,858.41 gsf of residential space with 13 residents. New residents would generate approximately 221 pounds of solid waste per week, while the solid waste generation by community facility use would be approximately 1,310 pounds per week. It is anticipated that waste generated by such uses (approximately 1,531 pounds per week, see Figure 4) would be collected and disposed of by the New York City Department of Sanitation. This represents less than 0.01 percent of the solid waste produced by City residents and would not affect the City's ability to provide these services. Therefore, the proposed action would have no significant adverse impacts on solid waste management and, pursuant to *CEQR Technical Manual*, no further analysis is necessary.

Figure 4**Solid Waste Generation**

Use	Rate (lbs per week) ³	Persons	Solid waste (lbs per week)
Residential, individual	17	13	221
Community Facility, employees	13	50	650
Community Facility, students (private school)	4	165	660
Total Solid waste generation			1,531

14) Energy

The proposed action would result in new construction; all new structures requiring heating and cooling are subject to the New York State Energy Conservative Code, which reflects State and City energy policy. Therefore, no adverse energy impacts will be created and, pursuant to *CEQR Technical Manual*, no detailed energy assessment is necessary.

15) Traffic and Parking

The proposed action would result in a mixed-use building containing approximately 24,858.41 gsf of residential use (5 units) and approximately 31,414.18 gsf of community facility use (a 20,335.28-gsf increase from the existing 11,078.90 gsf of community facility use at the existing Community House). This is less than 200 dwelling units or an increase of 25,000 gsf of community facility use, the *CEQR Technical Manual* threshold (See, *Table 30-1*). Therefore, no further analysis of traffic and parking is necessary.

16) Transit and Pedestrians

The proposed action would result in a mixed-use building containing approximately 24,858.41 gsf of residential use (5 units) and approximately 31,414.18 gsf of community facility use (a 20,335.28-gsf increase from the existing 11,078.90 gsf of community facility use at the Community House). This is less than 200 dwelling units or an increase of 25,000 gsf of community facility use, the *CEQR Technical Manual* threshold (See, *Table 30-1*). Therefore, pursuant to the *CEQR Technical Manual*, no further analysis of transit and pedestrians is necessary.

17) Air Quality

1. Mobile Sources. The New Building, which is zoned R8B/R10A, would potentially result in only a minimal number of new vehicle trips to the Site and will generate less than 100 trips in the peak hour, the *CEQR Technical Manual* threshold.

³ Rates taken from *CEQR Technical Manual, Table 3M-1*.

2. Stationary Sources. The boiler at the New Building Site will be fueled by natural gas. A screening analysis of a 56,272.59-gsf mixed-use building with an exhaust stack located approximately 108' above grade was conducted based on Figure 3Q-9 of the *CEQR Technical Manual* (See, Figure 5, attached). The proposed exhaust stack is anticipated to be located approximately in the center of the New Building's roof, or beyond 35 feet distance from the nearest building of similar or greater height, therefore the action will have no significant impacts and no further analysis is necessary.

Based upon visual inspection, there are no power generating stations, medical or chemical incinerators, or other significant stationary sources of emissions within a 1,500 foot radius.

A review of the statewide list of air quality permits maintained by the NYS/DEC and the EPA for facilities within a 1,500 foot radius of the project site was performed with the following results:

- there are no permits maintained by the NYSDEC Division of Air Resources for facilities within a 1,500 foot radius of the project site;
- EPA Facility Registry System includes the following:
 - (1) 22-24 WEST 69TH STREET CORP. (22-24 West 69th Street, "Facility 1") with environmental interest type "Not in a universe" and no compliance record available (last updated date 07/08/1999)
 - (2) CON ED - V5625 (West 69th Street and Central Park West, "Facility 2") with environmental interest type "Not in a universe"; "Hazardous waste biennial reporter" and no compliance record available (last updated date 02/26/1998)
 - (3) 80 CENTRAL PARK WEST APTS. (80 Central Park West, "Facility 3") with environmental interest type "Air Minor" and compliance status "In compliance with procedural requirements" (last updated date 05/31/2002)
 - (4) ABC TELEVISION NETWORK (47 West 66th Street, "Facility 4") with environmental interest type "Hazardous waste biennial reporter" and no compliance record available (last updated date 09/15/2000)
 - (5) FUJI FILM USA INC. (1 West 67th Street, "Facility 5") with environmental interest type "SQG"; and no compliance record available (last updated date 06/26/2002)
 - (6) THE DAKOTA (1 West 72nd Street, "Facility 6") with environmental interest type "CESQG" and no compliance record available (last updated date 04/06/2004)
 - (7) CON ED - V3141 (1 West 71th Street, "Facility 7") with environmental interest type "Not in a universe"; "Hazardous waste biennial reporter"; and no compliance record available (last updated date 01/01/2001)

- (8) CHANEL FRENCH DRY CLEANERS (219 Columbus Ave, "Facility 8") with environmental interest type "Air Minor"; classification code "Potential emissions below major source thresholds if complies with federal regulations limits; and compliance status "In violation with regard to both emissions and procedural compliance" (last update date 07/12/2005)
- (9) CONGREGATION SHEARITH ISRAEL (8 West 70th Street and Central Park West, "Facility 9") with environmental interest type "SQG"; " and no compliance record available (last updated date 04/03/2002).

A field visit on February 21, 2007 revealed that Facilities 1 through 5 located south of the Project Site, Facilities 6 and 7 located North of the Project Site and Facility 8 located west of the Project Site are separated from the Project Site by mixed use buildings located south, north and west of the Site, respectively; interviews with the CSI staff revealed that a small generator is located in the basement of CSI Synagogue at 2 West 70th Street/ 99 Central Park West (Facility 9), therefore these nine facilities will have no potential effect on the Project.

Accordingly, the review of the statewide lists of air quality permits maintained by the NYS/DEC and the EPA for facilities within a 1,500 foot radius indicates there are no facilities that could have a potential impact on the Project.

The action will not create new stationary sources.

3. Construction. The construction period is expected to be up approximately 18 months, therefore any potential impacts are temporary and, pursuant to the *CEQR Technical Manual*, no further analysis is necessary.

18) Noise

1. Mobile Sources

Vehicular Traffic Noise. The proposed action would potentially result in only a minimal number of new vehicle trips to the Site; it will not reroute vehicular traffic and would not have the potential for a significant noise impact from vehicular traffic. It is not and will not be located near a heavily trafficked thoroughfare. West 70th Street (eastbound) is a one way street.

Aircraft Noise. The proposed action will not be a receptor and will not be within one mile of an existing flight path. It will not cause aircraft to fly through existing or new flight paths over or within one mile of a receptor.

Train Noise. The proposed action will not be within 1,500 feet of existing rail activity, nor will it add rail activity to existing or new rail lines.

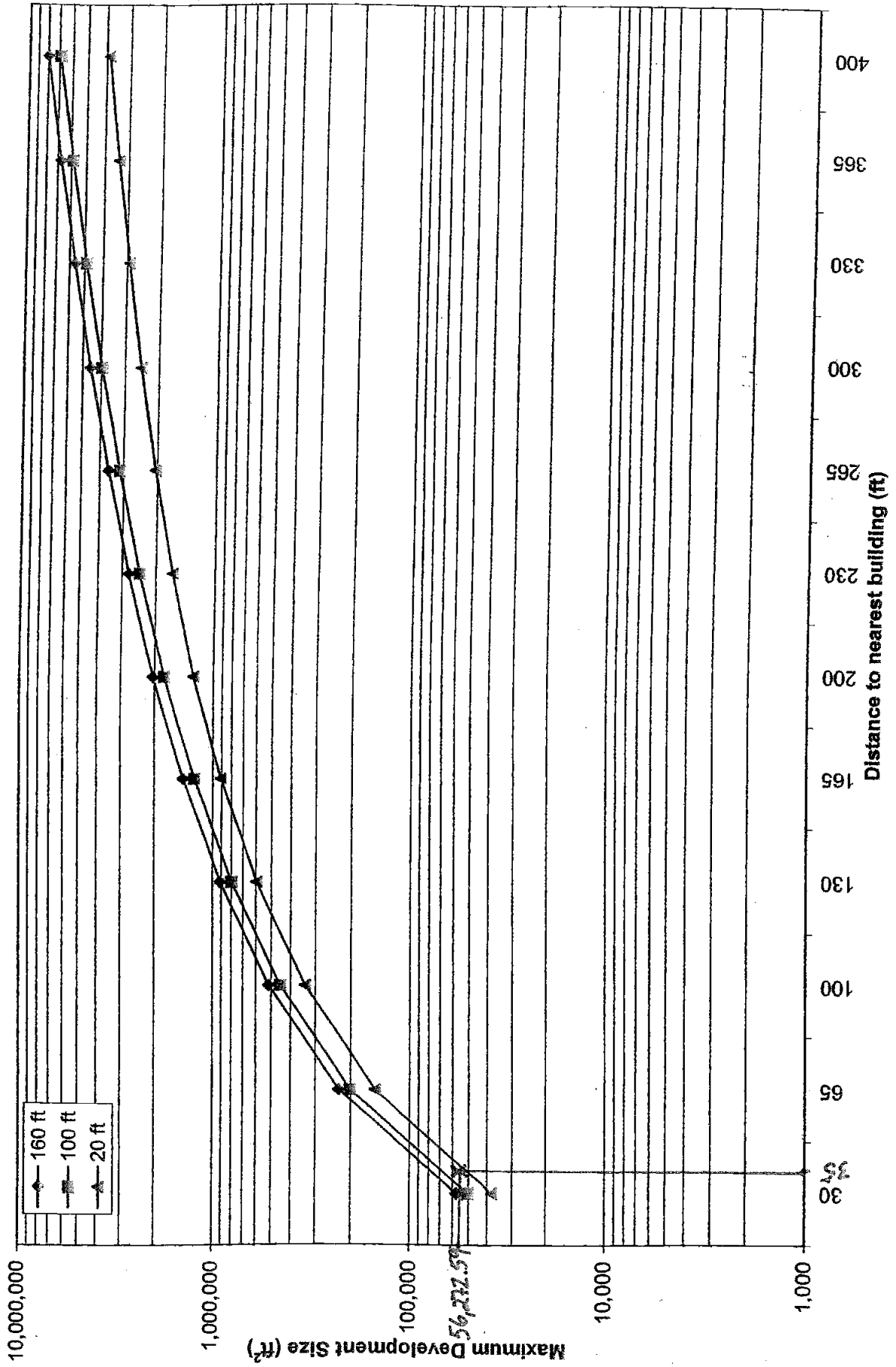
2. Stationary Sources. There are substantial stationary source noise generators within 1,500 feet of the proposed action. Total power of unenclosed mechanical equipment proposed on the roof of the New Building will 11.03 HP, which is less than 100 HP, the *CEQR Technical Manual* threshold. Therefore, pursuant to the *CEQR Technical Manual*, the proposed action would not result in significant adverse noise impacts and no further analysis is necessary.

