
BULLETIN

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AND APPEALS

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October 17, 2002

DIRECTORY

JAMES CHIN, *Chairman*

SATISH BABBAR, *Vice-Chair*

MITCHELL KORBEBY

PETER CALIENDO

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265-02-BZ B.M. 19 East 94th Street, south side, 108' west of the intersection of Madison Avenue and East 94th Street, Block 1506, Lot 13, Borough of Manhattan. Alt.#102824678. Proposed rear enlargement to the first and second floors of an existing community facility, Use Group 4, which is being changed from a school, to accessory church uses, located in an R8B and R10 zoning district, which creates non-compliance in regards to rear yard, is contrary to §24-36 and §54-31.
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269-02-BZ B.BK. 1644 East 28th Street, between Avenue "P" and Quentin Road, Block 6790, Lot 15, Borough of Brooklyn. Alt.#301383125. The legalization of a prior enlargement, as well as an additional enlargement of a single family residence, in an R3-2 zoning district, which creates non-compliance with regards to floor area ratio, open space, rear yard, lot coverage, perimeter wall height and side yard, is contrary to Z.R. §23-141, §23-47 and §23-631.
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266-02-BZ B.BK. 181 Jaffray Street, east side, 100'-0" north of Oriental Boulevard, Block 8753, Lot 85, Borough of Brooklyn. Applic.#301416965. Proposed enlargement to an existing one family dwelling, Use Group 1, located in an R3-1 zoning district, which creates non-compliance with respect to floor area ratio, lot coverage and rear yard, is contrary to Z.R. §23-141, §23-47 and §54-31.
COMMUNITY BOARD #15BK

270-02-BZ B.BK. 1649 East 28th Street, between Avenue "P" and Quentin Road, Block 6791, Lot 50, Borough of Brooklyn. Alt.#301395540. Proposed enlargement of a single family residence, in an R3-2 zoning district, which creates non-compliance with regards to floor area ratio, open space, rear yard, lot coverage, perimeter wall height and side yard, is contrary to Z.R. §23-141, §23-47 and §23-631.
COMMUNITY BOARD #15BK

267-02-BZ B.BK. 3478 Bedford Avenue, west side, 230'0" north of Avenue "N", Block 7660, Lot 70, Borough of Brooklyn. Applic.#301421049. Proposed extension of residential use into the attic, of an existing one family dwelling, Use Group 1, located in an R2 zoning district, which does not comply with the zoning requirements for rear yard, open space ratio and floor area ratio is contrary to Z.R. §23-141 and §223-47.
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COMMUNITY BOARD #12BK

268-02-BZ B.BK. 176 South Fourth Street, between Driggs Avenue and South Fifth Place, Block 2446, Lot 78, Borough of Brooklyn. N.B.#301408322. Proposed construction of a seven story Class Multiple A Dwelling, with nine dwelling units, Use Group 2, located in an M1-1 zoning district, is contrary to Z.R. §42-00.
COMMUNITY BOARD #1BK

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.

CALENDAR

NOVEMBER 12, 2002, 10:00 A.M.

NOTICE IS HEREBY GIVEN of a public hearing, *Tuesday morning*, November 12, 2002, at 10 A.M., at 40 Rector Street, 6th Floor, New York, N.Y. 10006, on the following matters:

SPECIAL ORDER CALENDAR

472-37-BZ, Vol. IV

APPLICANT - Vassalotti Associates, Architects, for 246 Sears Rd Realty Corp., owner.

SUBJECT - Application February 15, 2002 - request for a waiver of the Rules of Practice and Procedure and reopening for an extension of term of variance which expired March 14, 2001.

PREMISES AFFECTED - 2765/2773 Cropsey Avenue, southeast corner of 28th Avenue and Cropsey Avenue, Block 6915, Lot 44, Borough of Queens.

COMMUNITY BOARD #13Q

551-37-BZ

APPLICANT - Joseph P. Morsellino, for Beverly Fetner, et al., owner; Red's Auto Repair, lessee.

SUBJECT - Application June 27, 2002 & August 30, 2002 - reopening for an extension of term of variance which expired July 15, 2002 and for an amendment to the resolution.

PREMISES AFFECTED - 233-02 Northern Boulevard, southeast corner of 233rd Street, Block 8166, Lot 20, Borough of Queens.

COMMUNITY BOARD #11Q

111-94-BZ

APPLICANT - Jay Segal, Esq., Greenberg Traurig, LLP, for 25-02 Eighth Avenue Corp., owner.

