



DEFENDERS *of the* HISTORIC
UPPER EAST SIDE

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CONGREGATION SHEARITH ISRAEL APPLICATION

**Landmarks Preservation Commission Hearing
July 1, 2003**

Although the tower proposed by the Congregation Shearith Israel does not fall under the "sliver" regulations, the reasoning and principles behind those regulations' terms shed light on the proper transition between avenue and mid-block scale and, therefore, the relevant zoning regulations.

On an avenue or wide street, a narrow building is limited in height to the width of the street or the taller of the fully abutting buildings. On a narrow side street such as West 70th Street, a narrow building is limited in height to the width of the street or the lower of the fully abutting buildings. Narrow buildings are governed by the street that they face, not the zoning district in which they are located. Therefore, a narrow building facing a side street and within 100 feet of the avenue and, consequently, within the avenue zoning district, is governed by the narrow, side street terms of the "sliver" regulations.

The purpose was to prevent the "creep" of taller, avenue-sized buildings into the mid-block. It must also be mentioned that avenues such as Fifth and Madison have transition provisions in their regulations that lower the height of buildings **within** the avenue zoning districts themselves.

It is clear that the tower proposed by the Congregation Shearith Israel is contrary to the planning principles behind the zoning regulations, whose purpose is to protect the scale and character of residential mid-blocks.

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