19) Construction Impacts

The construction period is expected to be up to 18 months, therefore any potential impacts are temporary and, pursuant to the *CEQR Technical Manual*, no further analysis is necessary.

Figure 5

FIGURE 3Q-9
NO₂ BOILER SCREEN
RESIDENTIAL DEVELOPMENT - NATURAL GAS
8-10 West 70th Street



03/30/2007 15:02 212-669-7960

LPC

PAGE 01/01



THE NEW YORK CITY LANDMARKS PRESERVATION COMMISSION
1 CENTRE STREET 9TH FLOOR NORTH NEW YORK, NY 10007
TEL: 212 669-7700 FAX: 212 669-7780



March 14, 2006

ISSUED TO:

Dr. Alan Singer
Congregation Shearith Israel
8 West 70th Street
New York, NY 10023

Re: **STATUS UPDATE LETTER**
LPC - 032628
SUL 06-6545
8 WEST 70TH STREET
CONGREGATION SHEARITH ISRAEL SYNAGOGUE
INDIVIDUAL LANDMARK
Borough of Manhattan
Block/Lot: 1122 / 36

This letter is to inform you that at the Public Meeting of March 14, 2006, following the Public Hearing of November 26, 2002, and the Public Meetings of November 26, 2002, February 11, 2003, July 1, 2003, December 9, 2003, July 19, 2005, and January 17, 2006, the Landmarks Preservation Commission voted to approve a proposal to demolish the existing community house and construct a new 8-story-plus-penthouse building at the subject premises.

No work can begin until a Certificate of Appropriateness has been issued. Upon receipt, review and approval of a reduced set of the presentation materials, a CD-ROM of the presentation materials, and two signed and sealed sets of the Department of Buildings filing drawings showing the approved design, a Certificate of Appropriateness will be issued.

Please note that all drawings, including amendments which are to be filed at the Department of Buildings, must be approved by the Landmarks Preservation Commission. Thank you for your cooperation.

ORIGINAL

GENERATED COPY

Meisha Hunter

Please Note: THIS IS NOT A PERMIT

cc: C. Kane Levy; S. Friedman, Esq.; Platt Byard Dovell and White,
Architects

Impact Significance

PART III, ENVIRONMENTAL ASSESSMENT AND DETERMINATION TO BE COMPLETED BY THE LEAD AGENCY

The lead agency should complete this Part after Parts I and II have been completed. In completing this Part, the lead agency should consult 6 NYCRR 617.7, which contains the State Department of Environmental Conservation's criteria for determining significance.

The lead agency should ensure the creation of a record sufficient to support the determination in this Part. The record may be based upon analyses submitted by the applicant (if any) with Part II of the EAS. The CEQR Technical Manual sets forth methodologies developed by the City to be used in analyses prepared for the listed categories. Alternative or additional methodologies may be utilized by the lead agency.

1. For each of the impact categories listed below, consider whether the action may have a significant effect on the environment with respect to the impact category. If it may, answer yes.

LAND USE, ZONING, AND PUBLIC POLICY	_____
SOCIOECONOMIC CONDITIONS	_____
COMMUNITY FACILITIES AND SERVICES	_____
OPEN SPACE	_____
SHADOWS	_____
HISTORIC RESOURCES	_____
URBAN DESIGN/VISUAL RESOURCES	_____
NEIGHBORHOOD CHARACTER	_____
NATURAL RESOURCES	_____
HAZARDOUS MATERIALS	_____
WATERFRONT REVITALIZATION PROGRAM	_____
INFRASTRUCTURE	_____
SOLID WASTE AND SANITATION SERVICES	_____
ENERGY	_____
TRAFFIC AND PARKING	_____
TRANSIT AND PEDESTRIANS	_____
AIR QUALITY	_____
NOISE	_____
CONSTRUCTION IMPACTS	_____
PUBLIC HEALTH	_____
2. Are there any aspects of the action relevant to the determination whether the action may have a significant impact on the environment, such as combined or cumulative impacts, that were not fully covered by other responses and supporting materials? If there are such impacts, explain them and state where, as a result of them, the action may have a significant impact on the environment.
3. If the lead agency has determined in its answers to questions 1 and 2 of this Part that the action will have no significant impact on the environment, a negative declaration is appropriate. The lead agency may, in its discretion, further elaborate here upon the reasons for issuance of a negative declaration.
4. If the lead agency has determined in its answers to questions 1 and 2 of this part that the action may have a significant impact on the environment, a conditional negative declaration (CND) may be appropriate if there is a private applicant for the action and the action is not Type I. A CND is only appropriate when conditions imposed by the lead agency will modify the proposed action so that no significant adverse environmental impacts will result. If a CND is appropriate, the lead agency should describe here the conditions to the action that will be undertaken and how they will mitigate potential significant impacts.
5. If the lead agency has determined that the action may have a significant impact on the environment, and if a conditional negative declaration is not appropriate, then the lead agency should issue a positive declaration. Where appropriate, the lead agency may, in its discretion, further elaborate here upon the reasons for issuance of a positive declaration. In particular, if supporting materials do not make clear the basis for a positive declaration, the lead agency should describe briefly the impact(s) it has identified that may constitute a significant impact on the environment.

Lead Agency Certification

PREPARER NAME _____

NAME OF LEAD AGENCY REPRESENTATIVE _____

PREPARER TITLE _____

TITLE OF LEAD AGENCY REPRESENTATIVE _____

PREPARER SIGNATURE _____

SIGNATURE OF LEAD AGENCY REPRESENTATIVE _____

DATE _____

DATE _____

10/27/01
10/27/01
2011-2 12 8 53
10/27/01

ECONOMIC ANALYSIS REPORT

6-10 WEST 70TH STREET

NEW YORK, NEW YORK

Prepared For

Congregation Shearith Israel

March 28, 2007

Freeman/Frazier & Associates, Inc.
132 Nassau Street, Suite 1220
New York, New York 10038

1.00 Scope of Report

The purpose of this Report is to analyze the feasibility of two alternatives for the development of a site located at 6-10 West 70th Street, New York, New York. The alternatives considered include: 1) As of Right Residential/Community Facility (“As of Right Development”) and 2) The Proposed Residential/Community Facility Development (“Proposed Development”). The Proposed Development requires a variance from the Board of Standards and Appeals.

The report includes detailed financial Schedules that compare the ability of the As of Right and Proposed Development alternatives to provide an acceptable return on the investment required to facilitate development. A summary of the economic characteristics of the As of Right and Proposed alternatives, including projected cash flows and development costs may be found on Schedules A and B.

Recent, verifiable comparable vacant land sales were reviewed to establish the market in the vicinity of the subject property. A schedule of this review may be found as Schedule C.

Recent, verifiable residential condominium sales were reviewed to establish the potential space market in the vicinity of the subject property. A schedule of this review may be found as Schedules D. A schedule of projected sales values for the Proposed residential schemes is attached as Schedule D1 and D2.

Financial feasibility, the ability to provide the developer and investor, with the return of and a reasonable return on capital invested, was analyzed for each alternative using actual and estimated costs, for Acquisition, Hard and Soft Construction Costs and building operating expenses. These assumptions are detailed in subsequent sections of this Report.

1.10 Description of Property and Project Area

The subject property is located at 6-10 West 70th Street (Block 1122 Lot 37) at the southwest corner of Central Park West and 70th Street on Manhattan’s Upper Westside, and is part of Central Park West Historic District. Adjacent to the subject property is 99-100 Central Park West (lot 36) which has a synagogue designated a historic landmark in 1974 by New York City’s Landmark Commission. Currently, 6-10 West 70th Street has a four story community house with community facilities that is not included as part of the historic landmark designation. The community house has 64 feet of frontage on West 70th Street.

The building is located in Manhattan Community Board #7. Central Park West and the Park Blocks are composed of a mix of architecturally distinctive buildings including row houses, apartment houses, apartment hotels and institutional buildings including: museums, churches and synagogues, many of which have been designated as landmarks. The immediate vicinity of the site is mixed residential and commercial to the north and to the south.

The subject lot area is approximately 6,432 sq.ft. The site has a four-story community facility on the site.

Economic Analysis Report
 6-10 West 70th Street
 New York, New York
 March 28, 2007
 Page 2

1.20 Zoning Regulations

The present zoning for the property is R8B and R10A and the property is located in the Central Park West Historic District. The split lot zoning divides 73% of the property into the R8B zone, approximately 4,723.5 sq.ft., and 27% of the property into R10A, approximately 1,708.5 sq.ft.

The current Floor Area Ratio (F.A.R.) permitted by Zoning for the district R8B is 4.0 F.A.R., and the permitted F.A.R. for an R10A district is 10.0. The total adjusted maximum developable square footage, for Lot 37 only, is 37,889 sq.ft.

Under the Proposed Development, the residential floor area would be 23,067 sq.ft. and the community facility floor area would be 19,922 sq.ft. The combined total floor would be a zoning floor area of 42,989 sq.ft. The Proposed Development requires approval by the Board of Standards and Appeals.

1.30 Property Ownership

The Trustees of the Congregation Shearith Israel owns the subject property.

The property is currently assessed in the 2007/2008-tax year as follows:

	<u>Land</u>	<u>Total</u>
Target	\$2,002,500	\$2,322,000
Transitional	\$1,744,200	\$2,022,300

The property has an exempt value of \$2,322,000 because of its standing as a non-profit institution. However, without the exemption status, and at a Class 4 tax rate of 10.997%, taxes on the property are estimated at \$222,392/year as per the NYC Department of Finance website.