SUBJECT - Application March 29, 2002 - request for a waiver of the Rules of Practice and Procedure and reopening for an extension of term of special permit which expired April 5, 2000.

PREMISES AFFECTED - 3543-49 Broadway, northwest intersection of Broadway and West 145th Street, Block 2092, Lot 26, Borough of Manhattan.

COMMUNITY BOARD #9M

99-01-A

APPLICANT - Philip P. Agusta, for Serafina Balducci/Nicolo Balducci, owners.

SUBJECT - Application August 2, 2002 - reopening for a rehearing.

PREMISES AFFECTED - 37-18 74th Street, west side, 161.107' south of 37th Avenue, Block 1284, Lot 47, Borough of Queens.

COMMUNITY BOARD #3Q

NOVEMBER 12, 2002, 11:00 A.M.

NOTICE IS HEREBY GIVEN of a public hearing, *Tuesday morning*, November 12, 2002, at 11 A.M., at 40 Rector Street, 6th Floor, New York, N.Y. 10006, on the following matters:

APPEALS CALENDAR

246-02-A

APPLICANT - Zygmunt Staszewski, for Breezy Point Co-op Inc., owner; Mr. Justin Billows, lessee.

SUBJECT - Application September 10, 2002 - proposed alteration and the addition of a second floor, to an existing one-story, one family dwelling, not fronting on a legally mapped street, which is contrary to Section 36, Article 3 of the General City Law.

PREMISES AFFECTED - 30½ Graham Place, south side, 13.01' east of Beach 203rd Street, Block 16350, Lot 400, Borough of Queens.

COMMUNITY BOARD #14Q

247-02-A

APPLICANT - Zygmunt Staszewski, for Breezy Point Co-op Inc., owner; Mr. John Achilleas, lessee.

SUBJECT - Application September 10, 2002 - proposed alteration and the addition of a second floor to an existing one-story, one family dwelling, not fronting on a legally mapped street, which is contrary to Section 36, Article 3 of the General City Law.

PREMISES AFFECTED - 30 Bayside Avenue, south side, 680' north of Rockaway Point Boulevard, Block 16350, Lot 300, Borough of Queens.

COMMUNITY BOARD #14Q

CALENDAR

251-02-A

APPLICANT - Joseph A. Sherry, for Breezy Point Cooperative Inc., owner; Joanne Billot, lessee.

SUBJECT - Application September 10, 2002 - proposed enlargement to an existing one family dwelling, not fronting on a legally mapped street, located within the bed of mapped street and also has a private disposal system within the bed of a mapped street, which is contrary to Sections 35 and 36, Article 3 of the General City Law.

PREMISES AFFECTED - 11 Suffolk Walk, east side, 76.09' north of Sixth Avenue, Block 16350, Lot 400, Borough of Queens.

COMMUNITY BOARD #14Q

252-02-A

APPLICANT - Joseph A. Sherry, for Breezy Point Cooperative Inc., owner; Martin & Kathleen Fahy, owners.

SUBJECT - Application September 17, 2002 - proposed enlargement to an existing one family dwelling, not fronting on a legally mapped street, located within the bed of mapped street and also has a private disposal system within the bed of a mapped street, which is contrary to Sections 35 and 36, Article 3 of the General City Law.

PREMISES AFFECTED - 466 Seabreeze Walk, east side, 4.31' south of Rockaway Point Boulevard, Block 16350, Lot 400, Borough of Queens.

COMMUNITY BOARD #14Q

255-02-A

APPLICANT - Zygmunt Staszewski, for Breezy Point Co-op Inc., owner; Mr. Arthur Connor, lessee.

SUBJECT - Application September 18, 2002 - proposed alteration to an existing one family dwelling, not fronting on a legally mapped street, is contrary to Section 36, Article 3 of the General City Law.

PREMISES AFFECTED - 21 Janet Lane, north side, 162' east of Beach 203rd Street, Block 16350, Lot 400, Borough of Queens.

COMMUNITY BOARD #14Q

NOVEMBER 12, 2002, 2:00 P.M.

NOTICE IS HEREBY GIVEN of a public hearing, *Tuesday afternoon*, November 12, 2002, at 2 P.M., at 40 Rector Street, 6^h Floor, New York, N.Y. 10006, on the following matters:

ZONING CALENDAR

249-01-BZ

APPLICANT - Moshe M. Friedman, P.E., for B.Z.V. Enterprise Corporation, owner.

