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June 20, 2007

Jeff Mulligan
Executive Director
NYC Board of Standards and Appeals
40 Rector Street - 9th Floor
New York, New York 10006

Re: BSA 74-07-BZ
Congregation Shearith Israel
6-10 West 70th Street/99 Central Park West
Block 1122 Lots 36. 37 - Manhattan

Dear Mr. Mulligan:

We have obtained a copy of BSA's June 15, 2007, Notice of Objections as to Congregation Shearith Israel's April 2, 2007 application to the BSA.

As you are aware, we have also been reviewing the application package and have some 63 supplemental comments based upon the BSA objections and our own review and analysis. It would be appropriate for us to provide these comments at this time.

There may be some duplication, but, we think it better to provide these immediately in order to be fair to CSI and so as to not create unneeded delay, should these objections be deemed to be significant either by BSA or CSI.

We have taken the BSA objections and the 63 Community objections and interpolated them into the April 2, 2007 CSI statement. This provides a useful document to understand the context of each objection. This resulting document is lengthy, and, for that reason, we are providing that to the BSA in electronic form by emailing it to Jed Weiss, at the address you provided in your letter: jweiss@dcas.nyc.gov. This version, with objections interpolated into the original CSI application statement, may be downloaded at http://www.protectwest70.org/2007-docs/2007-06-20-Community_Objections_To_CSI_Application_With_CSI_Statement.pdf.

Our comments make reference to other documents, including plans submitted by CSI to the LPC. It appears that there are significant dissimilarities from the plans submitted to BSA, including references to bedrooms in the parsonage, reference to the basement banquet hall, and the location of the small synagogue.

Accordingly, we are providing you with the following links to relevant documents.

Alan Sugarman to Jeff Mulligan BSA

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[Submissions by CIS to LPC in 2003 and subsequently.](http://www.protectwest70.org/drawing-renderings.html)

[http://www.protectwest70.org/drawing-renderings.html.](http://www.protectwest70.org/drawing-renderings.html)

[Landmark Designation](http://www.protectwest70.org/2003_documents_from_lpc/1974_Landmark_Designation.pdf)

http://www.protectwest70.org/2003_documents_from_lpc/1974_Landmark_Designation.pdf

[Restrictive Covenants on 8 West 70th Street - 1897.](http://www.protectwest70.org/2007-docs/1897_restrictive_covenants.pdf)

http://www.protectwest70.org/2007-docs/1897_restrictive_covenants.pdf

[Restrictive Covenants on 8 West 70th Street -1941.](http://www.protectwest70.org/2007-docs/1941_restrictive_covenants.pdf)

http://www.protectwest70.org/2007-docs/1941_restrictive_covenants.pdf

Thank you very much.

Sincerely,



Alan D. Sugarman

cc:

Hon. Betsty Gotbaum, Public Advocate of the City of New York

Hon. Gale Brewer, New York City Council Member

Hon. Scott Stringer Manhattan Borough President

Hon. Richard N. Gottfried, State Assembly Member, District 64

Hon. Thomas K. Duane, State Senator, District 29

Hon. Sheldon J. Fine, Chair, Manhattan Community Board 7

Jed Weiss, Senior Examiner, BSA

Alan Gieger, Department of City Planning

Norman Marcus

Kate Wood, Executive Director, Landmarks West

Shelly Friedman, Esq., Friedman & Gotbaum LLP

COMMUNITY OBJECTIONS TO CSI APPLICATION

June 20, 2007

On April 2, 2007, Congregation Shearith Israel (“CSI”) submitted to the BSA a Statement in support of its variance application.

On June 15, 2007, the BSA issued to CSI a Notice of Objection to the application and supporting documents with 48 objections.

On June 20, 2007, after review of the BSA notice of objections, members of the Community herewith offer these further objections, in the belief that it would avoid delay and burden to CSI to not state these objections at this time while CSI is revising its submission.