The applicant in this BSA case is Shelly Friedman of Friedman & Gottbaum on behalf of The Trustees of the Congregation Shearith Israel.

1.40 Development Alternatives

1.41 As of Right Residential/Community Facility Development

The As of Right Development would consist of new construction of six-story building on lot 37. The new development would consist of a new synagogue lobby on the ground floor, and community facilities on the second through fourth floors, with a gross floor area of 20,178 sq.ft. On the fifth and sixth floors there would be two condominium units for sale with a gross residential area of 7,596 sq.ft.

Economic Analysis Report
6-10 West 70th Street
New York, New York
March 28, 2007
Page 3

The gross built area of this alternative would be 27,774 sq.ft. not including the cellar. The zoning floor area for this alternative would be 27,774. The residential sellable area is 5,022 sq.ft.

This development program is referred to as the "As of Right Development".

1.42 Proposed Residential/Community Facility Development

The Proposed Development alternative would consist of new construction of an eight-story plus penthouse mixed use building on lot 37 with the synagogue remaining untouched on the ground floor. The new development consists of a new synagogue lobby on the ground floor, and community facility space on floors two through four with approximately 19,922 sq.ft. of gross area. Floors five through eight plus the penthouse would be five condominiums.

The residential portion of the development would be sold as condominium units, with one condominium per floor. There would be a total of 16,242 sellable square feet. The fifth, sixth, seventh, and eighth floors would have an average size of 3,565 sq.ft and would have four bedrooms and three and a half bathrooms. The penthouse apartment would have 1,984 sq.ft. of sellable area, and would have two bedrooms and two and a half bathrooms. The penthouse apartment would also have a 1,555 sq.ft. terrace with views to the north, south, and west.

The gross built area of this alternative would be 42,989 sq.ft. not including the cellar. The zoning floor area for this alternative would be 42,989 sq.ft.

This development program would require a variance from the Board of Standards and Appeals and is referred to as the "Proposed Development".

2.0 Methodology

2.10 Value of the Property As Is

In order to estimate the value of the land under consideration, recent sales prices for comparable vacant properties in similar R8B zones and in geographic proximity within Manhattan were reviewed. Four appropriate sales were identified. A site visit to each property was made and location, condition and sales price data were compared. A schedule of the comparable sales is attached as Schedule C.

Vacant land sale prices, adjusted for comparability ranged from \$453.09/sq.ft. of F.A.R. development area to \$565.62/sq.ft. with an average of \$500.31/sq.ft. For purposes of this analysis, a value of \$500/sq.ft., or slightly above the average, was used. The site area is approximately 6,427 sq.ft. with a potential residential zoning floor area of 37,889 sq.ft., therefore, the acquisition cost for Lot 37 for residential use is estimated at \$18,944,000.

Economic Analysis Report
6-10 West 70th Street
New York, New York
March 28, 2007
Page 4

3.0 Economic Assumptions

An economic analysis of the two development alternatives was undertaken. Schedule A of this Report identify and compare the ability of each alternative to provide acceptable income to justify the capital investments required.

3.10 Development Cost Assumptions

Development Costs consist of Acquisition Costs, as described in Section 2.00 above; Holding and Preparation Costs; Hard Construction Costs for specific improvements; and Soft Costs including construction loan interest, professional and other fees, property and other taxes and miscellaneous development related expenses incurred during the construction period.

Development related soft costs for the alternatives were estimated based on typical expenses incurred for similar types of development.

The architectural firms of Platt Byard Dovell White Architects LLP have provided plans. For each development alternative, a construction cost estimate has been provided by McQuilkin and Associates. Each estimate can be found in Exhibit A to this Report.

The estimated hard construction cost for the total development of the As of Right Development is \$3,603,000. The work includes residential core and shell, electrical, mechanical and elevator systems. Apartment interiors include kitchen appliances, bathrooms and high end finishes. No construction costs related to development of the community facilities have been included.

The estimated hard construction cost for the total development of Proposed Development is \$7,488,000. This work includes residential core and shell, electrical, mechanical and elevator systems. Apartment interiors include kitchen appliances, bathrooms and high-end finishes. No construction costs related to development of the community facilities have been included.

The cost estimates for each Development alternative were compared with costs for similar development projects and can be considered within the reasonable range for comparable construction and finishes for this type of project. Development related soft costs for the alternatives were estimated based on typical expenses incurred for similar types of development. Schedule B identifies the specific Hard and Soft Cost estimates utilized in this analysis for the each of the alternatives.

3.20 Financing Assumptions

Typically, construction loan interest rates may be assumed to be 1.0-2.0 percentage points above the Prime Rate. As of the Report's date, the Prime Rate was 8.25%, which cannot be reasonably assumed to remain in effect during the development's projected timeframe. Therefore, 9.50% was used as the construction loan rate for the analysis.

Economic Analysis Report
6-10 West 70th Street
New York, New York
March 28, 2007
Page 5

The As of Right and Proposed Development alternatives will be developed as for-sale Condominiums. Therefore, any long term financing will be the responsibility of individual Condominium Unit purchasers and no assumptions were made for this analysis.

3.30 Real Estate Tax Assumptions

Current taxes were assumed as a base for the construction and rent up periods for the as of right use alternative.

It is assumed that the As of Right and Proposed Developments would not be eligible for the 421-a Real Estate Tax Abatement Programs.

The As of Right and Proposed Developments under consideration will be developed as for-sale Condominiums. Therefore, any real estate taxes will be the responsibility of individual Condominium Unit purchasers and no assumptions were made for this analysis.

3.40 Expense Assumptions

As a residential condominium it is assumed that the tenant will pay all expenses.

3.60 Residential Condominium Sales

The upper Westside and residences along side Central Park are popular areas for historic homes as well as new condominium apartment development. Comparable condominium sales from the Upper Westside and Central Park West areas have been used, and appropriate adjustments made to account for their location and other pertinent factors. In estimating the potential sales prices for the As of Right and Proposed Developments, adjustments to observed sales prices were made for time of sale, building location and location of unit within the building, size and level of improvement. This information is provided in the attached Schedule D.

Based on a review of recent verifiable sales of comparable apartments in recently renovated or constructed buildings, apartments are selling in the range of \$2,456.90 to \$2,800.48/sq.ft., adjusting for location, size, floor and amenities. Pricing for each unit in the As of Right and Proposed Developments were estimated based on the adjusted comparable sales contained in Schedule D. The attached Schedule D1 and D2 identify these estimated sales prices.

4.00 Consideration

4.10 Property Acquisition

Based on our market review, the estimated price is within the observed market range, taking into account the special features and conditions regarding the subject property as noted in Section 2.10. Economic feasibility issues regarding the project are not, therefore, a result of the estimated value of the property.

Economic Analysis Report
6-10 West 70th Street
New York, New York
March 28, 2007
Page 6

4.20 Unique Site Conditions

Although the potential residential floor area is 37,417 sq.ft., the undersized site; the presence of the existing zoning district boundary and requirements to align its street wall and east elevation with the existing Synagogue; need to replace and enlarge the existing functions in the Community House; and need to address the Synagogue's circulation problems create practicable difficulties in being able to feasibly develop the New Building in a manner that would further CSI's religious, educational and cultural mission. These restrictions also prevent development of a valuable tower component of the building on the R10A portion of the site and limit the overall residential floor area possibilities.

4.30 As of Right Residential/Community Facility Development

As shown in the attached Schedule A1, the Feasibility Analysis estimated the project value to be the sum of residential condominium unit sales, less sales commissions. Consideration of the economic feasibility of condominium projects is typically based on the potential profit generated from the sale of apartment units and other sources, on an annualized basis. Profit is the amount available for distribution to investors after all project expenses incurred in the development and sale of units are deducted from gross revenues. "Annualized Return on Total Investment" is measured by dividing the estimated annualized project profit by the total investment in the project.

As shown in the attached Schedule A, the total investment, including estimated Property Value, base construction costs, soft costs and carrying costs during the sales period for the As of Right Development is estimated to be \$27,970,000.

The Feasibility Analysis estimated the net project value to be \$11,574,000. This amount is the sum of residential condominium unit sales, less sales commissions. As shown in Schedule A, the development of the as of right alternative would result in an annualized **capital loss of \$8,672,000.**

4.40 Proposed Residential/Community Facility Development

As shown in the attached Schedule A, the total investment, including estimated Property Value, base construction costs, soft costs and carrying costs during the sales period for the Proposed Development is estimated to be \$33,688,000.

The Feasibility Analysis estimated the net project value to be \$39,606,000. This amount is the sum of residential condominium unit sales, less sales commissions.

As shown in Schedule A, the annualized return on total investment for the Proposed Development is estimated to be 6.55% with a 28-month development and sales period.

Economic Analysis Report
6-10 West 70th Street
New York, New York
March 28, 2007
Page 7

5.00 Conclusion

The Proposed Development provides a 6.55% Annualized Return on Total Investment. This return is at the low end of the range that typical Investors would consider as an investment opportunity, taking into account the potential risks inherent in this type of development project, and few, if any, investment options. The returns provided by the Proposed Development alternative, in this case would, therefore, be considered acceptable for this project.

There is no Return on Investment provided by the As of Right Development.

6.00 Professional Qualifications

A statement of my professional qualifications is attached. Please note that I am independent of the subject property's owner and have no legal or financial interest in the subject property.