SUBJECT - Application August 7, 2001 - under Z.R. § 72-21, to permit the proposed conversion of an existing four story manufacturing building, Use Group 17, to joint living/working quarters, Use Group 17D, located in an M1-2 zoning district, which is contrary to Z.R. §42-14.

PREMISES AFFECTED - 9 White Street, aka 210/22 Varet Street, southwest corner, Block 3117, Lot 29, Borough of Brooklyn.

COMMUNITY BOARD #1BK

146-02-BZ

APPLICANT - The Agusta Group, for R.A.J. Realty Corp., Gennaro Schiano, President, owner.

SUBJECT - Application May 6, 2002 - under Z.R. §73-52, to permit the proposed two story addition to an existing retail establishment, Use Group 6, which will encroach slightly into the residential portion of the lot, split between a C1-2/R3-2 and R3-2 zoning district, requires a special permit as per Z.R. §73-52.

PREMISES AFFECTED - 138-27 247th Street, south side, 250' East of 139th Avenue, Block 1362, Lots 9 and 11, Borough of Queens.

COMMUNITY BOARD #13Q

193-02-BZ

APPLICANT - Sheldon Lobel, P.C., for St. Christopher-Otilie, owner.

SUBJECT - Application June 11, 2002 - under Z.R. §72-21, to permit the proposed conversion of a five story building, located in an area zoned for manufacturing use, into a not-for-profit institution with sleeping accommodations, Use Group 3, which is contrary to Z.R. §42-00.

PREMISES AFFECTED - 488 Morgan Avenue, east side, between Richardson Street and Division Place, Block 2851, Lots 1 and 70, Borough of Brooklyn.

COMMUNITY BOARD #1BK

CALENDAR

232-02-BZ

APPLICANT- Moshe M. Friedman, P.E., for Marc Bodner, owner.

SUBJECT- Application August 15, 2002 - under Z.R. §73-622, to permit the proposed enlargement of an existing one family dwelling, Use Group 1, located in an R2 zoning district, which does not comply with the zoning requirements for floor area ratio, open space ratio and the minimum required side yard, is contrary to Z.R. §23-141(a) and §23-461(a).

PREMISES AFFECTED - 1168 East 23rd Street, east side, 203'-4" south of Avenue "L", Block 7622, Lot 74, Borough of Brooklyn.

COMMUNITY BOARD #14BK

270-02-BZ

APPLICANT - Sheldon Lobel, P.C., for Roselyn Zelman, owner.

SUBJECT- Application October 8, 2002 - under Z.R. §73-622, to permit the proposed enlargement of a single family residence, in an R3-2 zoning district, which creates non-compliance with regards to floor area ratio, open space, rear yard, lot coverage, perimeter wall height and side yard, is contrary to Z.R. §23-141, §23-47 and §23-631.

PREMISES AFFECTED - 1649 East 28th Street, between Avenue "P" and Quentin Road, Block 6791, Lot 50, Borough of Brooklyn.

COMMUNITY BOARD #15BK

Pasquale Pacifico, Executive Director

NOVEMBER 19, 2002, 10:00 A.M.

NOTICE IS HEREBY GIVEN of a public hearing, *Tuesday morning*, November 19, 2002, at 10 A.M., at 40 Rector Street, 6th Floor, New York, N.Y. 10006, on the following matters:

SPECIAL ORDER CALENDAR

292-55-BZ

APPLICANT- Carl A. Sulfaro, Esq., for K & P Jamaica Oil Company, Inc., owner.

SUBJECT - Application June 11, 2002 - reopening for an extension of term of variance which expired April 10, 2001 and for an amendment to the resolution.

PREMISES AFFECTED - 239-15 Jamaica Avenue, northwest corner of 240th Street, Block 8001, Lot 1, Borough of Queens.

COMMUNITY BOARD #13Q

352-64-BZ

APPLICANT - Sheldon Lobel, P.C., for Garage Management Company, owner.

SUBJECT - Application April 1, 2002 - request for a waiver of the Rules of Practice and Procedure and reopening for an extension of term of variance which expired June 16, 1979.

PREMISES AFFECTED - 408-424 East 51st Street, East 51st Street between First Avenue and Beekman Place, Block 1362, Lot 41, Borough of Manhattan.

