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# BULLETIN

OF THE  
NEW YORK CITY BOARD OF STANDARDS  
AND APPEALS

Published weekly by The Board of Standards and Appeals at its office at:  
40 Rector Street, 9th Floor, New York, N.Y. 10006.

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Volume 87, Nos. 18

May 2, 2002

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## DIRECTORY

**JAMES CHIN**, *Chairman*

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**PETER CALIENDO**

*Commissioners*

**Pasquale Pacifico**, *Executive Director*

**Roy Starrin**, *Deputy Director*

**Juan D. Reyes, III**, *Counsel*

OFFICE - 40 Rector Street, 9th Floor, New York, N.Y. 10006  
HEARINGS HELD - 40 Rector Street, 6th Floor, New York, N.Y. 10006  
BSA WEBPAGE @ <http://www.nyc.gov/html/bsa/home.html>  
TELEPHONE - (212) 513-4670  
FAX - (212) 513-4690

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**Affecting Calendar Numbers:**

253-01-BZ            848 Washington Street, Manhattan

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# DOCKET

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New Case Filed Up to April 23, 2002

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**119-02-BZ** B.BK. 94 North 13<sup>th</sup> Street, east side, between North 12<sup>th</sup> and 13<sup>th</sup> Streets, Block 2283, Lot 1, Borough of Brooklyn. Applic. #301289415. Proposed construction of two additional floors above an existing one story manufacturing building, to be used for residential occupancy, located in an M3-1 zoning district, is contrary to Z.R. §42-00.

**COMMUNITY BOARD #1BK**

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**120-02-BZ** B.M. 42 Avenue "A", northeast corner of East Third Street, Block 399, Lot 1, Borough of Manhattan. Alt. Type 1#102493730. The legalization of an existing physical culture establishment, Use Group 9, located in the cellar of a six story building, requires a special permit from the Board as per Z.R. §32-10.

**COMMUNITY BOARD #3M**

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**121-02-BZ** B.BK. 9215 Fourth Avenue, a/k/a 9214 Fifth Avenue, east side, 105' south of 92<sup>nd</sup> Street, Block 6108, Lot 17, Borough of Brooklyn. Applic. #301295140. The legalization of an existing physical culture establishment, Use Group 9, located in a C8-1 zoning requires a special permit from the Board as per Z.R. §32-10.

**COMMUNITY BOARD #10BK**

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**122-02-BZ** B.M. 32 West 22<sup>nd</sup> Street, south side, 492' west of Fifth Avenue, Block 823, Lot 61, Borough of Manhattan. Applic. #103098498. The legalization of an existing physical culture establishment, Use Group 9, located on the first floor and in the cellar of a six story office building, requires a special from the Board as per Z.R. §73-36.

**COMMUNITY BOARD #5M**

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**123-02-BZ** B.Q. 14-34 110<sup>th</sup> Street, west side of Powells Cove Boulevard, Block 4044, Lot 20, Borough of Queens. N.B. #401204166. Proposed six story mixed use building, consisting of commercial office space, and residential occupancy on floors three through six, located in an M2-1 zoning district, is contrary to Z.R. §42-00.

**COMMUNITY BOARD #7Q**

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**124-02-BZ** B.Q. 8000 Utopia Parkway, bounded by Union Turnpike, 82<sup>nd</sup> Avenue and 170<sup>th</sup> Street, Block 7021, Lots 1, 50, 75 and 100, Borough of Queens. Applic.

#400912410 and #401425150. Proposed combination of three existing accessory group parking facilities, into a single facility with roof top parking, and secondly the construction of a new accessory garage with rooftop parking, for an existing university campus, located in an R4 zoning district, is contrary to §25-11 and §25-13.

**COMMUNITY BOARD #8Q**

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**DESIGNATIONS: D-Department of Buildings; B.BK.-Department of Buildings, Brooklyn; B.M.-Department of Buildings, Manhattan; B.Q.-Department of Buildings, Queens; B.S.I.-Department of Buildings, Staten Island; B.BX.-Department of Building, The Bronx; H.D.-Health Department; F.D.-Fire Department.**

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# CALENDAR

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**MAY 21, 2002, 11:00 A.M.**

**NOTICE IS HEREBY GIVEN** of a public hearing, *Tuesday morning*, May 21, 2002, at 11 A.M., at 40 Rector Street, 6<sup>th</sup> Floor, New York, N.Y. 10006, on the following matters:

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## APPEALS CALENDAR

### 72-02-A

APPLICANT - Mitchell H. Hossoff, Kossoff Alper & Unger, for PR 30 LLC, owner.

SUBJECT - Application March 5, 2002 - An appeal from a decision of the Department of Buildings dated February 4, 2002, which denied the creation of new non-conforming single room units on the basement floor of subject premises.

PREMISES AFFECTED - 325 West 30th Street, north side, 321' west of Eighth Avenue, Block 754, Lot 25, Borough of Manhattan.

**COMMUNITY BOARD #4M**

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**MAY 21, 2002, 2:00 P.M.**

**NOTICE IS HEREBY GIVEN** of a public hearing, *Tuesday afternoon*, May 21, 2002, at 2 P.M., at 40 Rector Street, 6<sup>th</sup> Floor, New York, N.Y. 10006, on the following matters:

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## ZONING CALENDAR

### 367-01-BZ

APPLICANT - Rosenberg & Estis, P.C., by Ellen Hay, for Fifty Third Group, LLC, owner.

SUBJECT - Application March 18, 2002 - under Z.R. §72-21, to permit the legalization of the change in occupancy of a portion of the first floor, in an existing six story mixed use building, from residential to commercial use, located in an R-8B (TA) zoning district, which is contrary to Z.R. §32-15.

PREMISES AFFECTED - 226 East 53rd Street, south side, between Second and Third Avenues, Block 1326, Lot 37, Borough of Manhattan.

**COMMUNITY BOARD #6M**

APPLICANT - Agusta & Ross for 399 Broadway Holdings, LLC., owner.

SUBJECT - Application November 30, 2001 - under Z.R. §72-21, to permit the proposed erection of a four story multiple dwelling (Use Group 2) located in an M1-1 zoning district, which is contrary to Z.R. §42-10.

PREMISES AFFECTED - 836 Kent Avenue, west side, 119'-8" south of Park Avenue, Block 1897, Lot 36, Borough of Brooklyn. 838 Kent Avenue, west side, 114'-8" south of Park Avenue, Block 1897, Lot 37, Borough of Brooklyn.

**COMMUNITY BOARD #3BK**

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### 2-02-BZ

APPLICANT - Sheldon Lobel, P.C., for City of New York Economic Development, owner; Bronx Preparatory Charter School, lessee.

SUBJECT - Application January 3, 2002 - under Z.R. §§72-21 and 73-19 to permit the proposed construction of a five story school, Use Group 3, located in an M1-4 zoning district, which requires a special permit as per §73-19 and a variance to waive certain rear yard requirements, which is contrary to §42-13, §43-232 and §43-302.

PREMISES AFFECTED - 3872 Third Avenue, aka 532 East 172nd Street, southeast corner, Block 2929, Lots 8-18, 20 and 22, Borough of The Bronx.

**COMMUNITY BOARD #3BX**

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### 20-02-BZ

APPLICANT - Fredrick A. Becker, Esq., for 303 Park Avenue South Leasehold LLC, owner; Town Sports International dba New York Sports Club, lessee.

SUBJECT - Application January 7, 2002 - under Z.R. §73-36, to permit the proposed expansion of an existing physical culture establishment, located in a C6-4A zoning district, previously granted under Cal. No. 160-95-BZ, which requires a special permit as per Z.R. §§32-10 and 32-31.

PREMISES AFFECTED - 303 Park Avenue South, northeast corner of East 23rd Street, Block 879, Lot 1, Borough of Manhattan.

**COMMUNITY BOARD #5M**

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**374-01-BZ & 375-01-BZ**

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**30-02-BZ**

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# CALENDAR

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APPLICANT - Fredrick A. Becker, Esq., for Delmonico Hotel Co., LLC, owner; Town Sports International dba New York Sports Club, lessee.

SUBJECT - Application January 17, 2002 - under Z.R. §73-36, to permit the legalization of an expansion of an existing physical culture establishment, located within portions of the basement, first floor, second floor mezzanine and second floor, of a thirty-two story commercial building, located in a C5-2.5 and C5-5 (Mid) zoning district, which requires a special permit as per Z.R. §32-10. PREMISES AFFECTED - 502 Park Avenue, northwest corner of East 59th Street, Block 1374, Lots 30 and 36, Borough of Manhattan.

**COMMUNITY BOARD #8M**

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**37-02-BZ**

APPLICANT - Harold Weinberg, P.E., for Estate of Herbert Weinberg, Harold Weinberg, owner; Miriam Weinberg Eberman, contract vendee.

SUBJECT - Application April 11, 2002 - under Z.R. §73-622, to permit the proposed enlargement of an existing two family dwelling (Use Group 2) located in an R3-1 zoning district, which does not comply with the zoning requirements for floor area ratio and rear yard, and is contrary to Z.R. §23-141, §23-47 and §54-31. PREMISES AFFECTED - 181 Falmouth Street, east side, 100'-0" north of Oriental Boulevard, Block 8749, Lot 292, Borough of Brooklyn.

**COMMUNITY BOARD #15BK**

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**84-02-BZ**

APPLICANT - Howard A. Zipser/Stadtmauer Bailkin, for East End Temple Congregation El Emet, owner.

SUBJECT - Application March 25, 2002 - under Z.R. §72-21, to permit the proposed expansion at the basement, first and second floor levels, of an existing synagogue (Use Group 4), located in an R7B and R9A zoning district, which does not comply with the zoning requirements for rear yard and lot coverage, and is contrary to Z.R. §24-12 and §24-33.

PREMISES AFFECTED - 245 East 17th Street, north side, 83' west of Second Avenue, Block 898, Lot 25, Borough of Manhattan.

**COMMUNITY BOARD #6M**

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*Pasquale Pacifico, Executive Director*

**JUNE 4, 2002, 10:00 A.M.**

**NOTICE IS HEREBY GIVEN** of a public hearing, *Tuesday morning*, June 4, 2002, at 10 A.M., at 40 Rector Street, 6<sup>th</sup> Floor, New York, N.Y. 10006, on the following matters:

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**SPECIAL ORDER CALENDAR**

**618-55-BZ**

APPLICANT - Catapano Engineering, P.C., for Leemilts Petroleum, Inc. (aka Power Test Realty Co.), owner.

SUBJECT - Application January 15, 2002 - request for a waiver of the Rules of Practice and Procedure, reopening for an extension of term of variance which expired May 22, 2001 and for an amendment to the resolution.

