

91 Central Park West
101 Central Park West
18 West 70th Street
Landmark West!
Tenants and Owners of West 70th Street

October 17, 2007

Re: 6-10 West 70th Street, Congregation Shearith Israel

To the Land Use Committee of Manhattan Community Board #7:

We are a coalition of buildings and residents of West 70th Street opposed to the application by Congregation Shearith Israel (“Applicant”) to obtain eight zoning variances in order to construct a new building which violates mid-block zoning in the Upper West Side Historic District.

Applicant seeks these variances to construct a new nine-story, mid-block building, half of which will contain luxury condominiums. Zoning variances are normally given to non-profit organizations only if the variances are essential to the charity’s programmatic needs. Luxury housing is no part of this Applicant’s charitable programs.

On June 15, 2007, the Board of Standards and Appeals (“BSA”) issued its Notice of Objections to Application, identifying 48 discrepancies, misrepresentations and failures on the part of Applicant for the eight zoning variances. Applicant was given 60 days to answer.

On October 12, 2007, BSA issued its Second Notice of Objections raising “issues that need to be addressed before this application may be calendared by the Board for a hearing.” This time BSA listed 22 objections. Some were new. Some repeated and consolidated earlier objections. An overwhelming number of objections, thus, still remain. It will be impossible for Applicant ever to demonstrate that its programmatic needs merit the additional height and bulk in order to accommodate luxury condominium apartments.

Applicant apparently asserts that there are other mid-block buildings along West 70th Street and other blocks in this District which exceed 6 stories. However, the role of zoning is never to perpetuate anomalies, especially buildings that existed before zoning regulations. Future buildings should adhere strictly to zoning requirements to protect the character of this critical neighborhood. Applicant is a fabulously wealthy institution. It is no financial distress. It has no financial “hardship.”

The issue is not the aesthetics of the Applicant's proposed new building. It is whether the integrity of mid-block zoning, which protects the low-rise, human-scale historic brownstone character of this neighborhood, should be violated in order to permit new luxury condominium apartments.

We urge this Community Board to continue to protect the character of our mid-block zoning and reject these variances, which would increase building height by half and eliminate all setbacks and other restrictions imposed by the zoning laws which we worked so long and hard to preserve.

Respectfully submitted,

Mark D. Lebow, Esq.
Attorneys for the Above Coalition