Community objections to other documents are also provided. Because the CSI application is confusing, incomplete, and ambiguous, the Community reserves the right to offer further objections after CSI clarifies and corrects its the intentions and contentions. The Community objections are marked as follows:

COMMUNITY #1. References to accessibility and circulation, which appear to be the an integral component of the CSI argument for variances have marked in the separate version which include the objections interpolated into the original statement.

COMMUNITY #2. Page 1, last paragraph: The last paragraph refers to the Parsonage as originally serving as the Rabbi’s Parsonage. The plans EX-8 and EX-9 show “rooms” and “bathrooms” on the three upper floors. The August 15, 2005 plans provided to LPC described these rooms as “bedrooms” and “living rooms.” Subsequent to the LPC application being filed, has any part of the Parsonage been rented? The August 15, 2005 plans also showed that the small synagogue behind the Parsonage would be moved entirely to the new building. Please explain the change in assigned use and the proposed use of the rooms.

COMMUNITY #3. Page 1. Please supplement the statement to state that the vacant parcel was occupied by a townhouse acquired by the Congregation in 1965 and then demolished by the Congregation in 1970.

COMMUNITY #4. Page 1-2. Please supplement to state that the Synagogue Building was landmarked on March 19, 1974, but that the Congregation opposed the landmarking of the Parsonage building, according to the LPC designation of said date.

COMMUNITY #5. Page 2, at (1) in first full paragraph: The Statement contains countless references to circulation, access, stairs, elevators, and other related issues, as the most important factor to establish hardship, unique physical conditions, etc., although no precise description in the drawings or elsewhere has been presented. Instances of these references are marked as indicated.

COMMUNITY #6. Page 2, second line from bottom: CSI states that the proposed building provides a “partial source of funding”. The Freeman/Frazier feasibility report includes hard construction costs for the entire proposed building, but does not provide overall costs for the entire project including soft costs. The Freeman/Frazier report does show, however, that the proposed building would generate a “return” of \$5,149,000 in Schedule A1. But, the report does not make clear that CSI would also receive a cash return of \$18,944,000, and thus the proposed project would generate a cash return of \$24,093,000. Construction cost estimates provided by Freeman/Frazier then show \$11,551,602 of construction cost for the “school.” Omitted from the Freeman/Frazier study is income to be generated from rental of the school, banquet hall, and perhaps the Parsonage. In addition, Congregation members and trustees should be expected to provide financial support for their institution. No financial information has been provided. Since CSI has prominently raised the issues of funding for these projects, it should provide complete disclosure of this information, or remove all direct and indirect references from its Application.

COMMUNITY #7. Page 3, end of continuing paragraph. Please revise to also include the percentage of the proposed building that will constitute residential and community, above and below grade.

COMMUNITY #8. Page 3, at (2) of first full paragraph: Please identify the substantial existing zoning noncompliance by the Synagogue.

COMMUNITY #9. Pages 3, 8 lines from bottom. Please correct the statement that LPC had approved the proposed building unanimously and include the statement of Commissioner Gratz opposing the proposed building.

COMMUNITY #10. Page 4-5: Please describe the relevance to this proceeding that descendants of prominent financiers may be current members of the Congregation. Please explain the relevance of the history of the Congregation to the matters before the BSA and explain whether, because of CSI’s history, CSI is suggesting it should receive variances not available to newer yeshivas and synagogues in Brooklyn.

COMMUNITY #11. Page 6, 7 lines from bottom: When the Trustees of the Congregation constructed the Synagogue in 1897, the Congregation had owned the land at 8 West 70th Street. In 1897, and again in 1941, the Congregation imposed restrictive covenants prohibiting the owners of 8 West 70th Street from constructing a building taller than the Synagogue building, in accordance with Jewish law and tradition which dictates that a Synagogue should be the tallest building in a community,. Although the restrictive covenants were extinguished by merger when CSI acquired 8 West 70th in 1949, the covenants are clear and convincing evidence of the intent of the earlier Trustees of the Congregation. Please explain how the current Trustees are following tradition and acting as stewards for the Synagogue, while not following the intent of the Trustees who funded and built the landmarked Synagogue building?