PREMISES AFFECTED - 3902 Avenue U, between Ryder Street and Kimball Street, Block 8556, Lot 37, Borough of Brooklyn.

**COMMUNITY BOARD #18BK**

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**1558-61-BZ**

APPLICANT - Fischbein Badillo Wagner Harding, for Trump CPS, LLC, owner.

SUBJECT - Application March 20, 2002 - reopening for an extension of term of variance which expired March 13, 2002.

PREMISES AFFECTED - 100 Central Park South a/k/a 1439 Avenue of the Americas, southwest corner of Central Park South and Avenue of the Americas, Block 1011, Lot 33, Borough of Manhattan.

**COMMUNITY BOARD #5M**

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**68-91-BZ**

APPLICANT - Walter T. Gorman, P.E., for Cumberland Farms, (GULF) Inc., owner; NOR-Springfield Service Station, owner.

SUBJECT - Application February 5, 2002 - reopening for an extension of term of variance which expired May 19, 2002 and for an amendment to the resolution.

PREMISES AFFECTED - 223-15/25 Union Turnpike aka 79-10 Springfield Boulevard, Block 7780, Lot 1, Borough of Queens.

**COMMUNITY BOARD #11Q**

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**75-97-BZ**

APPLICANT - Rampulla Associates Architects, for Pergament Enterprise of S.I., owner; Lovely Lady Figure Salon, lessee.

SUBJECT - Application January 29, 2002 - request for a waiver of the Rules of Practice and Procedure, reopening for an extension of term of variance which expired September 1, 2001 and for an

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# MINUTES

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amendment to the resolution.

PREMISES AFFECTED - 2795 Richmond Avenue, Richmond Avenue and Yukon Avenue, Block 2440, Lot 2, Borough of Staten Island.

**COMMUNITY BOARD #2 S.I.**

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**175-97-BZ**

APPLICANT - Francis R. Angelino, Esq., for H S Acquisition, LLC, owner.

SUBJECT - Application March 19, 2002 - reopening for an extension of time to complete construction which expired April 21, 2002.

PREMISES AFFECTED - 55 West Houston Street, aka 158-160 Wooster Street, 200' along south side of W. Houston, Wooster and Green Streets, Block 514, Lot 14, Borough of Manhattan.

**COMMUNITY BOARD #M1-5A**

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*Pasquale Pacifico, Executive Director*

## ZONING CALENDAR

**92-02-BZ**

APPLICANT - Paul, Hastings, Janofsky & Walker, LLP, by Elise Wagner, Esq., and Jeremiah H. Candreva, Esq., for Alvin Ailey Dance Foundation, owner.

SUBJECT - Application March 28, 2002 - under Z.R. §72-21, to permit the proposed development of a new building, (Alvin Ailey Dance Foundation), Use Group 4, located in an R8(C1-5)/C6-2 zoning district and The Preservation of the Special Clinton District, which does not comply with the zoning requirements for lot coverage, initial setback distance and height, which is contrary to §96-102 and §33-341.

PREMISES AFFECTED - 841/49 Ninth Avenue and 401/09 West 55th Street, northwest corner, Block 1065, Lot 29, Borough of Manhattan.

**COMMUNITY BOARD #4M**

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*Pasquale Pacifico, Executive Director*

**JUNE 4, 2002, 2:00 P.M.**

**NOTICE IS HEREBY GIVEN** of a public hearing, Tuesday afternoon, June 4, 2002, at 2 P.M., at 40 Rector Street, 6<sup>th</sup> Floor, New York, N.Y. 10006, on the following matters:

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**REGULAR MEETING  
TUESDAY MORNING, APRIL 23, 2002  
10:00 A.M.**

**Present:** Chairman Chin, Vice-Chair Babbar, Commissioner Korbey and Commissioner Caliendo.

The minutes of the regular meetings of the Board held on

# MINUTES

Tuesday morning and afternoon, March 26, 2002, were approved as printed in the Bulletin of April 4, 2002, Volume 87, No. 14.

## SPECIAL ORDER CALENDAR

### 80-54-BZ

APPLICANT - Sheldon Lobel, P.C., for Dryden Hotel Associates, owner; Carlyle Construction Corp., lessee.

SUBJECT - Application November 19, 2001 - reopening for an amendment to the resolution.

PREMISES AFFECTED - 148/152 East 39th Street, between Third Avenue and Lexington Avenue, Block 854, Lot 52, Borough of Manhattan.

### COMMUNITY BOARD #6M

APPEARANCES -

For Applicant: Eric Palatnik.

**ACTION OF THE BOARD** - Rules of Practice and Procedure waived, application reopened, resolution amended.

**THE VOTE TO GRANT** -

Affirmative: Chairman Chin, Vice-Chair Babbar, Commissioner Korbey and Commissioner Caliendo.....4

Negative: .....0

**THE RESOLUTION** -

WHEREAS, the applicant has requested a reopening of and amendment to the variance granted under Cal. No. 80-54-BZ; and

WHEREAS, a public hearing was held on this application on March 26, 2002 after due notice by publication in *The City Record*, laid over to April 23, 2002 for decision; and

WHEREAS, the applicant is seeking to permit the reduction of commercial cellar space from the previously authorized 3030 square feet to 2330 square feet of retail space; and

WHEREAS, the applicant is also seeking to permit the newly partitioned 700 square feet of space to be used as an accessory recreation room for the residents of 148-152 East 39th Street and 108 East 38th Street, a nearby building under the same ownership as the premises; and

WHEREAS, the applicant represents that the recreation room will accommodate a maximum of 25 persons at any one time.

*Resolved*, that the Board of Standards and Appeals hereby waives the Rules of Practice and Procedure and *reopens and amends* the resolution pursuant to Z.R. §§11-412 and 11-413, said resolution having been adopted December 13, 1955, so that as amended this portion of the resolution shall read:

"to permit the reduction of commercial cellar space from the previously authorized 3030 square feet to 2330 square feet of retail space and to permit the newly partitioned 700 square feet of space to be used as an accessory recreation room for the residents of 148-152 East 39th Street and 108 East 38th Street, *on condition*

THAT the premises shall be maintained in substantial compliance with the proposed drawings submitted with the

application marked "Received April 11, 2002"-(1) sheet; and that other than as herein amended the resolution above cited shall be complied with in all respects;

THAT the newly partitioned 700 square feet of space to be used as an accessory recreation room shall be reflected in the Certificates of Occupancy for 148-152 East 39th Street and 108 East 38th Street;

THAT the maximum occupancy for the newly partitioned accessory recreation room shall be 25 persons;

THAT new Certificates of Occupancy for 148-152 East 39th Street and 108 East 38th Street shall be obtained within one year from the date of this amended resolution;

THAT this approval is limited to the relief granted by the Board in response to specifically cited and filed DOB/other jurisdiction objection(s) only;

THAT the approved plans shall be considered approved only for the portions related to the specific relief granted;

THAT the Department of Buildings must ensure compliance with all other applicable provisions of the Zoning Resolution, the Administrative Code and any other relevant laws under its jurisdiction irrespective of plan(s) and/or configuration(s) not related to the relief granted."

(ALT No. 102778004)

Adopted by the Board of Standards and Appeals, April 23, 2002.

### 252-71-BZ

APPLICANT - Alfonse Duarte, P.E., for Jacob Pearlstein, LLC, owner.

SUBJECT - Application July 10, 2001 - reopening for an extension of term of variance which expired July 13, 2001.

PREMISES AFFECTED - 190-18 Northern Boulevard, south side between 189th and 192nd Streets, Block 5513, Lot 22, Borough of Queens.

### COMMUNITY BOARD #11Q

APPEARANCES -

For Applicant: Alfonso Duarte.

**ACTION OF THE BOARD** - Rules of Practice and Procedure waived, application reopened, resolution amended and term of the variance extended.

**THE VOTE TO GRANT** -

Affirmative: Chairman Chin, Vice-Chair Babbar, Commissioner Korbey and Commissioner Caliendo.....4

Negative: .....0

**THE RESOLUTION** -

WHEREAS, the applicant has requested a reopening and an extension of the variance which expired July 13, 2001; and

WHEREAS, Community Board #18, Queens, has recommended approval of this application; and

WHEREAS, a public hearing was held on this application on December 18, 2001 after due notice by publication in *The City Record*, laid over to February 5, 2002, March 19, 2002, April 9,

# MINUTES

2002 and then to April 23, 2002 for decision; and

WHEREAS, the applicant is seeking to permit the change of use on a portion of the lot from an automobile supply store (Use Group 6C) to sale of furniture (Use Group 6C), and to extend the term of the variance for an additional ten (10) years.

*Resolved*, that the Board of Standards and Appeals hereby waives the Rules of Practice and Procedure and *reopens and extends* the resolution pursuant to Z.R. §11-411, said resolution having been adopted July 13, 1971 as amended through July 13, 1991, and expiring July 13, 2001, so that as amended this portion of the resolution shall read:

"to permit the change of use on a portion of the lot from an automobile supply store (Use Group 6C) to sale of furniture (Use Group 6C) and to extend the term of the resolution for ten years from July 13, 2001 expiring July 13, 2011, *on condition*

THAT the premises shall be maintained in substantial compliance with the proposed drawings submitted with the application marked "Received July 10, 2001"-(1) sheet; and that other than as herein amended the resolution above cited shall be complied with in all respects;

THAT the premises shall be kept clean of debris and graffiti;

THAT all lighting shall be pointed away from residential dwellings;

THAT there shall no parking on the sidewalks;

THAT there will be no outdoor storage;

THAT there shall be no outdoor automobile repair or body work;

THAT there shall be no outdoor automobile lifts on the premises;

THAT all signs shall be maintained in accordance with BSA approved plans;

THAT a new Certificate of Occupancy shall be obtained within one year from the date of this amended resolution;

THAT this approval is limited to the relief granted by the Board in response to specifically cited and filed DOB/other jurisdiction objection(s) only;

THAT the approved plans shall be considered approved only for the portions related to the specific relief granted; and

THAT the Department of Buildings must ensure compliance with all other applicable provisions of the Zoning Resolution, the Administrative Code and any other relevant laws under its jurisdiction irrespective of plan(s) and/or configuration(s) not related to the relief granted."

(ALT No. 401276490)

Adopted by the Board of Standards and Appeals, April 23, 2002.

## 1038-80-BZ

APPLICANT - Davidoff & Malito, LLP, for Feinrose Association, owner; Expressway Arcade Corp., lessee.

SUBJECT - Application February 6, 2002 - reopening for an

extension of term of variance which expired January 6, 2002.