~~ECONOMIC ANALYSIS~~
~~10 WEST 70th STREET~~
~~NEW YORK, NY~~
~~MARCH 28, 2007~~
~~PAGE 8~~

SCHEDULE A1: ANALYSIS SUMMARY - CONDOMINIUM USE

	AS OF RIGHT DEVELOPMENT	PROPOSED DEVELOPMENT
BUILDING AREA (SQ.FT.)		
BUILT RESIDENTIAL AREA	7,596	23,067
SELLABLE AREA	5,022	16,242
CAPITAL INVESTMENT SUMMARY		
ACQUISITION COST	\$18,944,000	\$18,944,000
HOLDING & PREP. COSTS	\$0	\$0
BASE CONSTRUCTION COSTS	\$3,603,000	\$7,488,000
SOFT CONSTRUCTION COSTS	\$4,873,000	\$6,592,000
	\$27,420,000	\$33,024,000
PROJECT VALUE		
SALE OF UNITS	\$12,313,000	\$42,134,000
(less) SALES COMMISSIONS	6% (\$739,000)	(\$2,528,000)
CAPITALIZED VALUE OF COMMERCIAL SPACE	\$0	\$0
EST. NET PROJECT VALUE	\$11,574,000	\$39,606,000
PROJECT INVESTMENT		
ACQUISITION COST	\$18,944,000	\$18,944,000
HOLDING & PREP. COSTS	\$0	\$0
BASE CONSTRUCTION COSTS	\$3,603,000	\$7,488,000
SOFT CONSTRUCTION COSTS	\$4,873,000	\$6,592,000
CARRYING COSTS DURING SALES PERIOD	\$550,000	\$664,000
EST. TOTAL INVESTMENT	\$27,970,000	\$33,688,000
RETURN ON INVESTMENT		
ESTIMATED PROJECT VALUE	\$11,574,000	\$39,606,000
(less) EST. TOTAL INVESTMENT	(\$27,970,000)	(\$33,688,000)
(less) EST. TRANSACTION TAXES	(\$225,000)	(\$769,000)
EST. PROFIT (loss)	(\$16,621,000)	\$5,149,000
DEVELOPMENT/SALES PERIOD (MONTHS)	23	28
ANNUALIZED PROFIT (loss)	(\$8,672,000)	\$2,207,000
RETURN ON TOTAL INVESTMENT	0.00%	15.28%
ANNUALIZED RETURN ON TOTAL INVESTMENT	0.00%	6.55%

NOTE : ALL \$ FIGURES ROUNDED TO NEAREST THOUSAND

ECONOMIC ANALYSIS
 10 WEST 70TH STREET
 NEW YORK, NY
 MARCH 28, 2007
 PAGE 9

SCHEDULE B : DEVELOPMENT COSTS

		AS OF RIGHT DEVELOPMENT	PROPOSED DEVELOPMENT
DEVELOPMENT COST SUMMARY			
ACQUISITION COSTS		\$18,944,000	\$18,944,000
HOLDING & PREP. COSTS:		\$0	\$0
BASE CONSTRUCTION COSTS		\$3,603,000	\$7,488,000
TENANT FIT-OUT COSTS		\$0	0
EST.SOFT COSTS		\$4,873,000	\$6,592,000
EST. TOTAL DEV.COSTS		\$27,420,000	\$33,024,000
ACQUISITION COSTS :			
Land Purchase Price		\$18,944,000	\$18,944,000
TOTAL LAND VALUE		\$18,944,000	\$18,944,000
HOLDING & PREP. COSTS:		\$0	\$0
BASE CONSTRUCTION COSTS :		\$3,603,000	\$7,488,000
TENANT FIT-OUT COSTS		\$0	
EST.CONST.LOAN AMOUNT :		\$20,565,000	\$24,768,000
EST.CONST.PERIOD(MOS) :		20	24
EST. SOFT COSTS :			
Builder's Fee/Developer's Profit	3.00%	\$823,000	\$991,000
Archit. & Engin. Fees	8.00%	\$288,000	\$599,000
Bank Inspect.Engin.		\$12,000	\$34,000
Construction Management	5.00%	\$180,000	\$300,000
Inspections, Borings & Surveys			
Laboratory Fees	LS	\$5,000	\$5,000
Soil Investigation	LS	\$10,000	\$10,000
Preliminary Surveys	LS	\$5,000	\$5,000
Ongoing Surveys	LS	\$10,000	\$10,000
Environmental Surveys/Reports	LS	\$2,000	\$2,000
Controlled Inspection Fees	LS	\$45,000	\$45,000
Legal Fees			
Dev.Legal Fees		\$150,000	\$150,000
Con.Lender Legal		\$62,000	\$62,000
End Loan Legal		\$0	\$0
Permits & Approvals			
D.O.B. Fees	25.53%	\$117,000	\$145,000
Cond/Co-op Offering Plan		\$30,000	\$30,000
Other		\$40,000	\$40,000
Accounting Fees		\$5,000	\$5,000
Consultant Fees		\$0	\$0
Appraisal Fees		\$8,000	\$8,000
421-a Tax Exemption Fee	0.00%	\$0	\$0
421a Tax Certificates		NA	NA
Marketing/Pre-Opening Expenses			
Rental Commissions	25.00%	\$0	\$0
Sales Expenses & Advertising		\$198,000	\$198,000
Capitalized Start-up Costs		NA	\$0
Financing and Other Charges			
Con.Loan Int. @ Loan Rate =	9.50%	\$1,628,000	\$2,353,000
Rent-up Loan Int. @ Loan Rate =	7.00%	\$0	\$0
Con.Lender Fees	1.00%	\$206,000	\$248,000
End Loan Fee	1.00%	\$0	\$0
Construction Real Estate Tax		\$334,000	\$445,000
Rent-up Real Estate Tax		\$0	\$0
Title Insurance	0.33%	\$90,000	\$109,000
Mtge.Rec.Tax	2.75%	\$566,000	\$681,000
Construction Insurance	1.00%	\$54,000	\$112,000
Water and Sewer		\$5,000	\$5,000
Other		\$0	\$0
TOTAL EST.SOFT COSTS		\$4,873,000	\$6,592,000

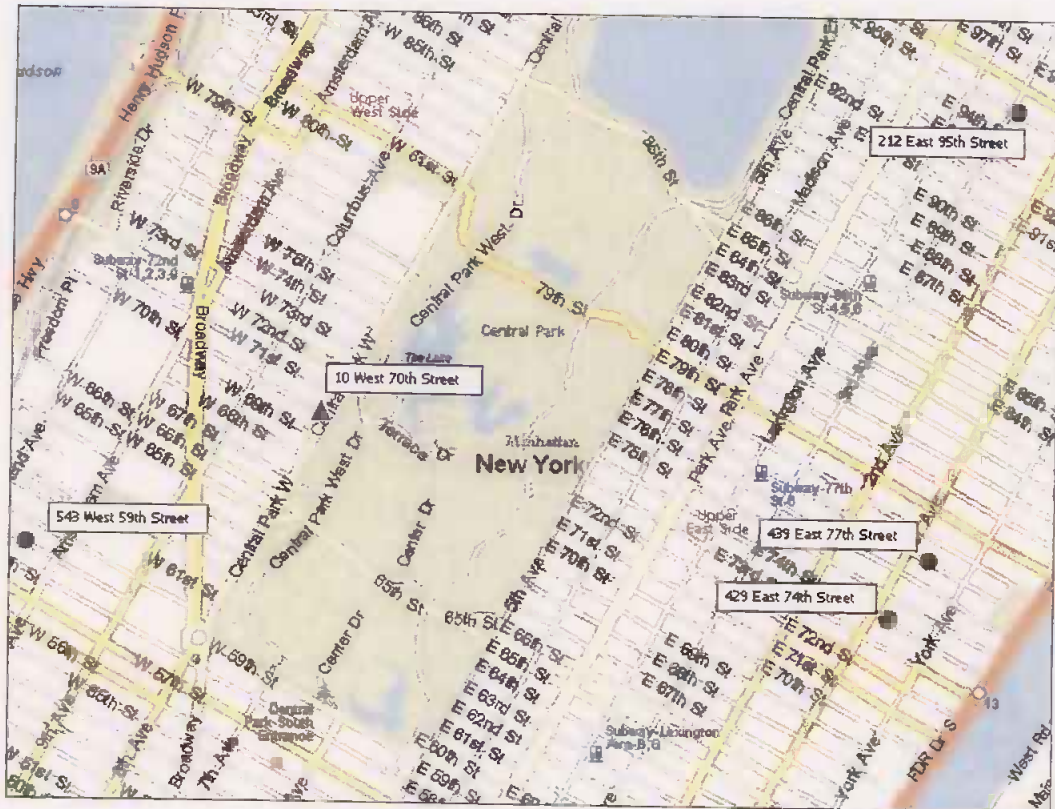
NOTE : ALL \$ FIGURES ROUNDED TO NEAREST THOUSAND

Schedule C: Comparable Vacant Property Sales

[illegible]

Economic Analysis Report
6-10 West 70th Street
New York, NY
March 28, 2007
Page 11

Schedule C: Comparable Vacant Property Sales



Economic Analysis Report
6-10 West 70th Street
New York, New York
March 28, 2007
Page 12

Schedule C: Comparable Vacant Property Sales

1. 543-547 West 59th Street

This 7,550 sq.ft. vacant lot is located between Tenth and Eleventh Avenues. The property resides in a C6-2 zoning district with an F.A.R. of 6.02, and has a buildable area of approximately 45,451. It is located one mile south of the subject property. A +20% adjustment was made for time, and +25% adjustment for the property's inferior location relative to the subject property. A +10% adjustment was made for the inferior zoning. No adjustments were made for size or other factors.

2. 429 East 74th Street

This is a 6,554 sq.ft. under-utilized lot on Manhattan's Upper East Side. It is approximately 2.5 miles east of the subject property, and is located on East 74th Street between York and First Avenues. A +10% adjustment was made for time, and a +10% adjustment was made for the inferior location. A +10% adjustment was made for the inferior zoning. No adjustments were made for size or other factors.

3. 439 East 77th Street

This is a 2,236 sq.ft. under utilized lot on Manhattan's Upper West Side. It is located on East 77th Street between York and First Avenues. It is approximately 2.5 miles east of the subject property. A +10% adjustment was made for time, and a +10% adjustment was made for the inferior location. A +10% adjustment was also made for the inferior zoning. No adjustments were made for size or other locations.

4. 212 East 95th Street

This is a 5,650 sq.ft. vacant lot located on East 95th Street between Second and Third Avenues on Manhattan's Upper East Side. It is located approximately 2.5 miles northeast of the subject property. A +8% adjustment was made for time, and a +25% adjustment was made for inferior location. An additional +10% adjustment was made for the inferior zoning. No adjustments were made for size or other factors.