COMMUNITY BOARD #6M

190-75-BZ

APPLICANT- Kevin B. McGrath, Esq., for Condominium, owner.

SUBJECT- Application August 14, 2002 - reopening for an amendment to the resolution.

PREMISES AFFECTED - 301-321 East 79th Street, Second Avenue and East 79th Street, Block 1542, Lots 1001-1546, 7501, 12, 49, Block 8, Borough of Manhattan.

COMMUNITY BOARD #8M

151-90-BZ

APPLICANT - The Agusta Group, for Carmen Bosato, owner.

SUBJECT - Application August 26, 2002 - request for a waiver of the Rules of Practice and Procedure and reopening for an extension of term of variance which expired June 25, 2001.

PREMISES AFFECTED- 115-49 118th Street, east side of 118th Street 240' north of Sutter Avenue, Block 11711, Lot 18, Borough of Queens.

COMMUNITY BOARD #10Q

145-92-BZ

APPLICANT- Fredrick A. Becker, Esq., for PPI New York LLC, owner; Broadway Body Builders, Inc., lessee.

SUBJECT- Application September 10, 2002 - reopening for an amendment to the resolution.

PREMISES AFFECTED - 403 East 91st Street, north side

CALENDAR

of East 91st Street, 94' east of First Avenue, Block 1571, Lot 5, Borough of Manhattan.

COMMUNITY BOARD #8M

219-97-BZ

APPLICANT - Sheldon Lobel, P.C., for BP Amoco Corp., owner.

SUBJECT - Application September 26, 2002 - reopening for an amendment to the resolution.

PREMISES AFFECTED - 130-11 North Conduit Avenue, North Conduit between 130th Street and 130th Place, Block 11864, Lots 13 and 16, Borough of Queens.

COMMUNITY BOARD #10Q

203-01-BZ

APPLICANT - Sheldon Lobel, P.C., for BP Products, N.A. C/O Bohler Engineering, owner.

SUBJECT - Application September 3, 2002 - reopening for an amendment to the resolution.

PREMISES AFFECTED - 5701 Broadway at West 234th Street, northwest corner of Broadway and West 234th Street, Block 5760, Lot 175, Borough of The Bronx.

COMMUNITY BOARD #8BX

204-01-BZ

APPLICANT - Sheldon Lobel, P.C., for B.P. Amoco Corp., owner.

SUBJECT - Application September 26, 2002 - reopening for an amendment to the resolution.

PREMISES AFFECTED - 73-15 Parsons Boulevard, Parsons Boulevard between 73rd and 75th Avenues, Block 6822, Lot 20, Borough of Queens.

COMMUNITY BOARD #8Q

NOVEMBER 19, 2002, 1:30 P.M.

NOTICE IS HEREBY GIVEN of a public hearing, *Tuesday afternoon*, November 19, 2002, at 1:30 P.M., at 40 Rector Street, 6th Floor, New York, N.Y. 10006, on the following matters:

ZONING CALENDAR

284-01-BZ

APPLICANT - Stanley K. Schlein, Esq., for Silver Lake

Realty Partnership, owner.

SUBJECT - Application October 3, 2001 - under Z.R. §72-21, to permit the proposed expansion of an existing nursing home, located in an R3-2 zoning district, which does not comply with the zoning requirements for floor area ratio, is contrary to Z.R. §24-111.

PREMISES AFFECTED - 275 Castleton Avenue, 26' east of the northeast corner of Castleton Avenue and Harbor View Court, Block 119, Lot 104, Borough of Staten Island.

COMMUNITY BOARD #1SI

73-02-BZ

APPLICANT - Sheldon Lobel, P.C., for Aron Adler, owner.

SUBJECT - Application July 9, 2002 - under Z.R. §72-21, to permit the proposed conversion of an existing four story building, located in a manufacturing zoning district, into a mixed-use building, with floors 2 through 4 for residential use, and the first floor to remain commercial, is contrary to Z.R. §42-00.

PREMISES AFFECTED - 6 Stanwix Street, a/k/a 59 Jefferson Street, a through lot fronting Stanwix and Jefferson Streets, Block 3162, Lot 1, Borough of Brooklyn. **COMMUNITY BOARD #4BK**

112-02-BZ

APPLICANT - Howard A. Zipser, Stadtmauer Bailkin, LLP, for Sima Realty LLC, owner.