PREMISES AFFECTED - 31-07/09/11 Downing Street, Block 4367, Lot 1, Borough of Queens.

## COMMUNITY BOARD #7Q

APPEARANCES -

For Applicant: Arthur Goldstein.

**ACTION OF THE BOARD** - Application reopened and term of the special permit extended.

THE VOTE TO CLOSE HEARING -

Affirmative: Chairman Chin, Vice-Chair Bonfilio, Commissioner Korbey and Commissioner Caliendo.....4

Negative: .....0

THE VOTE TO GRANT -

Affirmative: Chairman Chin, Vice-Chair Bonfilio, Commissioner Korbey and Commissioner Caliendo.....4

Negative: .....0

THE RESOLUTION -

WHEREAS, this is an application to extend the term of the special permit; and

WHEREAS, a public hearing was held on this application on April 23, 2002 after due notice by publication in the City Record, and a decision was reached on the same date; and.

WHEREAS, Community Board #7Q recommends approval of the application;

*Resolved*, that the Board of Standards and Appeals hereby reopens and extends the term of the resolution pursuant to Z.R. §73-03, said resolution having been adopted on January 6, 1981 as amended through June 5, 2001, expiring January 6, 2002, only as to the term of the special permit, so that as amended this portion of the resolution shall read:

"granted for an extension of term, on condition that the term of the special permit shall be limited to one year from January 6, 2002 to expire on January 6, 2003; that the premises shall be maintained in substantial compliance with the existing and proposed drawing submitted with the application marked "Received February 6, 2002"-(1) sheet; and that other than as herein amended the resolution above cited shall be complied with in all respects and that a new certificate of occupancy shall be obtained within one year from the date of this amended resolution,"

(Alt. 435/81)

Adopted by the Board of Standards and Appeals, April 23, 2002.

## 118-53-BZ

APPLICANT - Issa Khorasanchi, P.E., for Henry R. Janet, owner.

SUBJECT - Application December 5, 2001 and updated March 18, 2002 - reopening for an extension of term of variance which expired and for an amendment to the resolution.

PREMISES AFFECTED - 106-57/61 160th Street, east side, 25' north of 107th Avenue, Block 10128, Lot 50, Borough of Queens.

# MINUTES

## COMMUNITY BOARD #12Q

APPEARANCES - None.

**ACTION OF THE BOARD** - Laid over to June 18, 2002, at 10 A.M., for postponed hearing.

## 1250-65-BZ

APPLICANT - Seymour W. Gage, P.E., for 87th Street Owner's Corp., owner; Park 87th Corp., lessee.

SUBJECT - Application August 21, 2001 - request for a waiver of the Rules of Practice and Procedure, reopening for an extension of term of variance which expired March 2, 1991.

PREMISES AFFECTED - 55 East 87th Street, north side of East 87th Street, between Madison and Park Avenues, Block 1499, Lot 25, Borough of Manhattan.

## COMMUNITY BOARD #8M

APPEARANCES -

For Applicant: Peter Hirshman.

**ACTION OF THE BOARD** - Laid over to June 4, 2002, at 10 A.M., for continued hearing.

## 130-88-BZ

APPLICANT - Vassalotti Associates, AIA, for Phillips Petroleum Co., owner.

SUBJECT - Application February 12, 2002 - request for a waiver of the Rules of Practice and Procedure and reopening for an extension of time to obtain a new certificate of occupancy which expired October 12, 2000.

PREMISES AFFECTED - 1007 Brooklyn Avenue, southeast corner of Snyder Avenue and Brooklyn Avenue, Block 4907, Lot 1, Borough of Brooklyn.

## COMMUNITY BOARD #17BK

APPEARANCES -

For Applicant: Adam Rothkrug.

THE VOTE TO CLOSE HEARING -

Affirmative: Chairman Chin, Vice-Chair Babbar, Commissioner Korbey and Commissioner Caliendo.....4

Negative: .....0

**ACTION OF THE BOARD** - Laid over to May 14, 2002, at 10 A.M., for decision, hearing closed.

## 173-94-BZ

APPLICANT - New York City Board of Standards and Appeals.

SUBJECT - For possible rescindment of the resolution.

PREMISES AFFECTED - 165-10 144th Road, southeast corner

of Rockaway Boulevard, Block 13271, Lot 17, Borough of Queens.

## COMMUNITY BOARD #13Q

APPEARANCES -

For Applicant: Adam W. Rothkrug.

For Administration: John Scrofani, Fire Department.

**ACTION OF THE BOARD** - Laid over to July 9, 2002, at 10 A.M., for continued hearing.

## 262-99-BZ

APPLICANT - Sheldon Lobel, P.C., for ARE Group Inc., owner.

SUBJECT - Application August 21, 2001 - reopening for an amendment to the resolution.

PREMISES AFFECTED - 230-234 East 124th Street, between Second and Third Avenues, Block 1788, Lots 35, 37, Borough of Manhattan.

## COMMUNITY BOARD #11M

APPEARANCES -

For Applicant: Eric Palatnik.

THE VOTE TO CLOSE HEARING -

Affirmative: Chairman Chin, Vice-Chair Babbar, Commissioner Korbey and Commissioner Caliendo.....4

Negative: .....0

**ACTION OF THE BOARD** - Laid over to May 14, 2002, at 10 A.M., for decision, hearing closed.

## 376-01-A

APPLICANT - H. Irving Sigman, for Moshe Benshaul, owner.

SUBJECT - Application December 3, 2001 - An appeal for an interpretation of Z.R. §23-48, "Special Provision for Existing Narrow Zoning Lots", as it applies to subject premises which is a corner lot.

PREMISES AFFECTED - 10-03 141st Street, southeast corner of South Drive, Block 4433, Lot 1, Borough of Queens.

## COMMUNITY BOARD #7Q

APPEARANCES -

For Applicant: H.Irving Sigman.

**ACTION OF THE BOARD** - Appeal Granted

THE VOTE TO GRANT -

Affirmative: Chairman Chin, Vice-Chair Babbar, Commissioner Korbey and Commissioner Caliendo.....4

Negative: .....0

THE RESOLUTION -

WHEREAS, the decision of the Department of Buildings, dated November 30, 2001 acting on Applic. No. 401376239, refused to apply the Special Provisions for Existing Narrow Zoning Lots for corner lots of Sect. 23-48 and denied a reduction of the side yard; and

WHEREAS, a public hearing was held on this application on March 5, 2002 after due notice by publication in *The City Record*, laid over to April 9, 2002 and then to April 23, 2002 for decision; and

WHEREAS, this is an appeal challenging a decision of the

# MINUTES

Department of Buildings (DOB), disapproving the appellant's application for a cellar and first story enlargement to an existing single family detached residence located on a corner lot in an R1-2 zoning district pursuant to Sect. 23-48; and

WHEREAS, on November 8, 2001 an application was filed to erect a cellar and one-story enlargement consisting of 264 square feet to an existing one family dwelling located on a corner lot with an eastern side yard of 18'-6" and the southern side yard is 4'-11"; and

WHEREAS, Zoning Resolution §23-461(a) requires that in an R1-2 zoning district a single detached residence provide two side yards with a minimum total width of 20', with one of the side yards measuring at least 8' in width; and

WHEREAS, the appellant's proposal would reduce the eastern side yard from its current width of 18'-6" to a width of 6'-9"; and

WHEREAS, the DOB contends that it disapproved the appellant's application because the proposed enlargement would create a new non-compliance within the minimum required side yard width pursuant to Zoning Resolution §23-461; and

WHEREAS, Zoning Resolution § 23-48 allows for a reduction of the required side yards if the zoning lot consists of a tract of land which (a) has less than the prescribed minimum lot width of 60' and (b) was owned separately and individually from all other adjoining tracts of land, both on December 15, 1961 and on the date of application for a building permit; and

WHEREAS, the Board finds that the applicant's proposal falls within the minimum lot requirements of Zoning Resolution §23-32 and that §23-48's side yard reduction for existing narrow zoning lots does apply to this application because the appellant has established that the zoning lot is less than 60' wide; and

WHEREAS, the applicant has submitted adequate evidence to warrant this approval under certain conditions.

*Resolved*, that the decision of the Queens Borough Commissioner, dated November 28, 2001 acting on Applic. No. 401376239, is modified and this appeal is granted on condition that the proposal comply with all applicable R1-2, zoning district requirements; that all applicable laws, rules, and regulations shall be complied with; on *further condition*;

THAT this approval is limited to the relief granted by the Board in response to specifically cited and filed DOB/other jurisdiction objection(s) only;

THAT the approved plans shall be considered approved only for the portions related to the specific relief granted;

THAT the Department of Buildings must ensure compliance with all other applicable provisions of the Zoning Resolution, the Administrative Code and any other relevant laws under its jurisdiction irrespective of plan(s) and/or configuration(s) not related to the relief granted.

Adopted by the Board of Standards and Appeals April 23, 2002.

Springville, Inc., owner.

SUBJECT - Applications April 30, 2001 - proposed two family dwelling located within the bed of a mapped street, is contrary to Section 35, Article 3 of the General City Law.