Economic Analysis Report
6-10 West 70th Street
New York, New York
March 28, 2007
Page 13

Schedule C: Comparable Vacant Property Sales

1. 543-547 West 59th Street



2. 429 East 74th Street



3. 439 East 77th Street



Economic Analysis Report
6-10 West 70th Street
New York, New York
March 28, 2007
Page 14

Schedule C: Comparable Vacant Property Sales Continued

4. 212 East 95th Street



Schedule D: Comparable Condominium Sales

SALE LOCATION	DATE	PRICE	AREA	\$/SQ.FT.	TIME	LOCATION	SIZE	ZONING	OTHER	COMPOS FACTOR	ADJUSTED PRICE/S.F.
1. One Central Park West #51A New York, NY Blk 1113 Lot 1462	7/19/2006	\$13,050,000	5,046	\$2,586.21	1.00	0.95	1.00	1.00	1.00	0.95	\$2,456.90
2. 15 Central Park West #9G New York, NY Blk 1114 Lot 29	11/20/2006	\$6,450,000	2,237	\$2,883.33	1.00	0.95	1.00	1.00	0.95	0.90	\$2,602.20.
3. 111 West 67th Street #45D New York, NY Blk 1139 Lot 1403	8/9/2006	\$8,000,000	2,948	\$2,713.70	1.00	0.95	1.00	1.00	1.00	0.95	\$2,578.02
4. 15 Central Park West #29C New York, NY Blk 1114 Lot 29	11/14/2006	\$7,940,000	2,876	\$2,760.78	1.00	0.95	1.00	1.00	0.95	0.90	\$2,491.60
5. One Central Park West #37B New York, NY Blk 1113 Lot 1462	11/8/2006	\$4,250,000	1,599	\$2,657.91	1.00	0.95	1.10	1.00	0.95	0.99	\$2,638.64
6. 15 West 63rd Street #39A New York, NY Blk 1116 Lot 1738	4/21/2006	\$7,861,000	2,800	\$2,807.50	1.05	0.95	1.00	1.00	1.00	1.00	\$2,800.48
Average											\$2,594.64
Subject Property 10 West 70th Street New York, NY					1.00	1.00	1.00	1.00	1.00	1.00	\$2,600.00

Average \$2,594.64

Freeman/Frazier & Associates, Inc.
 Date : March 28, 2007
 Property : 10 West 70th Street
 Block, Lot : Blk 1122, Lot 37
 Total Land Area : 6,472 sq.ft.
 Zone : R8B & R10A
 Page 16

Schedule D1: As of Right Residential Condominium Pricing

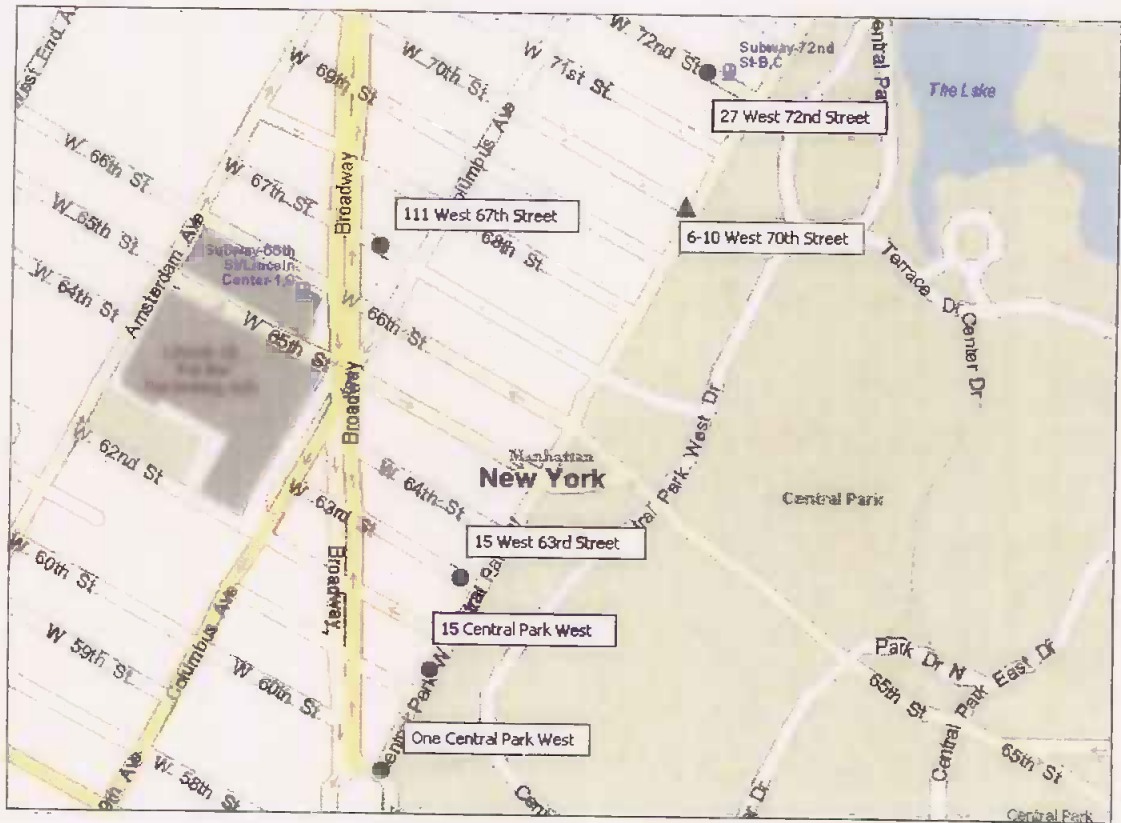
Floor	Area	Price	Price/SF	Outdoor Space
Five	2,815	\$6,333,750	\$2,250	0
Six	2,207	\$5,979,319	\$2,325	1459
Total	5,022	\$12,313,069	\$2,452	

Schedule D2: Proposed Residential Condominium Pricing

Floor	Area	Price	Price/SF	Outdoor Space
Five	3,418	\$7,861,400	\$2,300	0
Six	3,522	\$8,364,750	\$2,375	0
Seven	3,632	\$8,989,200	\$2,475	0
Eight	3,686	\$9,860,050	\$2,675	0
PH	1,984	\$7,058,931	\$2,975	1555
Total	16,242	\$42,134,331	\$2,594	

Economic Analysis Report
6-10 West 70th Street
New York, NY
March 28, 2007
Page 17

Schedule D: Comparable Condominium Sales



Economic Analysis Report
6-10 West 70th Street
New York, New York
March 28, 2007
Page 18

Schedule D: Comparable Condominium Sales

1. One Central Park West #51A

This is a 5,046 sq.ft. condominium with views of Central Park located on the north side of Columbus circle. It is located approximately nine blocks south of the subject property. A -5% adjustment was made for the superior location. No adjustments were made for time, size, zoning or other factors.

2. 15 Central Park West #9G

This is a 2,237 sq.ft. condominium designed by Robert Stern. It is located on Central Park West between West 61st and West 62nd Street in Manhattan's Upper West Side. It is located approximately eight blocks south of the subject property. A -5% adjustment was made for the superior location. No adjustments were made for time, size, zoning or other factors.

3. 111 West 67th Street #45D

This is a 2,948 sq.ft. condominium located on 67th Street between Columbus Avenue and Broadway on Manhattan's Upper West Side. It is located approximately four blocks away from the subject property. A -5% adjustment was made for the superior location. No adjustments were made for time, size, zoning or other factors.

4. 15 Central Park West #29C

This is a 2,876 sq.ft. condominium designed by Robert Stern with views of Central Park. It is located on Central Park West between West 61st and West 62nd Street in Manhattan's Upper West Side. It is located approximately eight blocks south of the subject property. A -5% adjustment was made for the superior location. No adjustments were made for time, size, zoning or other factors.

5. One Central Park West #37B

This is a 1,599 sq.ft. condominium with views of Central Park located on the north side of Columbus circle. It is located approximately nine blocks south of the subject property. A -5% adjustment was made for the superior location, and a +10% adjustment was made for the small size of the unit. No adjustments were made for time, zoning or other factors.

Economic Analysis Report
6-10 West 70th Street
New York, New York
March 28, 2007
Page 19

Schedule D: Comparable Condominium Sales Continued

6. 15 West 63rd Street #39A

This is a 2,800 sq.ft. condominium located on West 63rd Street between Central Park West and Columbus Avenue. Located on Manhattan's Upper West Side, it is approximately seven blocks south of the subject property. A +5% adjustment was made for time, and a --5% adjustment was made for the superior location relative to the subject property. No adjustments were made for size, zoning or other factors.

Economic Analysis Report
6-10 West 70th Street
New York, New York
March 28, 2007
Page 20

Schedule D: Comparable Condominiums

1. One Central Park West



2. 15 Central Park West



Economic Analysis Report
6-10 West 70th Street
New York, New York
March 28, 2007
Page 21

Schedule D: Comparable Condominiums Continued

3. 111 West 67th Street



4. 15 West 63rd Street



EXHIBIT A : CONSTRUCTION COST ESTIMATE

CONGREGATION SHEARITH ISRAEL

NEW YORK, N.Y.