SUBJECT - Application April 5, 2002 - under Z.R. §72-21, to permit the proposed top five stories of a six story commercial building, erected before December 15, 1961, for residential use, which is contrary to Z.R. §15-021(e), located in a C6-1G.

PREMISES AFFECTED - 48 Eldrige Street, east side, between Hester and Canal Streets, Block 300, Lot 7, Borough of Manhattan.

COMMUNITY BOARD #3M

114-02-BZ

APPLICANT - Land Planning and Engineering Consultants, P.C., - Vito J. Fossella, P.E., for Jerry Campitiello, owner.

SUBJECT - Application April 12, 2002 - under Z.R. §72-21, to permit the proposed new two story commercial building, with retail sales on the first floor and offices on the second floor, Use Group 6, located in an R2 zoning district, which is contrary to Z.R. §22-00.

PREMISES AFFECTED - 2493 Richmond Road, northwest corner of Odin Avenue, Block 947, Lot 1, Borough of

CALENDAR

Staten Island.

COMMUNITY BOARD #2S.I.

239-02-BZ

APPLICANT- Deirdre A. Carson, Esq./Greenberg Traurig, LLP, for Rabbo Realty, LLC, owner.

SUBJECT- Application August 29, 2002 - under Z.R. §72-21, to permit the reestablishment of restaurant use, Use Group 6A, after a discontinuance of more than two year, located in an R7-2 zoning district, that is part of a designated historic district, is contrary to Z.R. §§22-10 and 52-61.

PREMISES AFFECTED - 110 Waverly Place, south side, 132' west of the intersection of Waverly Place and Washington Square West, Block 552, Lot 53, Borough of Manhattan.

COMMUNITY BOARD #2M

250-02-BZ

APPLICANT - Moshe M. Friedman, P.E., for Yaacov Azrad, owner.

SUBJECT - Application September 17, 2002 - under Z.R. §73-622, to permit the proposed enlargement of an existing one family dwelling, Use Group 1, located in an R3-2 zoning district, which does not comply with the zoning requirements for floor area, open space, lot coverage, side yards, minimum side yard and rear yard, and is contrary to Z.R. §23-141(b), §23-461(a) and §23-47.

PREMISES AFFECTED - 3845 Bedford Avenue, east side, 340' south of Bedford Avenue and Quentin Road, Block 6808, Block 74, Borough of Brooklyn.

COMMUNITY BOARD #15BK

Pasquale Pacifico, Executive Director

MINUTES

**REGULAR MEETING
TUESDAY MORNING, OCTOBER 8, 2002
10:00 A.M.**

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

Absent: Commissioner Miele

The minutes of the regular meetings of the Board held on Tuesday morning and afternoon, August 20, 2002, were approved as printed in the Bulletin of August 29, 2002, Volume 87, No. 34.

SPECIAL ORDER CALENDAR

1069-27-BZ, Vol. III

APPLICANT - Sheldon Lobel, P.C., for Frank Mormando, owner.

SUBJECT - Application July 12, 2001 - request for a waiver of the Rules of Practice and Procedure, reopening for an extension of term of variance which expired March 6, 2001 and for an amendment to the resolution.

PREMISES AFFECTED - 6702/6724 New Utrecht Avenue, irregular-shaped triangular block bounded by New Utrecht Avenue, 15th Avenue and 68th Street, Block 5565, Lot 1, Borough of Brooklyn.

COMMUNITY BOARD #11BK

For Applicant: Lyra Altman and Frank Mormando.

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

THE VOTE TO GRANT -

Affirmative: Chairman Chin, Commissioner Korbey and Commissioner Caliendo3

Negative:0

Absent: Vice-Chair Babbar and Commissioner Miele2

THE RESOLUTION -

WHEREAS, the applicant has requested a Waiver of the Rules of Procedure, a reopening, an amendment, and an extension of the term of the variance which expired March 6, 2001, and an amendment; 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 January 29, 2002, March 5, 2002, April 9, 2002, May 14, 2002, June 4, 2002, July 9, 2002, August 6, 2002, September 24, 2002, and then to October 8, 2002 for decision; and

WHEREAS, the applicant seeks to extend the term of the variance, permitting the erection and operation of an automatic automobile laundry, simonizing room and offices, for an additional ten years; and

WHEREAS, the applicant also seeks to amend the resolution to reflect changes in the layout of the premises, namely the addition of an attendant's booth and the relocation of the canopy; and

WHEREAS, in response to the concerns of the Board, regarding vehicular and pedestrian traffic, the applicant has revised the plans and closed a curb cut on New Utrecht Avenue.