PREMISES AFFECTED -

46 Beard Street, west side, 345.35' north of Travis Avenue, Block 2370, Lot 1, Borough of Staten Island.

40 Beard Street, west side, 409.85' north of Travis Avenue, Block 2370, Lot 4, Borough of Staten Island.

38 Beard Street, west side, 441.85' north of Travis Avenue, Block 2370, Lot 5, Borough of Staten Island.

34 Beard Street, west side, 473.85' north of Travis Avenue, Block 2370, Lot 7, Borough of Staten Island.

32 Beard Street, west side, 489.85' north of Travis Avenue, Block 2370, Lot 8, Borough of Staten Island.

28 Beard Street, west side, 520.85' north of Travis Avenue, Block 2370, Lot 10, Borough of Staten Island.

26 Beard Street, west side, 544.68' north of Travis Avenue, Block 2370, Lot 11, Borough of Staten Island.

20 Beard Street, west side, 568.51' north of Travis Avenue, Block 2370, Lot 12, Borough of Staten Island.

22 Beard Street, west side, 584.51' north of Travis Avenue, Block 2370, Lot 13, Borough of Staten Island.

16 Beard Street, west side, 600.51' north of Travis Avenue, Block 2370, Lot 14, Borough of Staten Island.

14 Beard Street, west side, 616.51' north of Travis Avenue, Block 2370, Lot 15, Borough of Staten Island.

8 Beard Street, west side, 664.51' north of Travis Avenue, Block 2370, Lot 18, Borough of Staten Island.

6 Beard Street, west side, 670.51' north of Travis Avenue, Block 2370, Lot 18, Borough of Staten Island.

3 Beard Street, west side, 672.52' north of Travis Avenue, Block 2370, Lot 42, Borough of Staten Island.

30 Monahan Avenue, south side, 72.18' east of Lewiston Street, Block 2370, Lot 208, Borough of Staten Island.

28 Monahan Avenue, south side, 86.02' east of Lewiston Street, Block 2370, Lot 209, Borough of Staten Island.

26 Monahan Avenue, south side, 99.85' east of Lewiston Street, Block 2370, Lot 210, Borough of Staten Island.

24 Monahan Avenue, south side, 113.69' east of Lewiston Street, Block 2370, Lot 211, Borough of Staten Island.

22 Monahan Avenue, south side, 127.52' east of Lewiston Street, Block 2370, Lot 212, Borough of Staten Island.

20 Monahan Avenue, south side, 161.35' east of Lewiston Street, Block 2370, Lot 213, Borough of Staten Island.

18 Monahan Avenue, south side, 175.18' east of Lewiston Street, Block 2370, Lot 214, Borough of Staten Island.

14 Monahan Avenue, south side, 202.85' east of Lewiston Street, Block 2370, Lot 216, Borough of Staten Island.

12 Monahan Avenue, south side, 216.68' east of Lewiston Street, Block 2370, Lot 217, Borough of

**165-01-A thru 189-01-A**

APPLICANT - Rothkrug & Rothkrug, for Tower Hill at

# MINUTES

Staten Island.

8 Monahan Avenue, south side, 244.35' east of Lewiston Street, Block 2370, Lot 219, Borough of Staten Island.

6 Monahan Avenue, south side, 258.18' east of Lewiston Street, Block 2370, Lot 220, Borough of Staten Island.

**APPEARANCES -**

For Applicant: Adam W. Rothkrug.

For Administration: John Scrofani, Fire Department.

**THE VOTE TO REOPEN HEARING -**

Affirmative: Chairman Chin, Vice-Chair Babbar, Commissioner Korbey and Commissioner Caliendo.....4

Negative: .....0

**ACTION OF THE BOARD -** Laid over to May 7, 2002, at 11 A.M., for continued hearing.

**220-01-A**

APPLICANT - Glen V. Cutrona, AIA, for Thomas A. Maira, owner.

SUBJECT - Application June 20, 2001 - proposed construction of a two family dwelling, located within the bed of a mapped street, is contrary to Section 35, Article 3 of the General City Law. PREMISES AFFECTED - 10 Everton Avenue, northwest side of Woodrow Road, 52.57' southwest of the corner formed by the intersection of Everton Avenue and Woodrow Road, Block 6045, Lot 4, Borough of Staten Island.

**APPEARANCES -**

For Administration: John Scrofani, Fire Department.

**ACTION OF THE BOARD -** Laid over to May 14, 2002, at 11 A.M., for deferred decision.

**59-02-A**

APPLICANT - Jose Martinez, for Carlos A. Aguirre, owner.

SUBJECT - Application February 14, 2002 - Proposed one family dwelling, located within the bed of a mapped street, is contrary to Section 35, Article 3 of the General City Law.

PREMISES AFFECTED - 23-81 89th Street, east side, 572.67' north of Astoria Boulevard, Block 1101, Lot 6, Borough of Queens.

**APPEARANCES -**

For Applicant: Carlos A. Aguirre.

For Administration: John Scrofani, Fire Department.

**ACTION OF THE BOARD -** Laid over to May 21, 2002, at 11 A.M., for continued hearing.

*Pasquale Pacifico, Executive Director.*

Adjourned: 11:15 A.M.

**REGULAR MEETING  
TUESDAY AFTERNOON, APRIL 23, 2002  
2:00 P.M.**

**Present:** Chairman Chin, Vice-Chair Babbar, Commissioner Korbey and Commissioner Caliendo.

**ZONING CALENDAR**

**259-01-BZ**

**CEQR # 02-BSA-023Q**

APPLICANT - Sheldon Lobel, P.C., for BP Amoco, plc, owner. SUBJECT - Application August 23, 2001 - under Z.R. §72-21, to permit the proposed construction of a new automotive service station, Use Group 16, with an accessory convenience store, located in C1-2 and R3-2 zoning districts, which is contrary to Z.R. §32-25 and §32-643 in relation to signage.

PREMISES AFFECTED - 222-25 Jamaica Avenue, north side, between 222nd and 224th Streets, Block 10741, Lot 48, Borough of Queens.

**COMMUNITY BOARD #13Q**

**APPEARANCES -**

For Applicant: Lyra Altman.

For Administration: Battalion Chief Phil Parr and John Scrofani, Fire Department.

**ACTION OF THE BOARD -** Application granted on condition. **THE VOTE TO GRANT -**

Affirmative: Chairman Chin, Vice-Chair Babbar, Commissioner Korbey and Commissioner Caliendo.....4

Negative: .....0

**THE RESOLUTION -**

WHEREAS, the decision of the Borough Commissioner, dated November 5, 2001 acting on Application No. 401277202 reads:

“Proposed construction consists of a 2,900 S.F. automobile filling station with accessory convenience store, in violation of the NYC Zoning Resolution Section 32-25, installation of illuminated signage in excess of 50 S.F., in violation of the NYC Zoning Resolution Section 32-643, which requires approval by the NYC BSA.”; and

WHEREAS, a public hearing was held on this application on January 29, 2002, after due notice by publication in *The City Record*, and laid over to March 26, 2002, April 9, 2002 and then to April 23, 2002 for decision; and

WHEREAS, the premises and surrounding area had a site and neighborhood examination by a committee of the Board consisting of Chairman James Chin, Vice-Chair Satish Babbar, Commissioner Mitchell Korbey and Commissioner Peter Caliendo; and

WHEREAS, this is an application for a variance under Z.R.

# MINUTES

§72-21, to permit the proposed construction of a new automotive service station, Use Group 16, with an accessory convenience store, located in C1-2 and R3-2 zoning districts, which is contrary to Z.R. §32-25 and §32-643 in relation to signage; and

WHEREAS, the applicant represents that the premises is located primarily within a C1-2 zoning district, with a small triangular portion of the premises at the northwestern corner located in an R3-2 zoning district; and

WHEREAS, the applicant further represents that the subject lot is an irregularly shaped parcel which has a total area of 32,191 square feet, with 165 feet of frontage on the northern side of Jamaica Avenue, between 222<sup>nd</sup> Street and 224<sup>th</sup> Street; and

WHEREAS, the applicant states that the premises has been utilized for automotive-related services as far back as 1965 when it was first granted a use variance under Cal. No. 77-65-BZ, which permitted the premises to be used as a used car sales and display lot in conjunction with the then existing automotive establishment across the street ; and

WHEREAS, evidence in the record indicates that the automotive establishment has since ceased operation and the premises currently lies vacant; and

WHEREAS, the applicant seeks to construct a new automotive service station with an accessory convenience store, and to install a solar energy collecting vehicular canopy over the proposed six multi-product dispensers; and

WHEREAS, the applicant represents that the proposed structure will contain 2,900 square feet of floor area, 1,551 square feet of which will be sales area; and

WHEREAS, the proposed total illuminated signage is 142.26 square feet and the proposed total non-illuminated signage is 55.02 square feet; and

WHEREAS, the applicant states that there will be a six (6) foot high chain link fence with privacy slats and 6 foot high evergreens that will screen the adjoining 6 story apartment building; and

WHEREAS, the applicant also states that there will be a six (6) foot high stockade fence which will be erected along the western property line adjacent to those structures which rest in the C1-2 zoning district; and

WHEREAS, the applicant represents that parking for fifteen (15) vehicles will be provided in addition to the spaces at the pump island; and

WHEREAS, the applicant states that the subject site is irregular in shape, with a northern width of 210 feet and a southern width of only 164 feet, with a western length of 237 feet and a eastern length of only 128 feet; and

WHEREAS, the under Cal. No. 77-65-BZ, and the Board found that the “applicant had substantiated a basis to warrant exercise of discretion to grant under Section 72-21 of the Zoning Resolution and is therefore entitled to relief on the grounds of practical difficulty and/or unnecessary hardship,” and the applicant represents that the subject site has not substantially changed since 1965; and

WHEREAS, the record indicates that the applicant has attempted to market the site for as-of-right development but has been unsuccessful; and

WHEREAS, the Board finds that the aforementioned unique physical conditions which are the result of the site’s irregular shape, history of automotive related uses, and underdevelopment

present a practical difficulty and unnecessary hardship for conforming with the strict application of the Zoning Resolution; and

WHEREAS, the Board finds that evidence in the record, including a feasibility study sufficiently demonstrates that a complying development would not yield a reasonable return; and

WHEREAS, automotive use has occupied the premises for most of the second half of the 20<sup>th</sup> Century; and

WHEREAS, the applicant represents that adequate parking, appropriate screening along the residential district lines, and landscaping will be provided and maintained to alleviate any negative effects on the neighborhood; and

WHEREAS, therefore, the Board finds that the proposed application will not alter the essential character of the surrounding neighborhood, nor impair the use of development of adjacent properties nor be detrimental to the public welfare; and

WHEREAS, the hardship herein was not created by the owner or a predecessor in title; and

WHEREAS, the Board finds that the variance application is the minimum variance necessary to afford the owner relief; and

WHEREAS, the Board has determined that the evidence in the record supports the findings required to be made under §72-21 of the Zoning Resolution; and

WHEREAS, the Board has conducted an environmental review of the proposed action and has carefully considered all relevant areas of environmental concern; and

WHEREAS, the evidence demonstrates no foreseeable significant environmental impacts that would require the preparation of an Environmental Impact Statement.