COMMUNITY #12. Page 7 at Top: Please explain the zoning law basis for transferring available floor area from the Synagogue footprint for use elsewhere on the zoning lot” in the present 72-21 variance proceeding.

COMMUNITY #13. Page 7 line 3 at (3); Please explain the zoning law basis for the “one-time monetization of zoning floor area through developing a moderate amount of residential space”

COMMUNITY #14. Page 7, line 6, Current Uses and Conditions: Please correct the mistake here and elsewhere as to the direction worshippers face when praying and also revise the associated narrative.. This narrative concludes that there are alleged circulation issues based the direction of worship.. Because the premise of the narrative is not correct, please remove this rationale.

COMMUNITY #15. Page 7, line 6, Current Uses and Conditions: The application states that the Parsonage is part of the zoning lot. Please explain the current and proposed uses of the Parsonage, changes in uses from various plans submitted to the LPC and the BSA, and rental income of any type received subsequent to the LPC 2003 application.

COMMUNITY #16. Page 8, end of continuing paragraph: These side doors on West 70th Street are described in the March 19, 1974 Landmark Designation as follows: “The 70th Street entrance is composed of large double doors and a transom with a handsome grille surmounted by a full entablature with foliate copsoles.” Please provide the width and angle of elevation of the “steep interior stairway to enter the foyer leading to the sanctuaries.” Please provide documentation to establish that the original Trustees did not intend the West 70th Street entrance to be a primary entrance, given that it is practically located at the rear of the Sanctuary.. Also, please describe the access to the Sanctuary from the lobby of the existing Community House constructed in 1954 and the current elevator in that building which provides access to upper floors of the Sanctuary.

COMMUNITY #17. Page 8, end of page: Given that the existing Community House has a lobby and an elevator addressing these same issues of access, and since nothing in the Sanctuary is being altered in the proposed plans, please explain with particularity why the access deficiencies asserted cannot be remedied by modifying the current lobby and elevator in the front portion of the Community House.

COMMUNITY #18. Page 9, line 4: Elsewhere in multiple locations, it is stated that the existing Community House was constructed after demolishing the two rowhouses on the site. This is stated as well in the Landmark Designation. Perhaps the shared party wall still exists. What is the relevance of this statement, in any event?

COMMUNITY #19. Page 9, line 7: Please explain how ADA access is being provided at present.

COMMUNITY #20. Page 9, line 11: It is understood that some offices are located in the Parsonage. Please explain. Please explain why the Congregation would not let the Rabbi use the Parsonage?

COMMUNITY #21. Page 10, line 3: Please describe the relationship between the tenant school and CSI, describe the annual rental income received each year from the tenant school since the 2003 LPC application, explain the cost incurred by CSI and the tenant school for the renovations in the Community House in 2005 and 2006 shown on Department of Building records, and the new window openings of the west wall of the Community House in 2005 and 2006, as well s the costs relating to the temporary trailer. Please also describe foundation, plumbing, electrical, and other construction supporting the prefabricated building which is described as a temporary trailer, and provide the total cost and source of funds for the prefabricated building and associated construction.

COMMUNITY #22. Page 11, bulleted point starting “Expanded Small Synagogue”: Please confirm that the plans submitted to the LPC in 2003 and 2005 showed that the Small Synagogue was to be moved completely

to the new building. Please explain why the as-of-right and the proposed building have different configuration for the Small Synagogue.

COMMUNITY #23. Page 11 after bulleted points: Please describe with particularity the elevators serving the Community House and the Synagogue in the current and proposed building and describe in detail in each access point between the two structures, and identify on the drawings.. Please describe the differences between the lobby in the current and proposed building. Finally, please describe with particularity physical limitations in the current building that prohibit modifying the current lobby and elevator space to accommodate alleged circulation and access limitations.