Resolved, that the Board of Standards and Appeals hereby waives the Rules of Practice and Procedure and reopens and extends the term of the variance pursuant to §11-411, said resolution having been adopted March 6, 1956, so that as amended this portion of the resolution shall read:

"to permit the extension of the term of the variance for an additional ten years from March 6, 2001, expiring March 6, 2011, and to amend the resolution to reflect changes in the layout of the premises, namely the addition of an attendant's booth and the relocation of the canopy, on condition;

THAT the premises shall be maintained in substantial compliance with the proposed drawings submitted with the application marked "Received September 10, 2002"-(1) sheet; and that other than as herein amended the resolution above cited shall be complied with in all respects; and on further condition

THAT a new Certificate of Occupancy be obtained within two years of this grant;

THAT the hours of operation for the automobile vacuums shall be limited from 9:00 A.M.-7:00 P.M.;

THAT there shall be no parking of automobiles on the sidewalk at anytime;

THAT there shall be no outdoor automobile repair work done on the premises;

THAT the premises shall remain graffiti-free at all times;

THAT there shall be no change in use, ownership or lessee without Board approval;

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

THAT the expiration date of this variance shall be indicated 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;

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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." (DOB. No. 301186017)

Adopted by the Board of Standards and Appeals, October 8, 2002.

116-81-BZ

APPLICANT - Catapano Engineering, P.C., for 1579 Atlantic Avenue, owner.

SUBJECT - Application March 27, 2002 and updated May 29, 2002 - request for a waiver of the Rules of Practice and Procedure and reopening for an extension of term of variance which expired July 14, 2001.

PREMISES AFFECTED - 1581 Atlantic Avenue aka 48/56 Troy Avenue, northwest corner of Troy Avenue, Block 1705, Lots 58 and 62, Borough of Brooklyn.

COMMUNITY BOARD #3BK

APPEARANCES -

For Applicant: Michelle Spallino.

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

THE VOTE TO GRANT -

Affirmative: Chairman Chin, Vice-Chair Babbar, Commissioner Korbey and Commissioner Caliendo.....4
Negative:0
Absent: Commissioner Miele.....1

THE RESOLUTION -

WHEREAS, the applicant has requested a waiver of the Rules of Procedure, a reopening for an extension of the term of the variance which expired July 14, 2001; and

WHEREAS, a public hearing was held on this application on July 23, 2002, after due notice by publication in The City Record, laid over to September 24, 2002, and then to October 8, 2002 for decision; and

WHEREAS, the applicant seeks to extend the term of the variance, permitting an automotive service station, for an additional ten years.

Resolved, that the Board of Standards and Appeals hereby waives the Rules of Practice and Procedure and reopens and extends the term of the variance, said resolution having been adopted July 14, 1981, so that as amended this portion of the resolution shall read:

"to permit the extension of the term of the variance for an additional ten years from July 14, 2001 expiring July 14, 2011, on condition;

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

application marked "Received March 27, 2002" -(2) sheets; and that other than as herein amended the resolution above cited shall be complied with in all respects; and on further condition;

THAT the hours of operation for the automobile vacuums shall be limited from 9:00 A.M.-7:00 P.M.;

THAT there shall be no parking of automobiles on the sidewalk at anytime;

THAT there shall be no coin-operated self-service car washes on the premises at any time;

THAT the premises shall remain graffiti-free at all times;

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; 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." (DOB. No. 301269945)

Adopted by the Board of Standards and Appeals, October 8, 2002.

43-95-BZ

APPLICANT - Sheldon Lobel, P.C., for Salvatore and Matteo Roselli, owner.

SUBJECT - Application June 18, 2002 - reopening for an extension of time to complete construction which expired on May 19, 2002.

PREMISES AFFECTED - 1098 East 56th Street, 107.16' south of Flatlands Avenue, Block 7781, Lot 18, Borough of Brooklyn.

COMMUNITY BOARD #18BK

APPEARANCES -

For Applicant: Lyra Altman.

ACTION OF THE BOARD - Application reopened and time to complete substantial construction extended.