*Therefore, it is Resolved* that the Board of Standards and Appeals issues a Negative Declaration under 6 NYCRR Part 617 and §6-07(b) of the Rules of Procedure for City Environmental Quality Review and makes each and every one of the required findings under Z.R. §72-21, and *grants* a variation in the application of the Zoning Resolution to permit the proposed construction of a new automotive service station, Use Group 16, with an accessory convenience store, located in C1-2 and R3-2 zoning districts, which is contrary to Z.R. §32-25 and §32-643 in relation to signage, *on condition that* all work shall substantially conform to drawings as they apply to the objection above noted, filed with this application marked “Received March 28, 2002”-(6) sheets; and on further condition;

THAT the term of the variance shall be limited to ten (10) years expiring on April 16, 2012;

THAT there shall be a six (6) foot high chain link fence with privacy slats and 6 foot high evergreens that will screen the adjoining 6 story apartment building;

THAT parking for fifteen (15) vehicles will be provided in addition to the spaces at the pump island;

THAT there will be a six (6) foot high stockade fence which will be erected along the western property line adjacent to those structures which rest in the C1-2 zoning district;

THAT the residential portion of the subject lot shall not be used for any commercial use;

THAT the residential portion of the subject lot shall be fenced off, and landscaping on that portion of the lot shall be maintained;

THAT the fences and gates shall be of legal and uniform height;

# MINUTES

THAT all signage shall be provided in accordance with BSA-approved plans;

THAT there will be no lubrication, repair or washing of cars at the Premises;

THAT there shall be no loitering on the premises;

THAT automobile vacuums shall only be used from 9:00 A.M. to 9:00 P.M.;

THAT lighting shall be directed down and away from residential uses, and in accordance with BSA approved plans;

THAT landscaping shall be provided and maintained in accordance with BSA approved plans;

THAT the above conditions shall appear on the Certificate of Occupancy;

THAT a new certificate of occupancy be obtained within two (2) year of the date of this resolution.

THAT this approval is limited to the relief granted by the Board in response to specifically cited and filed DOB/other jurisdiction objection(s) only;

THAT the approved plans shall be considered approved only for the portions related to the specific relief granted; and

THAT the Department of Buildings must ensure compliance with all other applicable provisions of the Zoning Resolution, the Administrative Code and any other relevant laws under its jurisdiction irrespective of plan(s) and/or configuration(s) not related to the relief granted."

Adopted by the Board of Standards and Appeals, April 23, 2002.

## 302-01-BZ

### CEQR # 02-BSA-041X

APPLICANT - Jay Segal, Greenberg, Traurig, LLP, for Fordham Associates, LLC, owner.

SUBJECT - Application October 31, 2001 - under Z.R. §11-411, §73-01, to permit the proposed reestablishment of an expired variance, previously granted under Cal. No. 861-48-BZ, which expired January 10, 1988 which permitted an accessory parking facility for commercial use located in an R8 zoning district.

PREMISES AFFECTED - 2519/2525 Creston Avenue, southwest corner of East 191st Street, Block 3175, Lot 26, Borough of The Bronx.

### COMMUNITY BOARD #7BX

#### APPEARANCES -

For Administration: Battalion Chief Phil Parr and John Scrofani, Fire Department.

**ACTION OF THE BOARD** - Application granted on condition.

#### THE VOTE TO GRANT -

Affirmative: Chairman Chin, Vice-Chair Babbar, Commissioner Korbey and Commissioner Caliendo.....4

Negative: .....0

#### THE RESOLUTION-

WHEREAS, the decisions of the Borough Commissioner, dated August 10, 2001 and updated October 5, 2001 acting on Applic. No. 200683590, reads:

“Proposed continuation of use of premises, which are in

R8 zoning district, as accessory parking facility for commercial use, after expiration of variance first granted in 1948, is contrary to Z.R. 22-00. Certificate of Occupancy expired 1/10/83.”; and

WHEREAS, a public hearing was held on this application on February 26, 2002, after due notice by publication in *The City Record* and laid over to March 19, 2002, April 9, 2002 and then to April 23, 2002 for decision; and

WHEREAS, the premises and surrounding area had a site and neighborhood examination by a committee of the Board consisting of Chairman James Chin, Commissioner Mitchell Korbey and Commissioner Peter Caliendo; and

WHEREAS, this is an application under Z.R. §§11-411 and 73-01, to permit the proposed reestablishment of an expired variance, previously granted under Cal. No. 861-48-BZ, which expired January 10, 1988 which permitted an accessory parking facility for commercial use located in an R8 zoning district; and

WHEREAS, the subject site lies within an R8 zoning district, located on the southwest corner of the intersection of Creston Avenue and East 191<sup>st</sup> Street in the Bronx; and

WHEREAS, the applicant represents that the site is an irregularly shaped quadrangle, with 172 feet of frontage on Creston Avenue and 135 feet of frontage on East 191<sup>st</sup> Street; and

WHEREAS, on December 7, 1948, under Calendar Number 861-48-BZ, the Board authorized use of the property as parking for motor vehicles for a term of two (2) years; and

WHEREAS, the record indicates that the property has been used as accessory parking to a large commercial building, located immediately across the street from and under common ownership, since the original variance was granted; and

WHEREAS, the applicant represents that there has been no discontinuance as a parking facility since the original grant; and

WHEREAS, the subject premises is located in a R8 zoning district, which became effective on December 15, 1961; and

WHEREAS, therefore, the Board has determined that the evidence in the record supports the findings required to be made under §§11-411 and 73-01 of the Zoning Resolution.

*Therefore, it is Resolved* that the Board of Standards and Appeals issues a Type II determination under 6 NYCRR Part 617 and 6-07(b) of the Rules of Procedure for City Environmental Quality Review and makes each and every one of the required findings under Z.R. §§11-411 and 73-01, to permit the proposed reestablishment of an expired variance, previously granted under Cal. No. 861-48-BZ, which expired January 10, 1988 which permitted an accessory parking facility for commercial use located in an R8 zoning district, on condition that all work shall substantially conform to drawings as they apply to the objection above noted, filed with this application marked “Received October 31, 2001”-(2) sheets; and on further condition;

THAT the term of the variance shall be limited to ten (10) years from the date of this grant, expiring on April 23, 2012;

THAT the premises shall be maintained free of debris and graffiti;

# MINUTES

THAT the fences and gates shall be of legal and uniform height;

THAT lighting shall be directed down and away from residential uses, and in accordance with BSA approved plans;

THAT the above conditions shall appear on the Certificate of Occupancy;

THAT this approval is limited to the relief granted by the Board in response to specifically cited and filed DOB/other jurisdiction objection(s) only;

THAT the approved plans shall be considered approved only for the portions related to the specific relief granted;

THAT the Department of Buildings must ensure compliance with all other applicable provisions of the Zoning Resolution, the Administrative Code and any other relevant laws under its jurisdiction irrespective of plan(s) and/or configuration(s) not related to the relief granted; and

THAT a new Certificate of Occupancy be obtained within one (1) year of the date of this resolution.

Adopted by the Board of Standards and Appeals, April 23, 2002.

## 120-01-BZ

APPLICANT - Sheldon Lobel, for Tony Ariola, owner.  
SUBJECT - Application March 19, 2001 - under Z.R. §72-21 to permit the legalization of commercial uses (Use Group 6) in an existing two story building, located in an R4 zoning district.  
PREMISES AFFECTED - 134-02 Cross Bay Boulevard, west side, between Gold and Silver Roads, Block 11374, Lot 134, Borough of Queens.

### COMMUNITY BOARD #10Q

APPEARANCES -

For Applicant: Ricky Pistone.

For Opposition: Lorraine Khawaja and Sybil D. Amelio.

For Administration: Battalion Chief Phil Parr and John Scrofani, Fire Department.

THE VOTE TO CLOSE HEARING -

Affirmative: Chairman Chin, Vice-Chair Babbar, Commissioner Korbey and Commissioner Caliendo.....4

Negative: .....0

**ACTION OF THE BOARD** - Laid over to May 14, 2002, at 2 P.M., for decision, hearing closed.

## 125-01-BZ thru 128-01-BZ

APPLICANT - Klein & O'Brien, LLP, for Taffee Place, LLC, owner.

SUBJECT - Application March 23, 2001 - under Z.R. §72-21 to permit the proposed residential dwellings (Use Group 2) to be located in an M1-2 zoning district, which is contrary to Z.R. §42-00 and does not meet the zoning requirements for setback and location of balconies, as per Z.R. §43-43, §23-12(d) and §23-131.  
PREMISES AFFECTED -

125 Classon Avenue, bounded by Park Avenue on the south and Flushing Avenue on the north, Block 1881, Lot 106, Borough of Brooklyn.

131 Classon Avenue, bounded by Park Avenue on the south and Flushing Avenue on the north, Block 1881, Lot 105, Borough of Brooklyn.

135 Classon Avenue, bounded by Park Avenue on the south and Flushing Avenue on the north, Block 1881, Lot 1 (tentative 4), Borough of Brooklyn.

141 Classon Avenue, bounded by Park Avenue on the south and Flushing Avenue on the north, Block 1881, Lot 1, Borough of Brooklyn.

### COMMUNITY BOARD #3BK

APPEARANCES -

For Applicant: A. Farina.

For Administration: Battalion Chief Phil Parr and John Scrofani, Fire Department.

**ACTION OF THE BOARD** - Laid over to June 4, 2002, at 2 P.M., for continued hearing.

## 229-01-A thru 232-01-A

APPLICANT - Klein & O'Brien, LLP, for Taffee Place, LLC, owner.

SUBJECT - Application March 23, 2001 - under Z.R. §72-21 to permit the proposed residential dwellings (Use Group 2) to be located in an M1-2 zoning district, which is contrary to Z.R. §42-00 and does not meet the zoning requirements for setback and location of balconies, as per Z.R. §43-43, §23-12(d) and §23-131.  
PREMISES AFFECTED -

125 Classon Avenue, bounded by Park Avenue on the south and Flushing Avenue on the north, Block 1881, Lot 106, Borough of Brooklyn.

131 Classon Avenue, bounded by Park Avenue on the south and Flushing Avenue on the north, Block 1881, Lot 105, Borough of Brooklyn.

135 Classon Avenue, bounded by Park Avenue on the south and Flushing Avenue on the north, Block 1881, Lot 1 (tentative 4), Borough of Brooklyn.

141 Classon Avenue, bounded by Park Avenue on the south and Flushing Avenue on the north, Block 1881, Lot 1, Borough of Brooklyn.

### COMMUNITY BOARD #3BK

APPEARANCES -

For Administration: Battalion Chief Phil Parr and John Scrofani, Fire Department.

**ACTION OF THE BOARD** - Laid over to June 4, 2002, at 2 P.M., for continued hearing.

## 149-01-BZ

APPLICANT - Fischbein Badillo Wagner Harding, for Jane Street Realty LLC/William Devaney, owner.

# MINUTES

SUBJECT - Application April 20, 2001 - under Z.R. §72-21, to permit the proposed inclusion of the first and cellar floor areas of an existing six story building for residential use, which does not comply with the zoning requirements floor area ratio, open space ratio, zoning rooms and bedrooms windows, which is contrary to Z.R. §23-14, §23-223, §23-553 and §23-861.

PREMISES AFFECTED - 88/90 Jane Street, a/k/a 357-359 West 12th Street, between Washington and Greenwich Street, Block 641, Lots 1001-1006, Borough of Manhattan.

