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June 19, 2008

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

Reference:
Calendar 74-07-BZ
6-10 West 70th Street
New York, NY

June 19, 2008

In its submission Revised May 13, 2008 Congregation Shearith Israel (CSI) provided attendance statistics in support of its claim that CSI is a “vibrant” growing organization requiring expansion space.

This letter identifies inconsistencies in CSI statistics, and compares CSI claims to observations of people entering its West 70th Street Synagogue entrance for certain functions accommodated by four different spaces within the facility.

Summary

The claim that “Saturday services attract up to 500 worshipers”¹ in the Main Synagogue is not supported by observations. An average of 30 individuals were observed entering for five Passover, Sabbath, and other morning services. Other statistics were also found to be inconsistent or incoherent.

¹ “Statement in Support of Certain Variances from the Provisions of The New York City Zoning Resolution”, Revised May 13, 2008. Page 20.

Relevant Spaces

The CSI Application Statement describes four spaces for religious service and functions.²

| Description | Use* | Approx. Size/Seating |
|---|---|--|
| Main Synagogue | Services: Friday evening, Saturday morning. Religious functions: Kiddush, Mitzvahs, baby namings, weddings. | Area: 5,050 ft ² Seats 700 |
| Small Synagogue | Daily morning, evening services, Talks | Area: 800 ft ² Seats 50 |
| Levy Auditorium | Meals and (CSI) communal gatherings. | Area: 2,700 ft ² Accommodates 150 people |
| Community House Auditorium with adjacent kitchen. | Kitchen stated to be in disrepair. | Area: 1,338 ft ² |
| * Restrictions: Although expansion space is stated to be in a "community facility", with the implication that areas are available to the general community, that is not true because "CSI's bylaws specify that all ceremonies must be conducted under the auspices of CSI's rabbi and with CSI's Sephardic customs, all but assuring the celebrants are CSI congregants." Ibid. Page 22. The restriction apparently extends to all functions, not just religious ceremonies, because the document also states that "CSI will not lease a new multi-function room to outside catering entities." for that reason. | | |

Observations

People entering the West 70th Street Synagogue entrance for four Passover and Sabbath services ranged between 23 and 40 congregants and staff during periods one-half hour before and three-quarters of an hour after scheduled services. The average was 36. See table in Appendix I for details. These attendance figures were for services stated to be held in the Main Synagogue with a capacity of 700 people.

8 people were observed exiting from one daily service on a Thursday, for a service stated to be held in the Small Synagogue seating 50.

² Ibid.

CSI identifies space requirements which observations and their own statements show to be significantly underutilized now. Other CSI claims are inconsistent with observations or self-contradictory.

- They state that the Main Synagogue has “up to 500 worshipers” with space currently for only 380 in main floor pews, yet do not propose an increase in space for them.
- They propose enlarging the underutilized Small Synagogue from 800 ft² seating 50 to about 2500 ft² to accommodate the 8 congregants observed on a weekday. Of course, there could be more on other days, but the expansion would proportionately serve over 150. See Proposed drawing.³
- Although observations have not been made of occasional events, there are questions about the CSI claims. The Statement said “...events are scheduled each month in the Levy Auditorium with attendance ranging from relatively few to 200 persons.” The stated capacity of the Levy Auditorium is only 150 people.
- It is implied that the Levy Auditorium is inadequate to accommodate the festivities following Main Synagogue events such as baby namings. Such events are likely to attract a limited number of family and friends rather than a significant portion of the 550 families in the congregation. It is not stated why the 150 person capacity is not adequate.
- The application makes many references to hardships for the handicapped. For example that “Handicapped congregants, and those who are ill and/or elderly are either entirely unable to attend these services...”, but the problem is not quantified. One person was observed arriving and entering on a ‘scooter’.

It is reasonable that the existing facilities have some issues. But it is not plausible that the Congregation is willing to embark on a perhaps \$20 million to \$30 million project rather than repair a neglected kitchen or outmoded elevator or install a handicapped ramp. The justification must lie elsewhere.

Method

Two observers counted people entering. Of the five services observed, women were 10% or less of the attendees, generally arriving with one or more men. Only one or two people that may have been young adults were seen.

The later numbers for all the services after the Passover morning service may be inflated. The security guard observed the observers so requests for more attendees may have been issued.

Katherine L. Davis

James E. Mulford



³ Platt Byard Dovell White drawing P-8 dated 10.22.07.

Appendix I: ATTENDANCE AT SELECT CSI SERVICES: April, May, June 2008

| | Attendees-Total | Attendee Composition |
|--|-----------------|--|
| First day of Passover, April 19, 2008, morning service scheduled for 7AM. (Observation from 6:30 AM to 7:15 AM) | 23 | Includes 1 child, 1 woman, no disabled. |
| First day of Passover, April 19, 2008, evening service scheduled for 7PM. (Observation from 6:30 PM to 7:30PM) | 47 | Includes 4 children, 4 women, no disabled. |
| Sabbath Saturday morning service, May 24, 2008, scheduled for 8:15 AM. (Observation from 7:45 AM -9AM) | 34 | Includes no children, did not note women, and 1 disabled, who arrived on a scooter and entered through the Comm. House door |
| Sabbath Saturday morning service, May 31, 2008, scheduled for 8:15 AM. (Observation time 7:45 AM -9AM) | 40 | Includes no children, 5 women, 1 disabled, who arrived on a scooter and entered through the Comm. House door. Includes everyone who walked through the door including staff. |
| Thursday morning services, June 5, 2008, scheduled for 7:15 AM. (Observation from 7:45AM -9:30 AM with purpose to observe Toddler &Children's Programs. Tally was based on exit from service, not entry. | 8 | Includes no children, no women, no disabled. |