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## **SUPPLEMENTAL STATEMENT OF FACTS**

**BSA Calendar No: 2019-94-A**

**Premises:** 36 West 66th Street, a/k/a 50 West 66th Street, Manhattan  
Block 1118, Lot 45 (“the Parcel”)

**Determination  
Challenged:** Issuance of Permit No. 121190200-01-NB (“the Permit”)

As detailed in our November 6, 2019 submission, Appellant Landmark West! (“LW!”) is supplementing the affidavit of Michael Ambrosino, P.E., with four additional exhibits, two showing the current proposed layout of the mechanical equipment and two others, showing corresponding rearrangement of the mechanical equipment on the 18<sup>th</sup> and 19<sup>th</sup> floors, exposing the resulting unused space.

Appellant would like to emphasize that Extell’s submission of October 21, 2019 fails to detail the specific dimensions for each piece of equipment marked on the mechanical plans. This persistent omission on Extell’s part is apparently calculated to secret plain abuse of the mechanical equipment deduction. In any event, it is grossly inconsistent with Extell’s claim that it has provided complete information to enable DOB’s analysis. DOB’s own silence regarding

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this is more a sign of embarrassment at its own incompetence than an implication that such information is not necessary for its review.

Finally, Extell has failed to provide approved mechanical plans for the initial iteration of its project, requested by Commissioner Scibetta. Comparison of the mechanical equipment and its layout between the original and current projects is crucial in testing Extell's claim that the equipment it elected to use and its peculiar placement are solely function of operational requirements, guided by calls of efficiency, rather than greed.

Dated: December 3, 2019  
New York, New York

KLEIN SLOWIK PLLC



Mikhail Sheynker, Esq.