

S O K O L O W C A R R E R A S L L P

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June 28, 2007

**VIA FEDERAL EXPRESS**

Hon. Sheldon J. Fine, Chair

Hon. Richard Asche, Co-Chair, Land Use Committee

Hon. Page Cowley, Co-Chair, Land Use Committee

Manhattan Community Board 7

250 West 87<sup>th</sup> Street

New York, New York 10024

**Re: 6-10 West 70<sup>th</sup> Street, Congregation Shearith Israel (BSA 74-07-BZ)**

Dear Mr. Chairman and Co-Chairs of the Land Use Committee:

We are the attorneys for the coalition of buildings and residents of West 70<sup>th</sup> Street, including 91 Central Park West, 101 Central Park West and 18 West 70<sup>th</sup> Street.

Community Board 7's Land Use Committee postponed its June 20, 2007 review of the above-referenced project because Congregation Shearith Israel's application was substantially incomplete. We received a copy of the 48 objections issued by the Board of Standards and Appeals (BSA) on June 15, 2007 (copy of which is enclosed as Exhibit A) and agree with the Committee's decision to postpone. Community Board 7—together with Borough President Scott Stringer, City Council member Gale Brewer, the Department of Buildings and the Department of City Planning—plays a critical role in the public review process triggered by this application. In its June 15 letter, BSA identified discrepancies, misrepresentations and failures on the part of the applicant to disclose information that will be crucial to the Land Use Committee's ability to evaluate this project on the merits. Additional concerns have been raised by our clients' architectural consultant Simon Bertrang (whose enclosed memorandum dated June 28, 2007 is annexed hereto as Exhibit B) and Alan D. Sugarman, Esq., whose objections you have received under separate cover.

Community Board 7's website indicates that the Land Use Committee has rescheduled this item for its July 18 meeting. We respectfully request that the Committee defer discussion of this matter until its September meeting to allow time for BSA to

verify that the application is complete and for the Committee, members of the community, and professionals working with the community to review any revised application thoroughly.

The Committee should not entertain an application from Congregation Shearith Israel that does not respond to BSA's extensive list of concerns in a comprehensive manner. In the unlikely event that Congregation Shearith Israel submits an application deemed complete by BSA prior to July 18, the Committee would be in the unfortunate position of having little time to review the materials, which due to the complex zoning, architectural, legal and financial issues at stake, will likely be voluminous.

We know that the Committee is sensitive to the fact that July is a difficult time to coordinate schedules and ensure an inclusive public process. As you are aware, this application has generated extensive public discussion due to its clearly precedent-setting nature. Congregation Shearith Israel's proposed new building would also have a direct impact on residents of adjacent properties, whose interests are specifically protected by finding (c) of §72-21 of the New York City Zoning Resolution.

For these reasons, our clients respectfully request that Community Board 7 schedule its discussion and review of Congregation Shearith Israel's application to take place after BSA determines that the application is complete, but in no event earlier than the Committee's September 2007 meeting.

Thank you in advance.

Respectfully yours,



Mark D. Lebow, Esq.

cc. 18 West 70<sup>th</sup> Street  
91 Central Park West  
101 Central Park West  
Landmark West!  
Alan Sugarman, Esq.  
David Rosenberg, Esq.  
Norman Marcus, Esq.  
Hon. Scott R. Stringer  
Hon. Gale A. Brewer  
Hon. Thomas K. Duane  
Hon. Richard N. Gottfried  
Hon. Meenakshi Srinivasan  
Hon. Amanda Burden  
Hon. Patricia Lancaster