## COMMUNITY BOARD #2M

### APPEARANCES -

For Applicant: Howard Hornstein, Barbara Hair and Gene Kaufman and Jack Freeman.

For Opposition: Doris Diether, Community Board #2M.

For Administration: Battalion Chief Phil Parr and John Scrofani, Fire Department.

**ACTION OF THE BOARD** - Laid over to June 4, 2002, at 2 P.M., for continued hearing.

## 150-01-A

APPLICANT - Fischbein Badillo Wagner Harding, for Jane Street Realty LLC/William Devaney, owner.

SUBJECT - Application April 20, 2001 - proposed residential use must comply with Section 310 of the Multiple Dwelling Law regarding light, air and rear yard equivalent.

PREMISES AFFECTED - 88/90 Jane Street, a/k/a 357-359 West 12th Street, between Washington and Greenwich Street, Block 641, Lots 1001-1006, Borough of Manhattan.

## COMMUNITY BOARD #2M

### APPEARANCES -

For Applicant: Howard Hornstein, Barbara Hair and Gene Kaufman and Jack Freeman.

For Opposition: Doris Diether, Community Board #2M.

For Administration: Battalion Chief Phil Parr and John Scrofani, Fire Department.

**ACTION OF THE BOARD** - Laid over to June 4, 2002, at 2 P.M., for continued hearing.

## 254-01-BZ

APPLICANT - Rothkrug and Rothkrug, for Chabad of NY Queens, owner.

SUBJECT - Application August 14, 2001 - under Z.R. §72-21 to permit the proposed construction of a synagogue (Use Group 4) located in an R2 zoning district, which does not comply with the zoning requirements for F.A.R., lot front and side yards, which is contrary to Z.R. §24-11, §24-521, §24-34 and §24-35.

PREMISES AFFECTED - 26-06 213th Street, aka 212-24 26th Avenue, southwest corner, Block 5999, Lot 23, Borough of Queens.

## COMMUNITY BOARD #11Q

### APPEARANCES -

For Applicant: Adam Rothkrug, Randolph Gerner, Thomas A. Sharon, Lewis Gray, Eleanor Ignal, Zev Silverman, Murray Rosenberg, Rabbi Yossi Blensofsky and others.

For Opposition: Pat Janes, Tacy Avella, Anna Kotnridis, Melvin Meer, Nancy Zegarra, Robert Klein and others.

For Administration: Battalion Chief Philip Parr and John Scrofani, Fire Department.

**ACTION OF THE BOARD** - Laid over to June 18, 2002, at 2 P.M., for continued hearing.

## 281-01-BZ

APPLICANT - Mothiur Rahman, for Surrinder Sing, owner; G & R Parking, lessee.

SUBJECT - Application September 26, 2001 - under Z.R. §72-21, to permit the legalization of an existing parking lot (Use Group 8) located in an R7-1 zoning district, which is contrary to Z.R. §22-00.

PREMISES AFFECTED - 35 West Tremont Avenue, aka 31/43 West Tremont Avenue, northwest corner of Kingsland Place, Block 2869, Lot 171, Borough of The Bronx.

## COMMUNITY BOARD #5BX

### APPEARANCES -

For Applicant: Mothiur Rahman.

For Administration: Battalion Chief Phil Parr and John Scrofani, Fire Department.

**ACTION OF THE BOARD** - Laid over to June 11, 2002, at 2 P.M., for continued hearing.

## 295-01-BZ

APPLICANT - Fischbein Badillo Wagner Harding, for Yeled V'Yalda Early Childhood Center, Inc., owner.

SUBJECT - Application October 23, 2001 - under Z.R. §72-21 to permit the proposed construction and operation of a school (Use Group 3) located within an M2-1 zoning district, which is contrary to Z.R. §42-00.

PREMISES AFFECTED - 1257/63 38<sup>th</sup> Street, between 12<sup>th</sup> and 13<sup>th</sup> Avenues, Block 5295, Lots 47, 48 and 49, Borough of Brooklyn.

## COMMUNITY BOARD #12BK

### APPEARANCES -

For Applicant: Peter Geis, Howard Hornstein and Ethan Eldon.

For Administration: Battalion Chief Phip Parr and John Scrofani, Fire Department.

### THE VOTE TO CLOSE HEARING -

Affirmative: Chairman Chin, Vice-Chair Babbar, Commissioner Korbey and Commissioner Caliendo.....4

Negative: .....0

# MINUTES

**ACTION OF THE BOARD** - Laid over to May 14, 2002, at 2 P.M., for decision, hearing closed.

**366-01-BZ**

APPLICANT - Sheldon Lobel, P.C., for Driggs Realty Corp., owner.

SUBJECT - Application November 20, 2001 - under Z.R. §72-21, to permit the proposed conversion of a six story manufacturing building, into residential dwellings, Use Group 2, located in an M1-2 zoning district, is contrary to Z.R. §42-00.

PREMISES AFFECTED - 500 Driggs Avenue, aka 482/504 Driggs Avenue, through lot fronting North 9th and 10th Streets, Block 2305, Lot 18, Borough of Brooklyn.

**COMMUNITY BOARD #1BK**

APPEARANCES -

For Applicant: Janice Cahallane Sheldon Lobel, Niel Digin, Marc Esrig and Orit Jackier.

For Administration: Battalion Chief Phil Parr and John Scrofani, Fire Department.

**ACTION OF THE BOARD** - Laid over to June 4, 2002, at 2 P.M., for continued hearing.

**65-02-BZ**

APPLICANT - Hiram A. Rothkrug, EPDSCO, Lindenstar Company, owner; Lindenwood Restaurant, Inc. lessee.

SUBJECT - Application February 20, 2002 - under Z.R. §72-21, to permit the reestablishment of an expired variance, previously granted under Cal. # 742-74-BZ, which permitted an enlargement to an existing diner, located in an R4 zoning district.

PREMISES AFFECTED - 2870/92 Linden Boulevard, south side, between Amber and Sapphire Streets(78th Street), Block 4497, Lot 1, Borough of Brooklyn.

**COMMUNITY BOARD #5BK**

APPEARANCES -

For Applicant: Hiram A. Rothkrug.

For Administration: Battalion Chief Phil Parr and John Scrofani, Fire Department.

THE VOTE TO CLOSE HEARING -

Affirmative: Chairman Chin, Vice-Chair Babbar, Commissioner Korbey and Commissioner Caliendo.....4

Negative: .....0

**ACTION OF THE BOARD** - Laid over to May 21, 2002, at 2 P.M., for decision, hearing closed.

*Pasquale Pacifico, Executive Director.*

Adjourned: 5:15 P.M.

**396-01-BZ**

APPLICANT - Fredrick A. Becker, Esq., for Glass House Cooperative, Inc., owner; Le Spa D'Soleil, LLC dba Lounge Spa, lessee.

SUBJECT - Application December 19, 2001 - under Z.R. §73-36, to permit the proposed physical culture establishment, located in the cellar level with an entrance on the first floor in an existing cellar and nine story mixed use building, which requires a special permit as per Z.R. §32-10.

PREMISES AFFECTED - 43A West 13<sup>th</sup> Street, north side, 275' east of Sixth Avenue, Block 577, Lot 66, Borough of Manhattan.

**COMMUNITY BOARD #2M**

APPEARANCES -

For Applicant: Doris Diether.

For Administration: Battalion Chief Phil Parr and John Scrofani, Fire Department.

**ACTION OF THE BOARD** - Laid over to May 14, 2002, at 2 P.M., for continued hearing.

**SPECIAL HEARING  
WEDNESDAY MORNING, APRIL 24, 2002  
10:00 A.M.**

**Present:** Chairman Chin, Vice-Chair Babbar, Commissioner Korbey and Commissioner Caliendo.

**SPECIAL ORDER CALENDAR**

**150-95-BZ**

APPLICANT - Paul Selver, Esq., for St. Bernard's School, Inc., owner.

SUBJECT - Application November 19, 2001 - reopening for an amendment to the resolution.

PREMISES AFFECTED - 4-10 East 98th Street, aka south side of 98th Street, 125' east, Block 1603, Lot 63, Borough of Manhattan.

**COMMUNITY BOARD #11M**

APPEARANCES -

For Applicant: Paul Selver.

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For Administration: John Scrofani, Fire Department.

**ACTION OF THE BOARD** - Laid over to July 9, 2002, at 10:00 A.M., for continued hearing.

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*Pasquale Pacifico, Executive Director.*

**ACTION OF THE BOARD** - Application dismissed for lack of prosecution.

**THE VOTE TO DISMISS** -

Affirmative: Chairman Chin, Vice-Chair Babbar, Commissioner Korbey and Commissioner Caliendo.....4

Negative: .....0

**THE RESOLUTION** -

WHEREAS, the applicant has been given considerable opportunity to complete this application and no satisfactory progress has been made.

Resolved, the Board does hereby dismiss the application for lack of prosecution.

Adopted by the Board of Standards and Appeals, April 24, 2002.

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**196-01-BZ**

**CEQR # 01-BSA-142K**

APPLICANT - New York City Board of Standards and Appeals.

OWNER OF PREMISES: ADG on Sheephead Bay, LLC.

SUBJECT - to dismiss the application for lack of prosecution.

PREMISES AFFECTED - 2211-21 Emmons Avenue, Emmons Avenue, Dooley Street, Shore Parkway, East 21<sup>st</sup> Street, Block 8779, Lots 158, 1001, 1002, Borough of Brooklyn.

**COMMUNITY BOARD #15BK**

APPEARANCES - None.

**ACTION OF THE BOARD** - Application withdrawn.

**THE VOTE TO WITHDRAW** -

Affirmative: Chairman Chin, Vice-Chair Babbar, Commissioner Korbey and Commissioner Caliendo.....4

Negative: .....0

Adopted by the Board of Standards and Appeals, April 24, 2002.

**DISMISSAL HEARING**

**WEDNESDAY MORNING, APRIL 24, 2002**

**9:30 A.M.**

**Present:** Chairman Chin, Vice-Chair Babbar, Commissioner Korbey and Commissioner Caliendo.

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**52-01-BZ**

**CEQR # 01-BSA-107K**

APPLICANT - New York City Board of Standards and Appeals.

OWNER OF PREMISES: So-Big Realty Inc.

SUBJECT - to dismiss the application for lack of prosecution.

PREMISES AFFECTED - 2312/16 Atlantic Avenue, south side, 79.11' west of Eastern Parkway, Block 1435, Lot 36, Borough of Brooklyn.

**COMMUNITY BOARD #8BK**

APPEARANCES -

In Favor: Hiram A. Rothkrug.

