

Alan D. Sugarman
Attorney At Law

17 W. 70 Street
Suite 4
New York, NY 10023
212-873-1371
mobile 917-208-1516
fax 212-202-3524
sugarman@sugarlaw.com
www.sugarlaw.com

January 5, 2015

By Fax 1-646-500-6170

Martin Rebholz, R.A.
Borough Commissioner, Development Hub
New York City Department of Buildings
280 Broadway
New York NY 10007

Re: Intent to Revoke Approvals and Permits
Congregation Shearith Israel
BIS Job #121328919
Address: 8 West 70th Street, Manhattan
Block 1122, Lot 37

Dear Commissioner Rebholz

Reference is made to your letter of December 10, 2015, copy enclosed, to Barbara Reiss of Congregation Shearith Israel and Samuel White of Platt Byard Dovell White LLP concerning the above matter. Attached to the letter is a DOB Notice of Comments dated October 9, 2015.

The Notice was a consequence of the June 8, 2015 Zoning Challenge and Appeal filed by me on behalf of Nizam Kettenah et al which resulted in your decision of September 22, 2015. Thereafter on October 29, 2015, we further challenged the decision as to matters not resolved to our satisfaction by the decision. We expect to amend that further challenge after we have the opportunity to review the plans which were released to us earlier this week in response to our FOIL request.

We respectfully request the opportunity to receive a copy of any communications you receive from or on behalf of the Congregation in response to your letter and that we be allowed to attend any meeting held. It would seem to us that the remedy that the Congregation should follow is an appeal to the BSA. In any event, the DOB has decided to allow an internal appeal as to our challenge, and, we should like to observe so that the meeting is not an ex parte meeting.

Sincerely,



Alan D. Sugarman

Rick D. Chandler, P.E.
Commissioner

December 10, 2015

Martin Rebholz, R.A.
Borough Commissioner

BARBARA REISS (Owner)
8 WEST 70TH STREET
NEW YORK NY 10023

280 Broadway
New York, NY 10007

SAMUEL WHITE (Applicant)
PLATT BYARD DOVELL WHITE LLP
20 WEST 22ND STREET, NEW YORK NY 10010

+1 212 393 2615 tel
+1 646 500 6170 fax

RE: INTENT TO REVOKE APPROVAL(S) AND PERMIT(S)

8 WEST 70TH STREET
Block: 01122 Lot: 00037
Application #: 121328919

Dear Sir or Madam:

The Department of Buildings (the "Department") intends to revoke the approval and permit issued in connection with the application referenced above, pursuant to Sections 28-104.2.10 and 28-105.10.1 of the Administrative Code of the City of New York ("AC"), within fifteen calendar days of the posting of this letter by mail unless sufficient information is presented to the Department to demonstrate that the approval and permit should not be revoked.

Pursuant to AC §§ 28-104.2.10 and 28-105.10.1, the Department may revoke approval of construction documents for failure to comply with the provisions of the AC, other applicable laws or rules, or whenever a false statement or misrepresentation of material fact in the submittal documents upon the basis of which the approval was issued, or whenever any approval or permit has been issued in error.

The Department intends to revoke the approval and permit for the reasons set forth on the attached Objection Sheet, dated October 06, 2015.

In order to prevent revocation of the approval and permit upon the expiration of the fifteen day notice period, you must fax the appropriate borough office immediately to schedule an appointment to present information to the Department demonstrating that the permit should not be revoked. Your response may be deemed unresponsive if the architect or engineer of record fails to attend the appointment.

Sincerely,



Martin Rebholz, R.A.
Borough Commissioner

MR/DM

Cc: Martin Rebholz, Borough Commissioner
Borough Commissioner's Office
Revocation File

Calvin Warner, Chief Construction Inspector
Application Folder
Premises file



NYC Development Hub
 Department of Buildings
 80 Centre Street
 Third Floor
 New York, New York 10013
 nycdevelopmenthub@buildings.nyc.gov

Notice of Comments

Owner: Barbara Reiss

Date: October 09, 2015

Job Application #: 121328919

Application type A1 – New Building

Premises Address: 8 West 70 Street, MN

Zoning District: R8B, R10A

Applicant: Samuel G. White

Platt Byard Dovell White

20 West 22 Street, NY, NY 10010

Block: 1122 **Lots:** 37 **Doc(s):**

Plan Examiner at NYC Development Hub: Scott D. Pavan, RA – Deputy Borough Commissioner

Examiner's Signature:

No.	Section of ZR and/or MDL	Comments	Date Resolved
1.	74-07-BZ	The proposed interior floor layouts are substantially changed from those approved under BSA approved plans calendar no. 74-07-BZ. Provide updated modified BSA approved plans.	
2.	74-07-BZ	The proposed caretaker apartment location is substantially changed from those approved under BSA approved plans calendar no. 74-07-BZ. Provide updated modified BSA approved plans.	
3.			