

**Testimony of NYC Council Member Gale A. Brewer
Regarding Shearith Israel Congregation
Before the Landmarks Preservation Commission,
February 11, 2003**

My name is Gale Brewer and I represent Council District 6 on the West Side of Manhattan, which includes the Congregation Shearith Israel Synagogue at 8 West 70th Street and Central Park West. Due to another commitment that requires me to be in Albany, I have asked my Director of Constituent Services, Joshua Bocian, to present my comments regarding the Congregation's applications for a Certificate of Appropriateness and a Modification of Use and Bulk at 8 West 70th Street, Block 36, 37, lot 1122. I am also submitting a written copy of these comments.

Congregation Shearith Israel is one of New York's oldest, most storied and significant Congregations. It has earned widespread respect through its commitment to the community and its care and maintenance of the individual landmark it occupies. Previously, the Congregation withdrew a proposal to construct a residential building on a portion of their property after it was widely opposed by the community and various organizations interested in preservation of historic properties and the Upper West Side Historic District.

In the applications at issue today, the Congregation proposes to demolish its existing community house at 8 West 70th Street and to construct on a portion of its property a new community house and a residential building that requires a special permit under the Zoning Resolution.

Over the years, the Congregation has done a superb job of continuing to protect and restore its treasured historic Synagogue and three historic cemeteries that the Congregation maintains at sites in New York City. The Synagogue itself is one of New York's most important landmarks, and occupies a prominent location on Central Park West in the Upper West Side Historic District. Indeed, it was to protect such buildings and their historical, cultural, social, and physical context, and to ensure their preservation that the Landmarks Law was enacted and the Commission acted to create the District.

Congregation Shearith Israel has been an exemplary neighbor on the West Side since construction of its current magnificent home in 1897, and a member of the community of New York City for centuries. In recent years the Congregation has continued its long efforts to honor the place that the Synagogue holds in the community and in the high regard of all concerned for its historic and architectural significance. This work has come at great expense, and the required costs of restoration, maintenance and repairs will continue to pose a significant financial burden to the Congregation for the foreseeable future. A primary justification cited by the Congregation for the current request is to help meet these obligations.

The Congregation and some members of the community believe that the Synagogue's proposal represents a plan for development that is modest in scale and sensitive to its surroundings and neighbors. In an effort to address the many concerns about this project the Congregation has chosen to work with respected architects and preservationists in preparing their proposal and design. Part of the design calls for demolition of the existing community house because of the Congregation's need to improve and expand

its facilities and better serve the needs of its membership. The residential portion is viewed as the primary generator of needed income.

The Congregation believes that their proposed 14 story, 157 foot building is in context with adjacent buildings of 10 or more stories. And in fact, approximately 15 percent of the Central Park West Historic District mid-block is reportedly occupied by buildings that are larger than permitted under the current zoning.

However, I have several reservations about the current proposal. First, the City Planning Commission created the R8B zoning in 1984 to protect the low-rise character of the mid-blocks of the Upper West Side. The Landmarks Commission reinforced this protective zoning by creating the Upper West Side Historic District in 1990. Second, the R10A zoning district covering Central Park West gives way to the mid-block R8B district at a point 125 feet in from the avenue. The proposed building is more than 125 feet into the mid-block, crossing this important boundary. Third, I am concerned that approval of this project would set a precedent threatening to erode the unique brownstone mid-block character of the District and the Upper West Side. Fourth, the exceptional nature of this proposal is evident in the requirement that various city agencies must grant waivers, variances, special permits, and a Certificate of Appropriateness. The proposal is to demolish a structure attached to the Synagogue and alter the visual and aesthetic character of the latter; in addition, it has been noted that this proposal is a form of "spot zoning."

Concerns have been raised that the Landmarks Commission is being asked to support a proposal whose design and developer could be changed after approval of the proposal. This issue is a serious one but in this case I believe that the perception is mistaken, and that the Congregation intends to proceed in good faith with their current proposal.

It is essential to note that this Congregation has worked diligently along with residents, preservationists, and the Landmarks Commission to maintain the integrity of the Central Park West Historic District. All of us will continue to gain immeasurably by assuring its continued presence for years to come.

However, on balance, this project would set a precedent and might induce other institutions along Central Park West to seek similar variances. This could lead to a widespread deterioration of the special zoning district. On this basis and the concerns cited above, I recommend to the Commission that the request for a Certificate be denied.

I want to re-emphasize that the Congregation faces significant, long-term financial challenges, as do other religious institutions in my district. Although I realize that this issue is beyond the purview of the Commission, a means to address this challenge must be found while protecting our historic properties and the core characteristics of the West Side.

I thank the Commissioners for their attention to these issues.