COMMUNITY #24. Page 11, fist sentence, The Landmarks Approval Process: Please correct incorrect statement as to unanimous approval as discussed elsewhere.

COMMUNITY #25. Page 14, first full paragraph: Please remove this second full paragraph on page 14. This paragraph suggests that CSI is seeking a special permit, and this is not a special permit proceeding.

COMMUNITY #26. Page 14, First sentence of section “Zoning Lot... “...Please correct this statement. Property records show that CSI purchased 10 West 70th Street (which is in Tax Lot 37 where the vacant lot is located) on May 28, 1965. Please explain when and why 10 West 70th St. became part of a common zoning lot.

COMMUNITY #27.. Page 15:, end of continuing paragraph Please provide the number of square feet in the base plate for the notch, the number of square feet on each floor related to the notch, and the total number of square feet in the proposed and as of right building related to the notch, and compare to the total number of feet on each floor and to the entire building. A review of the drawings suggest that fewer than 200 square feet on all floors are affected here. Please explain why this is a substantial factor of any relevance to the variance application.

COMMUNITY #28. Page 16. line 1: Please elaborate on the assertion that the existing Synagogue and Community House already exceed permitted lot coverage, explain whether this use is grandfathered, and explain the relevance to this proceeding.

COMMUNITY #29. Page 16, line 3: Please explain why an as of right building does not provide a feasible use. Also, please explain why CSI does not modify its proposal so that for zoning purposes, the existing Community House structure cannot be used to grandfather a rebuilt structure on the same location.

COMMUNITY #30. Page 16, last paragraph: Since there is no setback for the first floor, no issues are presented as to “adjacencies” between the proposed building and the Synagogue on the first floor. On Floors 2-4 of the as-of-right building, no connections appear between the proposed building and the Synagogue in the rear 30 feet of the lot. All connections including the lobby connection and the elevator access, to the extent disclosed, appear within the front 70 feet of the building (the lot being 100 feet deep). Please explain then the “appropriate connections between the Synagogue and the New Building” affected by rear setbacks.

COMMUNITY #31. Page 17, first paragraph: Please correct the narrative at the top of Page 17 to correctly reflect the history of the site. There were only three rowhouses on the 64 foot wide Lot 37. Refer to the Landmark Designation study by LPC in 1975 which has an accurate history. Please provide a legal basis for stating that the lots have been merged into Lot 37.

COMMUNITY #32. Page 17, first paragraph: states that “No use or bulk modifications have occurred since 1954.” Please discuss the 1954 certificate of occupancy and the then existing uses and occupancy and the current uses and occupancy and describe in detail any review process at the City and Community Board level in which uses and occupancy level changes were sought and approved. Also include any approvals of usage for banquet hall rental for non-Congregation functions. Please describe the trailer as a prefabricated building.

COMMUNITY #33. Page 17, Second sentence of “The New Building Development Program”: Please explain in detail why modification to access and egress for the sanctuaries could not be accomplished within the footprint and volume of the existing community house building, and certainly within the footprint of the as-of-right building. Please identify unambiguously, and without repetition, all of the access and egress points existing now and in the proposed building.

COMMUNITY #34. Page 17, two lines from bottom: The drawings for the proposed building do not show multiple elevator banks for use by the community space. There is one elevator shown on the east side of the building for community use. There appear to be two banks for residential, one for apartment residents, and the other for service for the apartments. Please explain and explain the use of the plural as to the number of elevators providing access to the balcony seating

COMMUNITY #35. Page 18, line 3: Please explain why the plans approved by LPC did not show an enlargement of the Little Synagogue, but showed a relocation of the Little Synagogue.

COMMUNITY #36. Page 18, Supplement BSA # 11, please state the average number of congregation and worshipers that attend Friday evening and Saturday morning services on none holiday Sabbaths. Please also state the percentage of families and worshippers that do not have their primary residence within New York City.

