



Zoning Challenge and Appeal Form

(for approved applications)

Must be typewritten

1 Property Information *Required for all challenges.*

BIS Job Number 121328919

BIS Document Number Bin 1028510, BIS-32 attached

Borough MANHATTAN

House No(s) 8

Street Name West 70th Street

2 Challenger Information *Optional.*

Note to all challengers: *This form will be scanned and posted to the Department's website.*

Last Name Sugarman, Esq.

First Name Alan

Middle Initial D.

Affiliated Organization On behalf of Nizam Kettaneh, Jay Greer, self, and other interested parties.

E-Mail sugarman@sugarlaw.com

Contact Number 212-873-1371

3 Description of Challenge *Required for all challenges.*

Note: *Use this form only for challenges related to the Zoning Resolution*

Select one: Initial challenge Appeal to a previously denied challenge (denied challenge must be attached)

Indicate total number of pages submitted with challenge, including attachments: **(attachment may not be larger than 11" x 17")**

Indicate relevant Zoning Resolution section(s) below. *Improper citation of the Zoning Resolution may affect the processing and review of this challenge.*

24-67, 23-633, 24-36, 23-633, 23-663, 24-11/77-24

Describe the challenge in detail below: (continue on page 2 if additional space is required)

The Challengers herewith challenge the approval of the building plans for 8 West 70th Street, Manhattan, as filed by Congregation Shearith Israel. Attached hereto is the Challenge in the form of an 8-page letter.

In addition, we submit documents of submissions of and statements by the Congregation to the Board of Standards and Appeals, Landmarks Preservation Commission, Community Board 7, and the Department of Buildings. These documents are listed in Exhibit 1 and the full documents provided. Relevant pages have been selected and will be filed by e-mail and by submission of a CD to DOB. In additions, selected language has been extracted to Exhibit 2, a 15-page spreadsheet extracting certain part of the accompanying exhibits.

Also, accompanying this Challenge is a FOIL Request.

The challenge can be summarized as follows (refer to the accompanying letter for the full Challenge):

1. The programmatic needs which were the essential predicate of the variances for the community spaces as obtained by the Congregation from the BSA in 2008 are not included in the plans submitted to DOB as reflected in the PWI-A. Thus, these variances are invalid, since the underpinning no longer exists.

Note to challengers: *An official decision to the challenge will be made available no earlier than 75 days after the Development Challenge process begins. For more information on the status of the Development Challenge process see the Challenge Period Status link on the Application Details page on the Department's website.*

ADMINISTRATIVE USE ONLY			
Reviewer's Signature:	Date:	Time:	WO#:

4 Description of Challenge (continued from page 1)

2. The variances for the condominiums atop the community spaces are predicated upon the assertion that condominiums may not be built on floors 2, 3 and 4 because of programmatic needs no longer included in the building, and thus the condominium variances are invalid.

3. The Congregation obtained the approval from the LPC to increase the height of the building by 10-15 feet, but has not obtained approval from the BSA for such increase, after the BSA had already cut down the proposed building height and provided a variance of over 30 feet in increased height.

4. The plans appear to add a terrace on Floor 2, which was not approved by BSA.

We refer to the attached challenge for a complete description of the challenge.

As a convenience to DOB, we will forward a CD of this challenge and the documents forthwith and hard copy.

In addition, we reserve the right to amend this challenge once we are able to obtain the plans as filed with the DOB.

Thank you.

Alan D. Sugarman, Esq.
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New York, NY 10023
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212-873-1371

Alan D. Sugarman
6-8-2015

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