

Statement to Community Board 7
Wednesday, October 17

My name is Jean Adams and I am a shareholder of 239 Central Park West, a residential building on Central Park West and West 84th Street. I am also a member of a special committee of our building's Board of Directors monitoring the proposed expansion of Congregation Rodeph Sholom School at the School's West 84 Street mid block site. This site is contiguous to our building on the west side of our property; faces a number of other buildings on the opposite side of the street, including 15 West 84 Street; and is east of 36 West 84.

I am here this evening on behalf of our shareholders as well as those of 15 West 84 Street and 36 West 84 Street to comment on the proposed Congregation Shearith Israel expansion because we believe this situation is closely related to one on West 84 Street that we expect to be on the Community Board's agenda in the future.

To begin, with respect to mid-block expansion of buildings in the Upper West Side Historic District, we wish to encourage Community Board 7 to insist upon full compliance with the statutory mandate of the City's Board of Standards and Appeals to protect the public's health, safety, welfare and community character prior to granting a zoning variance.

As you know, the governing standard in New York State applicable to discretionary waivers of the Zoning Code mandates that the Board of Standards and Appeal (B.S.A) balance an institution's need for a request against the detrimental impact of the proposed expansion.

The shareholders of 239 Central Park West encourage Community Board 7 to stand behind Section 73-641 of the NYC Zoning Resolution and encourage the B.S.A to demonstrate its responsibility to protect the air and light of neighbors potentially affected by mid-block expansion plans of Congregations Shearith Israel and Rodeph Sholom as well as to protect the neighborhood character of these two "micro" areas in the Upper West Side Historic district.

The Community Board must remind the B.S.A. of its responsibility to impose appropriate restrictions upon institutions where the evidence points to significant impact upon traffic, congestion, noise or property values.

The presumption that religious or educational institutions always operate in furtherance of the public interest should not be taken for granted; we are most concerned that mid-block expansions of the type being discussed this evening and the one proposed for West 84 Street by Congregation Rodeph Sholom would actually have a negative effect on our neighborhood and quality of life in general.

We encourage Community Board 7 and the B.S.A. to carefully draft a resolution that will balance the competing public and institutional interests. Impairment of the use and enjoyment of neighboring properties cannot be disregarded in determining the appropriateness of the variance application.

Community Board 7 must encourage B.S.A. to exercise its statutory right to attach reasonable conditions prior to granting a variance. On that basis, the B.S.A. must insist upon strict compliance with prior directives as a condition for any waiver of the Zoning Rules.

Finally, we encourage Community Board 7 to remind B.S.A. that institutional expansion of the type proposed by Congregations Shearith Israel and Rodeph Sholom overpowers and infringes upon the community's quality of life.