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**263-01-BZ**

**CEQR # 02-BSA-025K**

APPLICANT - New York City Board of Standards and Appeals.

OWNER OF PREMISES: Lee & Wythe Realty Corp.

SUBJECT - to dismiss the application for lack of prosecution.

PREMISES AFFECTED - 85-101 N. 3<sup>rd</sup> Street, northeast corner of intersection of N. 3<sup>rd</sup> Street and Wythe Avenue, Block 2350, Lot 1, Borough of Brooklyn.

**COMMUNITY BOARD #1BK**

APPEARANCES -

In Favor: Barbara Hair.

**ACTION OF THE BOARD** - Application withdrawn.

**THE VOTE TO WITHDRAW** -

Affirmative: Chairman Chin, Vice-Chair Babbar, Commissioner Korbey and Commissioner Caliendo.....4

Negative: .....0

Adopted by the Board of Standards and Appeals, April 24, 2002.

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# MINUTES

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**282-01-BZ**

**CEQR # 02-BSA-030K**

APPLICANT - New York City Board of Standards and Appeals.  
OWNER OF PREMISES: LEEWALL Realty, LLC.  
SUBJECT - to dismiss the application for lack of prosecution.  
PREMISES AFFECTED - 222 Wallabout Street, Lee Avenue and Bedford Avenue, Block 2263, Lot 44, Borough of Brooklyn.

**COMMUNITY BOARD #1BK**

APPEARANCES -

In Favor: Janice Cahalane.

**ACTION OF THE BOARD** - Application withdrawn.

THE VOTE TO WITHDRAW -

Affirmative: Chairman Chin, Vice-Chair Babbar, Commissioner Korbey and Commissioner Caliendo.....4

Negative: .....0

Adopted by the Board of Standards and Appeals, April 24, 2002.

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**283-01-BZ**

**CEQR # 02-BSA-031K**

APPLICANT - New York City Board of Standards and Appeals.  
OWNER OF PREMISES: LEEWALL Realty, LLC.  
SUBJECT - to dismiss the application for lack of prosecution.  
PREMISES AFFECTED - 264/266 Lee Avenue, Wallabout Street and Flushing Avenue, Block 2263, Lot 48, Borough of Brooklyn.

**COMMUNITY BOARD #1BK**

APPEARANCES -

In Favor: Janice Cahalane.

**ACTION OF THE BOARD** - Application withdrawn.

THE VOTE TO WITHDRAW -

Affirmative: Chairman Chin, Vice-Chair Babbar, Commissioner Korbey and Commissioner Caliendo.....4

Negative: .....0

Adopted by the Board of Standards and Appeals, April 24, 2002.

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**97-01-BZ**

**CEQR # 02-BSA-039M**

APPLICANT - New York City Board of Standards and Appeals.  
OWNER OF PREMISES: Snake River Development, LLC.  
SUBJECT - to dismiss the application for lack of prosecution.  
PREMISES AFFECTED - 201 East 23<sup>rd</sup> Street, northeast corner of 23<sup>rd</sup> Street and Third Avenue, Block 904, Lot 1, Borough of Manhattan.

**COMMUNITY BOARD #6M**

APPEARANCES -

In Favor: Lyra Altman.

**ACTION OF THE BOARD** - Application withdrawn.

THE VOTE TO WITHDRAW -

Affirmative: Chairman Chin, Vice-Chair Babbar, Commissioner Korbey and Commissioner Caliendo.....4

Negative: .....0

Adopted by the Board of Standards and Appeals, April 24, 2002.

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**324-01-BZ**

**CEQR # 02-BSA-063R**

APPLICANT - New York City Board of Standards and Appeals.  
OWNER OF PREMISES: Jill Mori.  
SUBJECT - to dismiss the application for lack of prosecution.  
PREMISES AFFECTED - 1077 Bay Street, between Bay Street and Edgewater Street, Block 2825, Lot 1, Borough of Staten Island.

**COMMUNITY BOARD #2S.I.**

APPEARANCES -

In Favor: Lyra Altman.

**ACTION OF THE BOARD** - Application withdrawn.

THE VOTE TO WITHDRAW -

Affirmative: Chairman Chin, Vice-Chair Babbar, Commissioner Korbey and Commissioner Caliendo.....4

Negative: .....0

Adopted by the Board of Standards and Appeals, April 24, 2002.

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**333-01-A thru 358-01-A**

APPLICANT - New York City Board of Standards and Appeals.  
OWNER OF PREMISES: OTT LLC.  
SUBJECT - to dismiss the application for lack of prosecution.  
PREMISES AFFECTED -

50 Tennyson Drive, east side, 349.3' north of Nelson Avenue, Block 5212, Tentative Lot 56, Borough of Staten Island.

52 Tennyson Drive, east side, 333.2' north of Nelson Avenue, Block 5212, Tentative Lot 57, Borough of Staten Island.

54 Tennyson Drive, east side, 317.06' north of Nelson Avenue, Block 5212, Tentative Lot 58, Borough of

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Staten Island.  
56 Tennyson Drive, east side, 300.89' north of Nelson Avenue, Block 5212, Tentative Lot 59, Borough of Staten Island.  
58 Tennyson Drive, east side, 284.68' north of Nelson Avenue, Block 5212, Tentative Lot 60, Borough of Staten Island.  
60 Tennyson Drive, east side, 268.42' north of Nelson Avenue, Block 5212, Tentative Lot 61, Borough of Staten Island.  
62 Tennyson Drive, east side, 252.11' north of Nelson Avenue, Block 5212, Tentative Lot 62, Borough of Staten Island.  
64 Tennyson Drive, east side, 235.75' north of Nelson Avenue, Block 5212, Tentative Lot 63, Borough of Staten Island.  
66 Tennyson Drive, east side, 219.22' north of Nelson Avenue, Block 5212, Tentative Lot 64, Borough of Staten Island.  
68 Tennyson Drive, east side, 202.84' north of Nelson Avenue, Block 5212, Tentative Lot 65, Borough of Staten Island.  
70 Tennyson Drive, east side, 186.28' north of Nelson Avenue, Block 5212, Tentative Lot 66, Borough of Staten Island.  
72 Tennyson Drive, east side, 169.64' north of Nelson Avenue, Block 5212, Tentative Lot 67, Borough of Staten Island.  
74 Tennyson Drive, east side, 152.92' north of Nelson Avenue, Block 5212, Tentative Lot 68, Borough of Staten Island.  
76 Tennyson Drive, east side, 136.11' north of Nelson Avenue, Block 5212, Tentative Lot 69, Borough of Staten Island.  
78 Tennyson Drive, east side, 119.21' north of Nelson Avenue, Block 5212, Tentative Lot 70, Borough of Staten Island.  
80 Tennyson Drive, east side, 102.21' north of Nelson Avenue, Block 5212, Tentative Lot 71, Borough of Staten Island.  
82 Tennyson Drive, east side, 85.10' north of Nelson Avenue, Block 5212, Tentative Lot 172, Borough of Staten Island.  
84 Tennyson Drive, east side, 67.88' north of Nelson Avenue, Block 5212, Tentative Lot 73, Borough of Staten Island.  
86 Tennyson Drive, east side, 50.54' north of Nelson Avenue, Block 5212, Tentative Lot 174, Borough of Staten Island.  
88 Tennyson Drive, east side, 33.07' north of Nelson Avenue, Block 5212, Tentative Lot 175, Borough of Staten Island.  
90 Tennyson Drive, east side, 1.54' north of Nelson

Avenue, Block 5212, Tentative Lot 76, Borough of Staten Island.  
92 Tennyson Drive, northeast corner of Nelson Avenue, Block 5212, Tentative Lot 177, Borough of Staten Island.  
12 Dream Lane, northeast corner of Nelson Avenue, Block 5212, Tentative Lot 78, Borough of Staten Island.  
14 Dream Lane, east side, 14.4' north of Nelson Avenue, Block 5212, Tentative Lot 79, Borough of Staten Island.  
15 Dream Lane, northeast corner of Nelson Avenue, Block 5212, Tentative Lot 115, Borough of Staten Island.  
17 Dream Lane, northeast corner of Nelson Avenue, Block 5212, Tentative Lot 114, Borough of Staten Island.

## COMMUNITY BOARD #3S.I.

### APPEARANCES -

In Favor: Hiram A. Rothkrug.

**ACTION OF THE BOARD** - Application withdrawn.

### THE VOTE TO WITHDRAW -

Affirmative: Chairman Chin, Vice-Chair Babbar, Commissioner Korbey and Commissioner Caliendo.....4

Negative: .....0

Adopted by the Board of Standards and Appeals, April 24, 2002.

## 374-01-BZ and 375-01-BZ

### CEQR # 02-BSA-082K and CEQR #02-BSA-083K

APPLICANT - New York City Board of Standards and Appeals.

OWNER OF PREMISES: 399 Broadway Holdings, LLC.

SUBJECT - to dismiss the application for lack of prosecution.

### PREMISES AFFECTED -

836 Kent Avenue, westerly side of Kent Avenue, 119'-8" south of Park Avenue, Block 1897, Lot 36, Borough of Brooklyn.

838 Kent Avenue, westerly side of Kent Avenue, 144'-8" south of Park Avenue, Block 1897, Lot 37, Borough of Brooklyn.

## COMMUNITY BOARD #3BK

### APPEARANCES -

In Opposition: Mitchell Ross.

**ACTION OF THE BOARD** - Application withdrawn.

### THE VOTE TO WITHDRAW -

Affirmative: Chairman Chin, Vice-Chair Babbar, Commissioner Korbey and Commissioner Caliendo.....4

Negative: .....0

Adopted by the Board of Standards and Appeals, April 24, 2002.

## 384-01-BZ

### CEQR # 02-BSA-089K

# MINUTES

APPLICANT - New York City Board of Standards and Appeals.  
OWNER OF PREMISES: Leewall Realty, LLC.  
SUBJECT - to dismiss the application for lack of prosecution.  
PREMISES AFFECTED - 218 Wallabout Street, Lee Avenue and  
Bedford Avenue, Block 2263, Lot 43, Borough of Brooklyn.  
**COMMUNITY BOARD #1BK**

APPEARANCES -

In Favor: Janice Cahalane.

**ACTION OF THE BOARD** - Application withdrawn.

THE VOTE TO WITHDRAW -

Affirmative: Chairman Chin, Vice-Chair Babbar, Commissioner  
Korbey and Commissioner Caliendo.....4

Negative: .....0

Adopted by the Board of Standards and Appeals, April 24,  
2002.

