



NEW YORK STATE SENATOR

Daniel L. Squadron

Senator Squadron Testifies Against Illegal Expansion of E. 6th Street Building

DANIEL L. SQUADRON December 6, 2011

| ISSUE: **CONSTITUENTS CORNER**

NEW YORK -- Today, State Senator Daniel Squadron submitted testimony to two Board of Standards and Appeals public hearings regarding 514-516 East 6th Street. The building's owner, Benjamin Shaoul, **had previously come under fire** for an illegal rooftop addition around the corner and is currently seeking an expansion of the residential building on East 6th Street. Senator Squadron has been working with Council Member Rosie Mendez, residents, and advocates to protect tenants from these illegal additions.

"Tenants deserve to know that their homes will be protected -- and that those regulations will be enforced by DOB," said Senator Squadron in testimony opposing Shaoul's appeal of a Dept. of Buildings decision to deny the reinstatement of permits that allowed the expansion. "I urge the BSA to deny this appeal and send a message that the requirement for building owners to comply with the law does not have an expiration date."

Senator Squadron also testified against Shaoul's application for a zoning variance. "Due to the imperative to protect the safety of residents, the previous non-compliance of the owner, and the need to maintain the character of the neighborhood, I urge the BSA to refuse this

request for a zoning variance," Senator Squadron said.

The full testimonies are available below.

Testimony by State Senator Daniel Squadron at the New York City Board of Standards and Appeals Public Hearing Regarding Calendar No. 125-11-A

December 6, 2011

My name is Daniel Squadron and I represent the 25th Senate District in the New York State Senate. My district includes Greenpoint, Williamsburg, Vinegar Hill, DUMBO, Fulton Ferry, Brooklyn Heights, Boerum Hill, Cobble Hill, Carroll Gardens and Gowanus in Brooklyn, and the neighborhoods of Tribeca, Battery Park City, the Lower East Side, Chinatown, the Financial District, Little Italy, SoHo and the East Village in Manhattan. Thank you for giving me the opportunity to testify today.

Appeal number '125-11-A' challenges the Department of Buildings' (DOB) decision to deny the reinstatement of permits that allowed an enlargement to the existing residential building at 514-516 East 6th Street.

Over three years ago in November 2008, the Board of Standards and Appeals (BSA) ruled that vertical extensions of this kind violate the NYS Multiple Dwelling Law (MDL). As such, the permits on vertical extensions were refused. The proposed reinstatement of the permits would set a troubling precedent that says if enough time has elapsed, decisions taken to protect tenants can be overturned.

I have long been opposed to extensions of this nature when they violate the law. Whether you are in school or at a job, or you own a building, you must follow the rules.

Tenants deserve to know that their homes will be protected -- and that those regulations will be enforced by DOB. I urge the BSA to deny this appeal and send a message that the requirement for building owners to comply with the law does not have an expiration date.

Thank you again for this opportunity to testify today.

Testimony by State Senator Daniel Squadron at the New York City Board of Standards and Appeals Public Hearing Regarding Calendar No. 96-11-BZ

December 6, 2011

My name is Daniel Squadron and I represent the 25th Senate District in the New York State Senate. My district includes Greenpoint, Williamsburg, Vinegar Hill, DUMBO, Fulton Ferry, Brooklyn Heights, Boerum Hill, Cobble Hill, Carroll Gardens and Gowanus in Brooklyn, and the neighborhoods of Tribeca, Battery Park City, the Lower East Side, Chinatown, the Financial District, Little Italy, SoHo and the East Village in Manhattan. Thank you for giving me the opportunity to testify today.

I am strongly opposed to the application for a zoning variance sought here today. For over five years, residents and advocates have opposed vertical building enlargements of this kind. By granting this variance, the Board of Standards and Appeals (BSA) would set a precedent that would allow additional apartments to be built far in excess of what current zoning laws allow, violating Multiple Dwelling Law (MDL) regulations and posing a threat to the safety of residents.

The owner of 514-516 East 6th Street has also failed to comply with a condition of an earlier BSA decision to grant MDL variances. In September 2009, BSA ruled in favor of the owner to grant waivers that would allow the 6th floor enlargement to remain, but required the removal of the 7th floor by February 3, 2011. Over two years later, the removal of the 7th floor has still not occurred. This non-compliance is not acceptable.

Granting today's request could also lead to a permanent change to the original height of the tenement buildings on East 6th Street, putting the buildings out of context with their neighbors and altering the feel of an historic neighborhood. According to Section 72-21 of the Zoning Resolution, one of the key findings that must be adhered to is that a request for a zoning variance, if granted, "will not alter the essential character of the neighborhood."

Due to the imperative to protect the safety of residents, the previous non-compliance of the owner, and the need to maintain the character of the neighborhood, I urge the BSA to refuse this request for a zoning variance.

Thank you again for this opportunity to testify today.

###

Media Contact: Amy Spitalnick / 212.298.5565