AS OF RIGHT CONSTRUCTION COST ESTIMATE

March 7, 2007

McQuilkin Associates, Inc.
Construction Consultants

500 Morris Avenue
Springfield, NJ 07081
Tel 973-218-1600
Fax 973-218-1700

MC QUILKIN ASSOCIATES INC.					DATE:	3/7/07
PROJECT: CONGREGATION SHEARITH ISRAEL					REV:	
LOCATION: NEW YORK, NY						
CSI #	TRADE SUMMARY			SCHOOL	RESIDENTIAL	TOTAL AMOUNT
	AS OF RIGHT					
02050	BUILDING DEMOLITION			103,500	-	103,500
02060	SELECTIVE DEMOLITION			25,000		25,000
02080	ASBESTOS ABATEMENT			NIC	NIC	NIC
02500	PAVING & SURFACING			24,786	-	24,786
02900	EXCAVATION/FOUNDATION			1,967,652	24,000	1,991,652
03010	CONCRETE AND CEMENT WORK			2,325,900	1,023,040	3,348,940
04200	MASONRY			193,140	-	193,140
05500	MISCELLANEOUS METALS			95,950	36,500	132,450
06100	ROUGH CARPENTRY			43,500	16,200	59,700
06400	FINISH CARPENTRY			21,720	21,452	43,172
07530	ROOFING & FLASHING			-	152,880	152,880
07900	JOINT SEALERS			15,000	5,000	20,000
08100	HOLLOW METAL DOORS			19,930	5,890	25,820
08200	WOOD DOORS			13,500	7,250	20,750
08700	HARDWARE			32,800	5,700	38,500
08900	EXTERIOR FAÇADE			636,176	293,004	929,180
09250	GYPSUM WALLBOARD			295,356	139,228	434,584
09300	TILEWORK			136,946	12,492	149,438
09500	ACOUSTIC CEILING			120,876	1,316	122,192
09600	WOOD FLOORING			8,376	32,736	41,112
09680	CARPET & RESILIENT			38,392	764	39,156
09700	TERRAZZO			181,840	22,920	204,760
09900	PAINTING			81,224	21,260	102,483
10100	VISUAL DISPLAY BOARDS			9,750	-	9,750
10150	COMPARTMENTS & CUBICLES			21,200	-	21,200
10520	FIRE PROTECTION SPECIALTIES			7,200	-	7,200
10800	TOILET ACCESSORIES			21,800	2,600	24,400
11130	PROJECTION SCREENS			18,000	-	18,000
11400	APPLIANCES			5,000	10,000	15,000
14000	CONVEYING SYSTEM			150,000	260,000	410,000
15300	FIRE PROTECTION			175,164	67,584	242,748
15400	PLUMBING			365,940	167,238	533,177
15500	HVAC			1,592,400	430,080	2,022,480
16050	ELECTRICAL WORK			926,092	363,852	1,289,944
		SUBTOTAL		9,674,109	3,122,985	12,797,095
		GENERAL CONDITIONS	12%	1,160,893	374,758	1,535,651
		SUBTOTAL		10,835,002	3,497,743	14,332,746
		LIABILITY INSURANCE	3%	325,050	104,932	429,982
		TOTAL		11,160,052	3,602,676	14,762,728

CONGREGATION SHEARITH ISRAEL

NEW YORK, N.Y.

PROPOSED CONSTRUCTION COST ESTIMATE

March 7, 2007

McQuilkin Associates, Inc.
Construction Consultants

**500 Morris Avenue
Springfield, NJ 07081
Tel 973-218-1600
Fax 973-218-1700**

MC QUILKIN ASSOCIATES INC.					DATE:	3/7/07
PROJECT: CONGREGATION SHEARITH ISRAEL					REV:	
LOCATION: NEW YORK, NY						
CSI #	TRADE SUMMARY		SCHOOL	RESIDENTIAL	TOTAL AMOUNT	
	PROPOSED					
02050	BUILDING DEMOLITION		103,500	-	103,500	
02060	SELECTIVE DEMOLITION		25,000		25,000	
02080	ASBESTOS ABATEMENT		NIC	NIC	NIC	
02500	PAVING & SURFACING		24,786	-	24,786	
02900	EXCAVATION/FOUNDATION		1,967,652	56,000	2,023,652	
03010	CONCRETE AND CEMENT WORK		2,458,700	2,184,560	4,643,260	
04200	MASONRY		193,140	-	193,140	
05500	MISCELLANEOUS METALS		95,950	61,300	157,250	
06100	ROUGH CARPENTRY		43,500	47,200	90,700	
06400	FINISH CARPENTRY		21,720	33,400	55,120	
07530	ROOFING & FLASHING		-	166,680	166,680	
07900	JOINT SEALERS		15,000	10,000	25,000	
08100	HOLLOW METAL DOORS		19,930	17,680	37,610	
08200	WOOD DOORS		13,500	26,000	39,500	
08700	HARDWARE		32,800	17,600	50,400	
08900	EXTERIOR FAÇADE		654,326	737,084	1,391,410	
09250	GYP SUM WALLBOARD		303,236	359,208	662,444	
09300	TILEWORK		136,946	30,960	167,906	
09500	ACOUSTIC CEILING		134,316	4,004	138,320	
09600	WOOD FLOORING		8,376	97,258	105,634	
09680	CARPET & RESILIENT		42,352	2,102	44,454	
09700	TERRAZZO		181,840	22,920	204,760	
09900	PAINTING		82,169	56,934	139,103	
10100	VISUAL DISPLAY BOARDS		9,750	-	9,750	
10150	COMPARTMENTS & CUBICLES		21,200	-	21,200	
10520	FIRE PROTECTION SPECIALTIES		7,200	-	7,200	
10800	TOILET ACCESSORIES		21,800	6,500	28,300	
11130	PROJECTION SCREENS		18,000	-	18,000	
11400	APPLIANCES		5,000	25,000	30,000	
14000	CONVEYING SYSTEM		150,000	360,000	510,000	
15300	FIRE PROTECTION		185,724	144,551	330,275	
15400	PLUMBING		365,940	331,657	697,597	
15500	HVAC		1,688,400	919,870	2,608,270	
16050	ELECTRICAL WORK		981,772	772,178	1,753,950	
	SUBTOTAL		10,013,525	6,490,645	16,504,170	
	GENERAL CONDITIONS	12%	1,201,623	778,877	1,980,500	
	SUBTOTAL		11,215,147	7,269,523	18,484,670	
	LIABILITY INSURANCE	3%	336,454	218,086	554,540	
	TOTAL		11,551,602	7,487,608	19,039,210	

EXHIBIT B : PROFESSIONAL QUALIFICATIONS

RESUMÉ

JACK FREEMAN

Jack Freeman is principal of Freeman/Frazier & Associates, Inc. Mr. Freeman's professional background combines real estate finance, development planning, project management and public sector experience to provide comprehensive real estate advisory services to the benefits of his clients.

His development financing background includes several years experience as a Mortgage Officer for The New York City Community Preservation Corporation, responsible for construction and permanent loan origination. The Corporation is a consortium of the New York City Commercial Banks and Savings Institutions, established to provide mortgage financing for multifamily housing rehabilitation and economic development.

Public Sector experience includes the position of Director, New York City Department of City Planning, Zoning Study Group and Senior Staff positions in the Mayor's Office of Development, responsible for management of major commercial and residential projects in Lower Manhattan.

As developer, Mr. Freeman has been a principal and General Partner in the development of multifamily market rate and affordable housing projects, with a value in excess of \$17 million.

In 1993 Mr. Freeman was appointed, and served until 1996, as a Commissioner of the New York City Landmarks Preservation Commission. For three years, Mr. Freeman was a member of the New York State Council of Arts Capital Program Review Panel. He has been a recipient of a National Endowment for the Arts Grant for Architecture and a Progressive Architecture Award for Urban Design.

Mr. Freeman is a Licensed Real Estate Broker, a member of the Real Estate Board of New York, the Urban Land Institute and the American Planning Association. He teaches Real Estate Development as a member of Graduate Faculty of the City University of New York and has been a regular lecturer in Real Estate Finance at Princeton University.

Mr. Freeman holds a Masters Degree in City Planning from the City University of New York and a Bachelor of Architecture Degree from Cooper Union.

FREEMAN

FRAZIER

& ASSOCIATES, INC.



Central
Park West

RECEIVED
CITY OF NEW YORK
JUN 22 P 11:54
CL. NO.

SITE

99 Central Park West

6-10
West 70th St

West 70th Street

6-10 West 70th Street PHOTO 1

SITE

99 Central Park West

6-10 West 70th St

West 70th Street

6-10 West 70th Street PHOTO 1

Central
Park West

www.protectwest70.org

SITE

99 Central
Park West

6-10 West 70th St

West 70th Street

6-10 West 70th Street PHOTO 3

West 69th Street

www.protectwest70.org

**12-14 West 70th
Street**

S I T E



6-10 West 70th Street PHOTO

91 Central Park West

9 West 69th St.

www.protectwest70.org

11 West
69th St.

SITE



6-10 West 70th Street PHOTO

West 70th Street

www.protectwest70.org

SITE's
rear facade

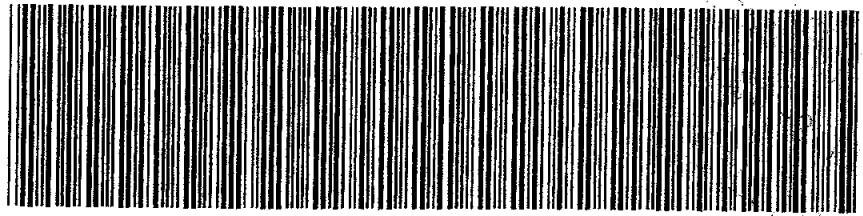
91 Central Park West

6-10 West 70th Street PHOTO 6



**NYC DEPARTMENT OF FINANCE
OFFICE OF THE CITY REGISTER**

This page is part of the instrument. The City Register will rely on the information provided by you on this page for purposes of indexing this instrument. The information on this page will control for indexing purposes in the event of any conflict with the rest of the document.


