



CITY OF NEW YORK

MANHATTAN COMMUNITY BOARD No. 4

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J. LEE COMPTON
Chair

MICHELLE SOLOMON
Acting District Manager

March 27, 2006

Hon. Meenakshi Srinivasan
Chair, Board of Standards and Appeals
40 Rector Street, 9th Floor
New York, NY 10006

Re: BSA Cal. Nos. 370-05-BZY & 371-05-A, 523 West 37th Street; Manhattan Block 709, Lot 23

Dear Chair Srinivasan:

We write in connection with the Application by Affirmation Arts Limited pursuant to Zoning Resolution Section 11-332 to extend for three months the building permit issued for a 1-story and mezzanine addition to the existing 3-story building at 523 West 37th Street. Your Board has scheduled a hearing in this matter for tomorrow.

The building is located in the path of the Phase 2 Hudson Boulevard and Park. Section 93-32 of the Special Hudson Yards District regulations in the Zoning Resolution prohibit new development or enlargement of existing developments at this location.

In October 2005 the Department of Buildings issued a Notice of Intent to Revoke All Permits because questions had been raised about whether or not work on the addition had begun before the effective date of the Hudson Yards rezoning. In November 2005, the Department of Buildings accepted the owner's documentation that construction had indeed begun before the effective date, and approved continuation of the construction, provided that work could not proceed beyond January 19, 2006 without prior approval from BSA.

We are grateful to the Department of City Planning and the Department of Buildings for investigating this matter, and seeing that the requirements of the Hudson Yards zoning are properly enforced. We defer to BSA's judgment about the adequacy of the record in this matter. If that record confirms the Department's conclusion that construction was timely begun and is being diligently pursued, this Board has no objection to the requested 3-month extension of the building permit.

This letter is being sent in time for the hearing on March 28, 2006, and is subject to ratification by the full Board at its meeting on April 5, 2006.

Sincerely,

J. Lee Compton
Chair

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cc: Local elected officials; William Haas, DCP; Gary R. Tarnoff, Kramer Levin