## 395-01-BZ

### CEQR # 02-BSA-096Q

APPLICANT - New York City Board of Standards and Appeals.  
OWNER OF PREMISES: Mutual Realty, LLC.  
SUBJECT - to dismiss the application for lack of prosecution.  
PREMISES AFFECTED - 36-27 Vernon Boulevard, south side of  
Vernon Boulevard between 36<sup>th</sup> Avenue and 37<sup>th</sup> Avenue, Block  
355, Lot 7, Borough of Queens.

### COMMUNITY BOARD #2Q

APPEARANCES -

In Favor: Peter Hirshman and Lyra Altman.

**ACTION OF THE BOARD** - Application withdrawn.

THE VOTE TO WITHDRAW -

Affirmative: Chairman Chin, Vice-Chair Babbar, Commissioner  
Korbey and Commissioner Caliendo.....4

Negative: .....0

Adopted by the Board of Standards and Appeals, April 24,  
2002.

## 45-02-BZ

### CEQR # 02-BSA-131X

APPLICANT - New York City Board of Standards and Appeals.  
OWNER OF PREMISES: Baroukh Sassoon, Sassoon Realty  
Management, Inc.  
SUBJECT - to dismiss the application for lack of prosecution.  
PREMISES AFFECTED - 443 East 186<sup>th</sup> Street, north east corner  
of Park Avenue and East 186<sup>th</sup> Street, The Bronx.

### COMMUNITY BOARD #6BX

APPEARANCES - None.

**ACTION OF THE BOARD** - Application dismissed for lack of  
prosecution.

THE VOTE TO DISMISS -

Affirmative: Chairman Chin, Vice-Chair Babbar, Commissioner  
Korbey and Commissioner Caliendo.....4

Negative: .....0

THE RESOLUTION -

WHEREAS, the applicant has been given considerable  
opportunity to complete this application and no satisfactory  
progress has been made.

Resolved, the Board does hereby dismiss the application for  
lack of prosecution.

Adopted by the Board of Standards and Appeals, April 24,  
2002.

## 150-54-BZ

APPLICANT - New York City Board of Standards and Appeals.  
OWNER OF PREMISES: Laconia Land Corp.  
SUBJECT - to dismiss the application for lack of prosecution.  
PREMISES AFFECTED - 3957 Laconia Avenue, northwest  
corner of East 224<sup>th</sup> Street, Block 4871, Lot 1, The Bronx.

### COMMUNITY BOARD #12BX

APPEARANCES -

In Favor: Kenneth Koons.

**ACTION OF THE BOARD** - Laid over to July 24, 2002,  
at 10 A.M., for continued hearing.

## 25-95-BZ

APPLICANT - New York City Board of Standards and Appeals.  
OWNER OF PREMISES: Joseph Packman.  
SUBJECT - to dismiss the application for lack of prosecution.  
PREMISES AFFECTED - 2881 Nostrand Avenue, Block 7691,  
Lot 19, Borough of Brooklyn.

### COMMUNITY BOARD #18BK

APPEARANCES -

In Favor: Peter Hirshman.

**ACTION OF THE BOARD** - Laid over to July 24, 2002,  
at 10 A.M., for continued hearing.

## 193-01-BZ

APPLICANT - New York City Board of Standards and Appeals.  
OWNER OF PREMISES: 3044 Coney Island Avenue Associates.  
SUBJECT - to dismiss the application for lack of prosecution.  
PREMISES AFFECTED - 3034 Coney Island Avenue, between  
Brighton 8<sup>th</sup> Street and Neptune Avenue, Block 7264, Lot 72,  
Borough of Brooklyn.

### COMMUNITY BOARD #13BK

APPEARANCES -

In Opposition: Harold Weinberg.

**ACTION OF THE BOARD** - Laid over to May 14, 2002,  
at 10 A.M. SOC Calendar, for continued hearing.

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# MINUTES

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## **240-01-BZ**

APPLICANT - New York City Board of Standards and Appeals.

OWNER: Lionshead 110 Development, LLC.

SUBJECT - to dismiss the application for lack of prosecution.

PREMISES AFFECTED - 110/20 Church Street, a/k/a 54 Murray Street, a/k/a 33/41 Park Place, southwest corner, Block 126, Lots 2 and 27, Borough of Manhattan.

### **COMMUNITY BOARD #1M**

APPEARANCES -

In Favor: Hiram A. Rothkrug.

**ACTION OF THE BOARD** - Laid over to July 24, 2002, at 10 A.M., for continued hearing.

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## **257-01-BZ**

APPLICANT - New York City Board of Standards and Appeals.

OWNER OF PREMISES: Kol Israel Cong by Albert Dweck, VP.

SUBJECT - to dismiss the application for lack of prosecution.

PREMISES AFFECTED - 2504 Avenue X, southeast corner of Bedford Avenue, Bedford Avenue and East 26<sup>th</sup> Street, Block 7625, Lot 41, Borough of Brooklyn.

### **COMMUNITY BOARD #14BK**

APPEARANCES -

In Opposition: Harold Weinberg.

**ACTION OF THE BOARD** - Laid over to June 4, 2002, at 10 A.M. SOC Calendar, for continued hearing.

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## **292-01-BZ**

APPLICANT - New York City Board of Standards and Appeals.

OWNER OF PREMISES: Peter Mosconi.

SUBJECT - to dismiss the application for lack of prosecution.

PREMISES AFFECTED - 69-71 MacDougal Street, Block 526, Lots 33 and 35, Borough of Manhattan.

### **COMMUNITY BOARD #2M**

APPEARANCES -

In Favor: Peter Hirshman.

**ACTION OF THE BOARD** - Laid over to July 24, 2002, at 10 A.M., for continued hearing.

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## **363-01-BZ thru 365-01-BZ**

APPLICANT - New York City Board of Standards and Appeals.

OWNER OF PREMISES: Harold Lane.

SUBJECT - to dismiss the application for lack of prosecution.

PREMISES AFFECTED -

3304 Rombouts Avenue, east side of Rombuts Avenue, 50' south of Givan Avenue, Block 5245, Lots 39 and 42 (Lot 39 Tentative), Borough of The Bronx..

3306 Rombouts Avenue, east side of Rombuts Avenue, 50' south of Givan Avenue, Block 5245, Lots 39 and 42 (Lot 40 Tentative), Borough of The Bronx..

3308 Rombouts Avenue, east side of Rombuts Avenue, 50' south of Givan Avenue, Block 5245, Lots 39 and 42 (Lot 41 Tentative), Borough of The Bronx..

### **COMMUNITY BOARD #2BX**

APPEARANCES - None.

**ACTION OF THE BOARD** - Laid over to June 4, 2002, at 10 A.M. SOC Calendar, for continued hearing.

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*Pasquale Pacifico, Executive Director.*

**COMPLIANCE HEARING  
WEDNESDAY MORNING, APRIL 24, 2002  
10:00 A.M.**

**Present:** Chairman Chin, Vice-Chair Babbar, Commissioner Korbey and Commissioner Caliendo.

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# MINUTES

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## **438-29-BZ**

APPLICANT - New York City Board of Standards and Appeals.  
SUBJECT - For possible rescindment of the resolution.

PREMISES AFFECTED - 406-418 Remsen Avenue, Brooklyn.

### **COMMUNITY BOARD #17BK**

APPEARANCES - None.

**ACTION OF THE BOARD** - Laid over to June 4, 2002, at 10 A.M. SOC Calendar, for continued hearing

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APPLICANT - New York City Board of Standards and Appeals.  
SUBJECT - For possible rescindment of the resolution.

PREMISES AFFECTED - 72-06 Parsons Boulevard, Queens.

### **COMMUNITY BOARD #8Q**

APPEARANCES - None.

**ACTION OF THE BOARD** - Laid over to July 24, 2002, at 10 A.M., for postponed hearing

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*Pasquale Pacifico, Executive Director.*

## **889-55-BZ**

APPLICANT - New York City Board of Standards and Appeals.  
SUBJECT - For possible rescindment of the resolution.

PREMISES AFFECTED - 69-15 164<sup>th</sup> Street, Queens.

### **COMMUNITY BOARD #8Q**

APPEARANCES -

In Favor: Janice Cahalane, Wayne Weinstein, Joel Rsher and Irene Fisher.

**ACTION OF THE BOARD** - Laid over to July 9, 2002, at 10 A.M. SOC Calendar, for continued hearing

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Adjourned: 11:30 A.M.

## **914-62-BZ**

APPLICANT - New York City Board of Standards and Appeals.  
SUBJECT - For possible rescindment of the resolution.

PREMISES AFFECTED - 205-04 Northern Boulevard, Queens.

### **COMMUNITY BOARD #11Q**

APPEARANCES -

In Favor: Hiram A. Rothkrug.

**ACTION OF THE BOARD** - Laid over to May 21, 2002, at 10 A.M. SOC Calendar, for continued hearing

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## **982-83-BZ**

APPLICANT - New York City Board of Standards and Appeals.  
SUBJECT - For possible rescindment of the resolution.

PREMISES AFFECTED - 191-20 Northern Boulevard, Queens.

### **COMMUNITY BOARD #11Q**

APPEARANCES -

In Favor: H.I. Sigher.

In Opposition: E. Terri Pouymari.

**ACTION OF THE BOARD** - Laid over to May 14, 2002, at 10 A.M. SOC Calendar, for continued hearing

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## **32-92-BZ**

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# MINUTES

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**SPECIAL HEARING  
THURSDAY AFTERNOON, APRIL 25, 2002  
1:00 P.M.**

**Present:** Chairman Chin, Vice-Chair Babbar, Commissioner Korbey and Commissioner Caliendo.

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## **ZONING CALENDAR**

### **253-01-BZ**

APPLICANT - Fischbein Badillo Wagner Harding for GHC NY Corp., owner; West Thirteenth Street Development, LLC, lessee.  
SUBJECT - Application August 13, 2001 - under Z.R. §72-21 to permit the proposed residential use (34 units) Use Group 2, to be located in a 32 story mixed use building, also the use of additional accessory parking, in an M1-5 zoning district, which is contrary to Z.R. §42-00 and §13-12.

PREMISES AFFECTED - 848 Washington Street, west side, between Little West 12th and West 13th Streets, Block 645, Lots 9 and 11, Borough of Manhattan.

### **COMMUNITY BOARDS #2M & 4M**

#### APPEARANCES -

For Applicant: Barbara Hair.

For Opposition: Stuart Beckerman.

For Administration: John Scrofani, Fire Department

**ACTION OF THE BOARD** - Laid over to July 24, 2002, at 9:30 A.M., for continued hearing.

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*Pasquale Pacifico, Executive Director.*

Adjourned: 1:05 P.M.

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