COMMUNITY #37.. Page 18, bottom: It is a misleading characterization to state that The residential floor area uses only 16 percent of the zoning lot's available zoning floor area. This statement makes the yet to be substantiated assumption that unused floor area from the landmarked Synagogue can be applied to the Community Building. Please substantiate the legal position as to why using a percentage of the entire zoning lot is relevant to the 72-21 proceeding before the BSA. Also, please provide the percentage of the proposed building that are allocated to residential and community, which we compute to be 51% and 49% respectively, based upon above ground space.

COMMUNITY #38. Page 20, (2) in first text paragraph: Please describe and identify the source, with particularity, of (a) requirements to align its streetwall with the existing Synagogue building; and (b) requirements to align its east elevation with the existing Synagogue building, and then describe how these alleged requirements related to specific alleged hardships. To the extent to which CSI relies in any part on the 40 foot separation, please describe why reconstruction of the current building would not meet its requirements.

COMMUNITY #39. Page 20, last sentence, first text paragraph: Please identify the regulatory constraints, and, also explain why alleged restraints unrelated to the landmark status would constitute a “unique physical condition” under 72-21(a).

COMMUNITY #40. Page 21, second line: According to Department of Buildings records, in 2005 and 2006 over \$350,000 was spent by CSI in order to renovate rentable school space in the Community House. Please explain why CSI did not use the funds to alleviate the alleged access needs. Please state whether CSI’s failure to clean the façade of the existing community house and its permitting window air conditioners, drain hoses, and wiring to deface the facade of the Community House is intended to provide the impression that the building is in very poor condition. Please describe any DOB violations that exist on the property at present.

COMMUNITY #41. Page 21, just before discussion of Lot Coverage. Please describe the role of the New Building in providing circulation space that is not provided in the as-of-right building, assuming that BSA were to grant a variance only for the 40 foot building separation.

COMMUNITY #42. Page 24, before discussion of condition (b). Please describe the role of the New Building in providing circulation space that is not provided in the as-of-right building, assuming that a variance only for the 40 foot building separation was issued by the BSA. If the variance for building separation only were granted, please describe how the New Building provides better circulation than would an as-of-right building with the building separation waiver.

COMMUNITY #43. Page 25: In addition to noting the lot-line windows as required in BSA # 22, please also note others windows in the east face and court of 18 West which would have their light and air affected or both the as-of-right, lesser variance and proposed scenarios and provide a detail drawing with the information for lot line and affected windows.

COMMUNITY #44. Page 25, before first full paragraph. In 2005 before the Community Board, CSI stated that the proposed building was too small to have a developer. Does the financial feasibility study then suggest a hypothetical developer? Since the study assigns a land value of \$18,944,000 as a cost, does this not mean that cash in this amount would be returned to CSI, and, that, on a cash basis, if CSI were the developer, CSI would not be cash negative? The study states that the residential sellable area in the as of right proposal would be 5,002 sq ft., which the report then assigns a land cost of \$18,944,000, or \$3,787.29 per square foot, which is far higher than the selling price per sq. ft. of an apartment.. Does this not then suggest that the land cost to allocate to residential has been greatly exaggerated, or even “cooked.” Please explain.

COMMUNITY #45. Page 25, Conclusion of Discussion re (b). In this scenario with a profit of \$5,149,00, CSI would receive a cash payment of \$18,944,000. If CSI acted as its own developer, as it represented to the Community Board, then it would receive cash in the amount of \$24,093,000. Please explain.

COMMUNITY #46. Page 25, Discussion re (c), line 6. Please describe the increase in usage of a fully developed day school and banquet hall and the impact on the neighborhood. Please explain how a relatively small school use somehow was increased in student usage from the 1954 certificate of occupancy and what regulatory review was provided in approving this increase.