2005071301006001001EA493
RECORDING AND ENDORSEMENT COVER PAGE
PAGE 1 OF 7
Document ID: 2005071301006001
Document Date: 02-15-1895
Preparation Date: 07-13-2005
Document Type: CORRECT INDEX/DEED-OFFICE USE
Document Page Count: 5
PRESENTER:

NYC DEPT. OF FINANCE
66 JOHN ST.
RSANOGO
NEW YORK, NY 10038
212-361-7550

RETURN TO:

NYC DEPT. OF FINANCE
66 JOHN ST.
RSANOGO
NEW YORK, NY 10038
212-361-7550

PROPERTY DATA

Borough	Block	Lot	Unit	Address
MANHATTAN	1122	36	Entire Lot	99 CENTRAL PARK WEST
Property Type: OTHER				

CROSS REFERENCE DATA
MANHATTAN Year: 1895 Reel: 37 Page: 488
PARTIES
GRANTOR:

CHARLES F. HOFFMAN
CITY OF NEW YORK
NEW YORK, NY 99999

GRANTEE:

CONGREGATION SHEARITH ISRAEL
CITY OF NEW YORK
NEW YORK, NY 99999

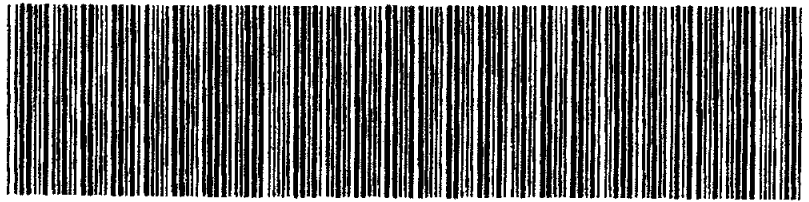
x Additional Parties Listed on Continuation Page

FEES AND TAXES

Mortgage			Recording Fee: \$	0.00
Mortgage Amount:	\$	0.00	Affidavit Fee: \$	0.00
Taxable Mortgage Amount:	\$	0.00	NYC Real Property Transfer Tax Filing Fee:	
Exemption:			\$	0.00
TAXES: County (Basic):	\$	0.00	NYS Real Estate Transfer Tax:	
City (Additional):	\$	0.00	\$	0.00
Spec (Additional):	\$	0.00		
TASF:	\$	0.00		
MTA:	\$	0.00		
NYCTA:	\$	0.00		
Additional MRT:	\$	0.00		
TOTAL:	\$	0.00		


**RECORDED OR FILED IN THE OFFICE
OF THE CITY REGISTER OF THE
CITY OF NEW YORK**
Recorded/Filed 07-26-2005 12:21
City Register File No. (CRFN):
2005000416667
City Register Official Signature

NYC DEPARTMENT OF FINANCE
OFFICE OF THE CITY REGISTER



2005071301006001001CA613

RECORDING AND ENDORSEMENT COVER PAGE (CONTINUATION) PAGE 2 OF 7

Document ID: 2005071301006001

Document Date: 02-15-1895

Preparation Date: 07-13-2005

Document Type: CORRECT INDEX/DEED-OFFICE USE

PARTIES

GRANTOR:

HOFFMAN L. ELEANOR

CITY OF NEW YORK

NEW YORK, NY 99999



**FINANCE
NEW • YORK**

THE CITY OF NEW YORK
DEPARTMENT OF FINANCE

To whom it may concern:

**This document is placed in the records to
correct the chain of title and index to reflect
the correct and present owner of this property.**

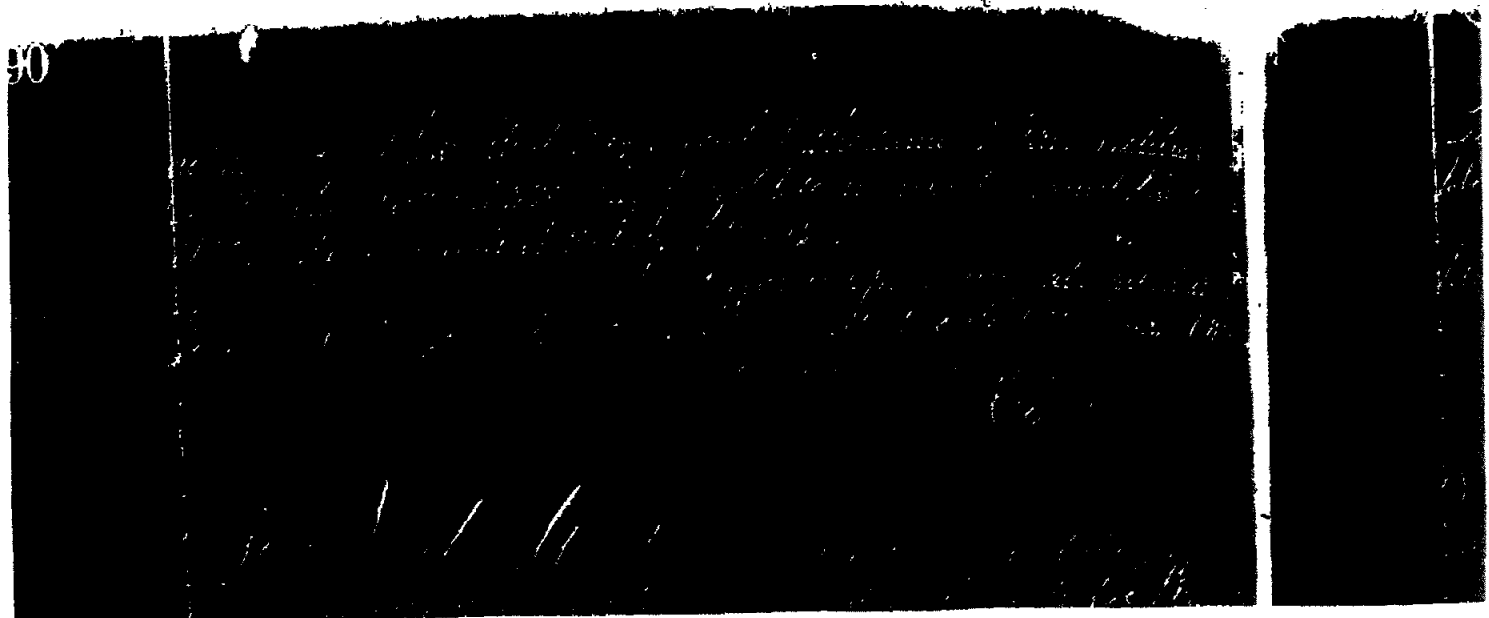
**Questions regarding this document should be
addressed to the City Register.**

performed before witnesses Thomas Philip Honey, Clerk of New York City,
John Hartman, on this fourteenth day of March in the year 1812
one thousand eight hundred and seventy-five before me personally
James Joseph T. Tied. to me personally known to be the real and
described in and who executed the within foregoing and he acknow-
ledged to me that he executed the same. Thomas Philip Honey, Clerk
of the City of New York. Noted to be in and at against the 14th day of the
Land and of the City of New York.

Recorded preceding August
At Merced Nov. 6 1895 at 2 o'clock & 30 min. P.M.

Edmund L. Register
D. 15 1895

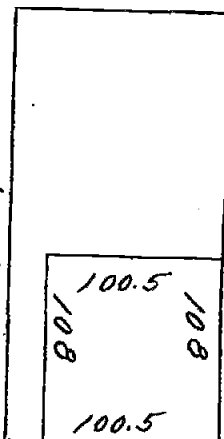
His Widowhood made the fifteenth day of February
in the year eighteen hundred and ninety for the second
time the name of Hoffman and Kellogg. Since Hoffman
his wife of the City of New York. During the long and painful
months of his long and painful illness of the City of New
York. Part of the second year. The cause of the death of the
children of the first part in consideration of the same.



REGISTER NEW YORK COUNTY
ABSTRACT INDEX

CONVEYANCES

Description



Central
Park
West
(8TH AVE.)

BLOCK

1

SECTION

INDEX LOT NO.

31

1622-16-12-2000

SERIAL NO.

GRANTEE

(NAME OF RECORD)

GRANTOR

(NAME OF RECORD)

DATE OF RECORD

Libar

Page

Estate

NOTES

EXD

TRANSFERRED

EXD

*Conveyance of Shear & Hoffmann Shear & Hoffmann
Shear & Hoffmann*

MAE

CON 4636 125 510

THIS INDENTURE,

made the 30 day of August
nineteen hundred and forty-nine, between

70TH ST. HOLDING CO., INC.,

a corporation organized under the laws of the State of New York, having its principal
place of business at 2 West 70th Street, Borough of Manhattan,
City of New York, State of New York,

and THE TRUSTEES OF THE CONGREGATION SHEARITH ISRAEL IN THE
CITY OF NEW YORK, a religious corporation, of 2 West 70th Street,
Borough of Manhattan, City and State of New York,

part y of the second part:

WITNESSETH, that the party of the first part, in consideration of
ONE (\$1.00) - - - - - dollars,
lawful money of the United States, and other good and valuable consideration, paid
by the part y of the second part, does hereby grant and release unto the part y of the second part,
its successors and assigns forever,

ALL that lot or parcel of land, with the buildings and improve-
ments thereon, in the Borough of Manhattan, City, County and State of
New York, bounded and described as follows:

BEGINNING at a point on the southerly side of Seventieth Street
distant one hundred and eight feet westerly from the corner formed by
the intersection of the southerly side of Seventieth Street and the
westerly side of Central Park West (formerly Eighth Avenue); running
thence southerly, parallel with said Central Park West, one hundred
feet five inches to the center line of the block; thence westerly
along said center line of the block, twenty-one feet; thence northerly
again parallel with said Central Park West, and part of the way through
a party wall, one hundred feet five inches to the southerly side of
Seventieth Street, and thence easterly along said southerly side of
Seventieth Street, twenty-one feet to the point or place of BEGINNING.

Said premises being known as and by the street number Six West
Seventieth Street.

SUBJECT to existing tenancies and occupancies, if any.

SUBJECT to restrictive covenants of record, if any.

65281

cow 4036 cat 511

together with the appurtenances and all the estate and rights of the party of the first part in and to said premises.

TO HAVE AND TO HOLD the premises herein granted unto the party of the second part, and assigns forever.
its successors

L4636 P511

CON 4635 PAGE 512

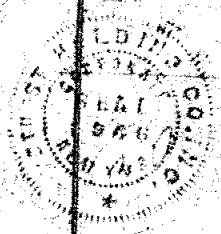
The party of the first part, in compliance with Section 13 of the Lien Law, covenants that it will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement and that it will apply the same first to the payment of the cost of the improvement before using any part of the total of the same for any other purpose.

IN WITNESS WHEREOF, the party of the first part has caused its corporate seal to be hereunto affixed and these presents to be signed by its duly authorized officer the day and year first above written.

70TH ST. HOLDING CO., INC.

By

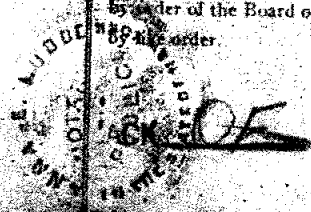
Ephraim Berliner
Vice President.