COMMUNITY #47. Page 26, before first full paragraph: In 2003, LPC was provided with limited shadow studies showing the impact of the proposed 14 story building upon the West 70th street. After the quick rejection of the proposal by LPC, even though it has a completed shadow computer model, CSI has consistently failed to provide shadow studies of West 70th street, showing the impact comparing the as of right to the proposed building. Please explain why member of the community should not be provided with these studies before the application for the building is considered. Please explain why owners of building on the north side of West 70th Street should not have CSI provide shadow studies to show the impact on their building.

COMMUNITY #48. Page 26, Before heading” The Practical Difficulties:: In addition, please note the number and location of windows in the alcove (or inset) in 18 West 70 street, which will have light and air affected for both the as-of-right, lesser variance (see BSA Objections # 30-31) and proposed scenarios.

COMMUNITY #49. Page 27, First Continuing Paragraph: Please explain if the access issues alleged throughout the Statement was not completely resolved with the 1954 construction which added a lobby and an elevators addressing these issues, why in the last two years CSI has invested over \$500,000 in renovations to the existing building which did not address these alleged mission critical urgent problems? Is not CSI’s decision not to remedy these issues within the existing building a self-imposed condition, unrelated to any conditions inherent in the zoning lot.

COMMUNITY #50. Page 28, First Full Paragraph: Please explain why a variance as to the 40 foot separation alone would not resolve all of the access, circulation, and barrier-free issues alleged in this CSI statement.

COMMUNITY #51. Page 28, Conclusion: Please provide a detailed description of the sources and application of funds for the \$9 million restoration, and as well explain the recorded covenant from the Marty and Dorothy Silverman Foundation dated February 2003 on the property and the financing it reflects. Please explain the allocation in annual membership dues and fees attributable to building acquisition and finance costs. Please describe the contributions for the restoration received from major donors, trustees and donors who are descendants of earlier members of the Congregation.. If unwilling to disclose this information, please omit all references to the cost of restoration from the Application and accompanying exhibits

COMMUNITY #52. EXISTING CONDITIONS DRAWINGS : Please provide enlarged and annotated details and cross-sections showing all elevators, stairs, and access points between the existing community building and the Synagogue and Parsonage.

COMMUNITY #53. AS-OF RIGHT CONDITIONS DRAWINGS: AOR-2. Please provide an additional table showing the proposed floor area schedule, which includes only information relating to the proposed building and not for the entire zoning lot, such as the following table:

Community Objections Dated June 20, 2007

AS OF RIGHT SCHEME DRAWING AOR-2							
	R8B - Community	R10A- Community	R8B- Residential	R10A- Residential	Community	Residential	Total Per Floor
C2	4,723.50	1,918.10			6,641.60	0.00	6,641.60
C1	3,247.68	1,602.44	1,447.82	315.66	4,850.12	1,763.48	6,613.60
Below Grade Total	7,971.18	3,520.54	1,447.82	315.66	11,491.72	1,763.48	13,255.20
					0.00	0.00	0.00
1 (20 ft. tall)	3,670.36	1,918.10	1,053.14	0.00	5,588.46	1,053.14	6,641.60
2	2,890.01	1,918.50	433.49	0.00	4,798.51	433.49	5,232.00
3	2,890.01	1,918.50	423.39	0.00	4,808.51	423.39	5,231.90
4	2,916.00	1,918.50	397.50	0.00	4,834.50	397.50	5,232.00
5			3,315.50	1,198.50		4,514.00	4,514.00
6-PH			2,138.50	943.50		3,082.00	3,082.00
Above Grade Total	12,356.38	7,673.60	7,761.52	2,142.00	20,029.98	9,903.52	29,933.50
							0.00
							0.00
							0.00
Total	20,327.56	11,194.14	9,209.34	2,457.66	31,521.70	11,667.00	43,188.70
							0.00
Adjustment For Developable Sq. Ft. First Floor					5,588.46	1,053.14	6,641.60
Adjusted Total Developable Sq. Ft.					25,618.44	10,956.66	36,575.10
PerCent					70%	30%	100%

COMMUNITY #54. PROPOSED CONDITIONS DRAWINGS: P-2. Please provide an additional table showing the proposed floor area schedule, which includes only information relating to the proposed building and not for the entire zoning lot, such as the following table:

FROM PROPOSED SCHEME DRAWING P-2							
Use	R8B - Community	R10A- Community	R8B- Residential	R10A- Residential	Community	Residential	Total Per Floor
C2	4,723.50	1,918.10			6,641.60	0.00	8,559.70
C1	3,247.68	1,602.44	1,447.82	315.66	4,850.12	1,763.48	9,979.52
Below Grade Total	7,971.18	3,520.54	1,447.82	315.66	11,491.72	1,763.48	18,539.22
					0.00	0.00	0.00
1 (20 ft. tall)	3,670.36	1,918.10	1,053.14	0.00	5,588.46	1,053.14	6,641.60
2	3,409.50	1,368.50	374.00	0.00	4,778.00	374.00	5,152.00
3	3,409.50	1,368.50	374.00	0.00	4,778.00	374.00	5,152.00
4	3,409.50	1,368.50	407.00	0.00	4,778.00	407.00	5,185.00
5			3,315.50	1,198.50	0.00	4,514.00	4,514.00
6			3,315.50	1,198.50	0.00	4,514.00	4,514.00
7			3,315.50	1,198.50	0.00	4,514.00	4,514.00
8			3,315.50	1,198.50	0.00	4,514.00	4,514.00
PH			2,423.30	379.49	0.00	2,802.79	2,802.79
Above Grade Total	13,898.86	6,023.60	17,893.44	5,173.49	19,922.46	23,066.93	42,989.39
					0.00	0.00	0.00
					0.00	0.00	0.00
Total	21,870.04	9,544.14	19,341.26	5,489.15	31,414.18	24,830.41	61,528.61
							0.00
Adjustment For Developable Sq. Ft. First Floor					5,588.46	1,053.14	6,641.60
Adjusted Total Developable Sq. Ft.					25,510.92	24,120.07	49,630.99
PerCent					51%	49%	100%

COMMUNITY #55. PROPOSED CONDITIONS DRAWINGS: Please provide enlarged and annotated details and cross-sections showing all elevators, stairs, and access points between the proposed community building and the Synagogue and Parsonage. This comment applies as well to the lesser-variance and as-of-right drawings.

COMMUNITY #56. Please provide the complete sets of drawings provided to the LPC in 2003, 2005, and 2006.

COMMUNITY #57. FEASIBILITY STUDY: Please provide the complete project cost for the residential and community space including soft and hard costs. Also provide a cash analysis wherein the cash receipt based upon land value is added into the return on investment below the line, assuming CSI acts as its own developer.

COMMUNITY #58. FEASIBILITY STUDY: Please provide tables and computations for return on investment in which the land cost is allocated based upon residential and community use, and is not all assigned to the residential use.

COMMUNITY #59. FEASIBILITY STUDY: For comparative purposes, provide tables and computations for return on investment as if the entire 37,899 sq. ft. of potential residential zoning floor area were developed as residential space.

COMMUNITY #60. CEQR REVIEW / EAS: Please provide photographs of adjoining buildings faces in their entirety as required by BSA rules and also describe with numerical information the windows in 18 West 70th Street affected in any way by the proposed as compared to as-of-right construction.

COMMUNITY #61. CEQR REVIEW / EAS: In addition to shadow studies of Central Park, please provide shadow studies showing the comparable impact of the as-of-right and proposed buildings on West 70th Street and upon the rear building of West 69th Street. Please explain why it is applicant's position that light and air at the street level is not a relevant factor as to a 72-21 variance.

COMMUNITY #62. CEQR REVIEW / EAS: Please provide information respecting the impact of use of the project for banquet hall purposes including traffic, parking, traffic interruption and honking horns, and garbage storage and disposal. Provide the same information as to the expanded school uses.

COMMUNITY #63. Please describe the current on-street no parking zone established for the Congregation and whether the Congregation intends to request a further on-street no parking zone