STATE OF NEW YORK
COUNTY OF NEW YORK

On the day 30 of Aug, one thousand nine hundred and forty-nine before me came EPHRAIM BERLINER to me known, who, being by me duly sworn, did depose and say that he resides at No. 365 West End Avenue in Boro. of Man.; City of New York; that he is the Vice Pres. of 70TH ST. HOLDING CO., INC., the corporation described in and which executed the foregoing instrument; that he knows the seal of said corporation; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the Board of Directors of said corporation, and that he signed his name thereto.

Anna E. Kish
Notary Public in the State of New York
E. J. Kish, Jr., County Clerk
222-L-0
N.Y. Code of Civil Procedure, § 250-1-0
Ephraim Berliner, Vice President
Commission Expires March 30, 1950



No. 310

C 5281

70TH ST. HOLDING CO. INC.

ENCLOSURE 31 AT 10:57 TO

THE TRUSTEES OF THE
CONGREGATION SHEARITH ISRAEL
IN THE CITY OF NEW YORK

MAN

DEED

THE LAND AFFECTED BY THE WITHIN
INSTRUMENT LIES IN BLOCK 1122
IN SECTION 4 ON THE LAND MAP
OF THE COUNTY OF New York

TRUST GUARANTEE AND TRUST COMPANY

OFFICES:

175 BROADWAY, MANHATTAN
175 BROAD STREET, BRONX
160-28 JAMES AVENUE, BAY RICHARD
6 EAST 57th STREET, MANHATTAN
270 EAST 167th STREET, BRONX
BANK OF AMERICA BUILDING, NEW YORK
MINNEAPOLIS, MINN.
WANTON LANE, N. Y.
BROADWAY, LONG ISLAND

RE: R. SCHLESINGER & BERLINER
30 Broad St., N.Y.C.

RESERVE THIS SPACE
FOR USE OF RECORDING OFFICE

BLOCK VER.
LOT

ESTIMATED BY PAID TICKLER
INDEXED ASSISTED BY CLERK
PROOF-RECEIVED VERIFIED

Recorded in the Office of the Register of the City of New York,
in the County of New York, on...
at 12:52 P.M., in Lib. 1621, Page 510
Conveyances and Indexed under Block Number 1122
On the "Land Map of the County of New York"
Witness my hand
and Official Seal

Lewis Orger

COMPARED
REGISTER

L 4636 P 514

CON 4636 PAGE 514

65282

THIS INDENTURE, made the 30 day of August
nineteen hundred and forty-nine, between

70TH ST. HOLDING CO. INC.,

a corporation organized under the laws of the State of New York, having its principal place of business at 2 West 70th Street, Borough of Manhattan, City and State of New York,

and THE TRUSTEES OF THE CONGREGATION SHEARITH ISRAEL IN THE CITY OF NEW YORK, a religious corporation, of 2 West 70th Street, Borough of Manhattan, City and State of New York,

part y of the second part:

WITNESSETH, that the party of the first part, in consideration of ONE (\$1.00) - - - - - dollar lawful money of the United States, and other good and valuable consideration paid by the part y of the second part, does hereby grant and release unto the part y of the second part, its successors and assigns forever,

ALL that lot of land with the buildings thereon in the Borough of Manhattan, City, County and State of New York, bounded and described as follows:

BEGINNING at a point in the southerly side of 70th Street, distant 129 feet westerly from the corner formed by the intersection of the southerly side of 70th Street and the westerly side of Central Park West; thence southerly parallel with Central Park West and part of the way through a party wall 105 inches to the middle line of the block; thence westerly along the said line 21 feet; thence northerly parallel with Central Park West 105 inches to the southerly side of 70th St. and thence easterly along the southerly side of 70th Street 21 feet to the point or place of BEGINNING.

Said premises now being known as and by the street No. 8 West 70th Street.

SUBJECT to existing tenancies and occupancies, if any.

SUBJECT to restrictive covenants of record, if any.

4635 515

together with the appurtenances and all the estate and rights of the party of the first part in and to said premises.

TO HAVE AND TO HOLD the premises herein granted unto the part y of the second part,
its successors and assigns forever.

144-36-2516
1635-516

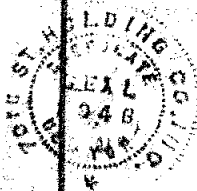
The party of the first part, in compliance with Section 13 of the Lien Law, covenants that it will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement and that it will apply the same first to the payment of the cost of the improvement before using any part of the total of the same for any other purpose.

IN WITNESS WHEREOF, the party of the first part has caused its corporate seal to be hereunto affixed and these presents to be signed by its duly authorized officer the day and year first above written.

70TH ST. HOLDING CO. INC.

By

Ephraim Berliner
Vice President.



STATE OF NEW YORK
COUNTY OF NEW YORK

On the day 20 of Aug one thousand nine hundred and forty-nine, before me came EPHRAIM BERLINER, to me known, who, being by me duly sworn, did depose and say that he resides at No. 365 West End Avenue, in Boro. of Manhattan, City of New York, that he is the Vice Pres. of 70TH ST. HOLDING CO. INC., the corporation described in and which executed the foregoing instrument; that he knows the seal of said corporation; that the seal affixed to said instrument is such corporate seal; that it was so affixed in order of the Board of Directors of said corporation, and that he signed his name thereto by his order.



Anna K. [illegible]
Notary Public, State of New York
Exp. [illegible]
Commission Expires March 20, 1940

ACK OF

L 4636 517

4636 517

No. 310 C 5282

70TH ST. HOLDING CO., INC.

1710 AUG 31 AM 10:57

TO

THE TRUSTEES OF THE
CONGREGATION SHEARITH ISRAEL
IN THE CITY OF NEW YORK

DEED

THE LAND AFFECTED BY THE WITHIN
INSTRUMENT LIES IN BLOCK 1122
IN SECTION 4 ON THE LAND MAP
OF THE COUNTY OF NEW YORK

THE GUARANTEE AND TRUST COMPANY

OFFICES:
125 BROADWAY, MANHATTAN
171 KENNEDY STREET, BROOKLYN
100-11 JARVIS AVENUE, JAMAICA
20 EAST 44TH STREET, MANHATTAN
270 EAST 190TH STREET, BRONX
RIVER ST. & 125TH STREET, CITY
WILSON ST. & LONG ISLAND
RAVENSCLIFF, NEW YORK

MR. C. J. ...

RESERVE THIS SPACE
FOR USE OF RECORDING OFFICE

BLOCK VER. 36

ESTIMATED	FEE PAID	TAXES
INDEXED	ASST'D	INDEXED
RECORDED & VERIFIED		

Recorded in the Office of the Register of the City of New York
in the County of New York, on Aug. 31 1949
at 10:57 A.M., in Lib. 44:722 Page 514 of
Conveyances and Indexed under Block Number 1122
On the "Land Map of the County of New York".
Witness my hand
and Official Seal

LIB. 44:722
PAGE 514
REGISTER



CITY OF NEW YORK
BOARD OF STANDARDS AND APPEALS
40 Rector Street, 9th Floor
New York, New York 10006-1705
Phone: (212) 788-8500
Fax: (212) 788-8769

RECEIVED
CITY CLERK
2007-2 P 8:55

AFFIDAVIT OF OWNERSHIP

State of New York
City of New York
County of New York

} ss.:

DAVID J. NATHAN, being duly sworn, deposes and says that (s)he
resides at 215 W. 92ND ST. in the City of
New York, in the County of New York, in the State of
New York; that Congregation Shearith Israel is the owner in fee
of all that certain lot, piece or parcel of land located in the Borough of Manhattan
in the City of New York and known and designated as Block 1122, Lot(s) 36 and 37
Street and House Number 99-100 Central Park West and 6-10 West 70th Street; that (s)he
hereby authorizes Friedman & Gotbaum, LLP to make the annexed application
in her/his behalf; and that the statements of fact contained in said application are true.

Signature of Owner

David J. Nathan

Print Name

DAVID J. NATHAN

Print Title

VICE PRESIDENT, CONGREGATION
(State if Partner, or give Title if Office of Corporation)

SHEARITH
ISRAEL

Sworn to before me this 30th day

of March 2007

Anastasia M. Tsongas

(Notary Public)
ANASTASIA M. TSONGAS
Notary Public, State of New York
No. 01TS6059341
Qualified in Queens County
Commission Expires Sept. 3, 2007

Sent By: CONG SHEARITH ISRAEL

2127246165;

Aug-30-04 8:22PM;

Page 2/4

ST-119.1 (4/71)

State of New York - Department of Taxation and Finance - Sales Tax Bureau
 - New York State and Local Sales and Use Tax

EXEMPT ORGANIZATION CERTIFICATION

VENDOR		EXEMPT ORGANIZATION	
		NAME	Trustees of the Congregation
		AND	Shearith Israel in the City of N.Y.
			also known as the Spanish and
			Portuguese Synagogue
		ADDRESS	8 West 70th Street
			New York, N.Y. 10023

THIS CERTIFICATION IS ACCEPTABLE IF
 THE PURCHASER HAS ENTERED ALL IN-
 FORMATION REQUIRED.

CERTIFICATE NUMBER

EX- 106776

THE UNDERSIGNED HEREBY CERTIFIES THAT THE ORGANIZATION NAMED ABOVE HAS RECEIVED AN EXEMPT
 ORGANIZATION CERTIFICATE AND IS EXEMPT FROM STATE AND LOCAL TAXES ON ALL ITS PURCHASES.

SIGNATURE OF OFFICER

TITLE

DATE

INSTRUCTIONS FOR USE OF CERTIFICATION

An Exempt Organization Certification (ST-119.1) must be presented to your vendor at the time the original purchase is made. For subsequent purchases from the same vendor, the exempt organization's name, address and certificate number on the sales slip or billing invoice are sufficient.

Exempt Organization Certifications should be retained by vendors for at least three years after the last date property or services were sold to the organization tax-free. The certification shall be considered part of any order given to the vendor and shall remain in force until revoked.

A supply of ST-119.1 may be obtained at any State District Tax Office or from the main office of the Sales Tax Bureau, State Campus, Albany, New York 12226. Private reproduction of ST-119.1 may be made without prior permission from the Sales Tax Bureau.