THE VOTE TO GRANT -

Affirmative: Chairman Chin, Vice-Chair Babbar, Commissioner Korbey and Commissioner Caliendo.....4
Negative:0
Absent: Commissioner Miele.....1

THE RESOLUTION -

WHEREAS, the applicant requested a re-opening and an extension of the time to complete substantial construction which expired on May 19, 2002; and

WHEREAS, a public hearing was held on this

MINUTES

application on September 24, 2002, after due notice by publication in The City Record, and laid over to October 8, 2002 for decision; and

WHEREAS, there have been no changes to the previous BSA-approved plans.

Resolved, that the Board of Standards and Appeals reopens and amends the resolution, permitting the erection and use of a one-story building as a non-conforming automobile repair shop, adopted on May 19, 1998, only as to the time to complete substantial construction so that as amended this portion of the resolution shall read:

That substantial construction shall be completed within twenty-four months from the date of this grant; and 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 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, October 8, 2002.

274-59-BZ, Vol. II

APPLICANT - Laurence Dalfino, R.A., for Manorwood Realty Corp., owner.

SUBJECT - Application February 15, 2002 - request for a waiver of the Rules of Practice and Procedure and reopening for an extension of term of variance which expired September 28, 2001.

PREMISES AFFECTED - 3356-3358 Eastchester Road and 1510-1514 Tillotson Avenue, south side Tillotson Avenue from Eastchester Road to Mickle Avenue, Block 4744, Lot 1, Borough of The Bronx.

COMMUNITY BOARD #12BX

APPEARANCES -

For Applicant: Laurence Dalfino.

THE VOTE TO CLOSE HEARING -

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

Negative:0

Absent: Commissioner Miele.....1

ACTION OF THE BOARD - Laid over to October 29, 2002, at 10 A.M., for decision, hearing closed.

1237-66-BZ

APPLICANT - Sheldon Lobel, P.C., for BP Products, N.A., owner.

SUBJECT - Application August 15, 2002 - reopening for an

extension of time to complete construction and obtain a certificate of occupancy.

PREMISES AFFECTED - 1 East 233rd Street, northeast corner of Van Cortland Park East and East 233rd Street, Block 3363, Lots 18 and 23, The Bronx.

COMMUNITY BOARD #12BX

APPEARANCES - None.

ACTION OF THE BOARD - Laid over to November 26, 2002, at 10 A.M., for postponed hearing.

237-72-BZ

APPLICANT - Catapano Engineering, P.C., for Leemilt's Petroleum, owner.

SUBJECT - Application June 24, 2002 - reopening for an amendment to the resolution.

PREMISES AFFECTED - 262-10/262-12 Hillside Avenue, southwest corner of 263rd Street, Block 8792, Lot 13, Borough of Queens.

COMMUNITY BOARD #13Q

APPEARANCES -

For Applicant: Michelle Spallino.

ACTION OF THE BOARD - Laid over to November 12, 2002, at 10 A.M., for continued hearing.

1043-80-BZ

APPLICANT - Rothkrug & Rothkrug Weinberg & Spector for RANS 1680 Building Corp., owner.

SUBJECT - Application December 17, 2001 - request for a waiver of the Rules of Practice and Procedure and reopening for an extension of term of variance which expired May 3, 2000.

PREMISES AFFECTED - 1680/88 Albany Avenue a/k/a 4024 Marginal Street, southwest corner of Albany Avenue and Marginal Street, Block 7744, Lots 47, 49, 50, Borough of Brooklyn.

COMMUNITY BOARD #18BK

APPEARANCES -

For Applicant: Adam Rothkrug.

For Administration: John A. Yacovone, Fire Department.

ACTION OF THE BOARD - Laid over to November 26, 2002, at 10 A.M., for continued hearing.

793-88-BZ

APPLICANT - Manuel B. Vidal, Jr., for 164 Willis Avenue Realty Corp., owner; RSV S/S, Inc., lessee.

SUBJECT - Application March 19, 2002 - request for a waiver of the Rules of Practice and Procedure and reopening for an extension of term of variance which

MINUTES

expired June 12, 2000.

PREMISES AFFECTED - 164/76 Willis Avenue aka 401 East 135th Street, northeast corner, Block 2280, Lots 1, 4, 5, 7, 76, Borough of The Bronx.

COMMUNITY BOARD #1BX

APPEARANCES -

For Applicant: Phil Rampulla.

THE VOTE TO CLOSE HEARING -

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

Negative:0

Absent: Commissioner Miele.....1

ACTION OF THE BOARD - Laid over to October 29, 2002, at 10 A.M., for decision, hearing closed.

181-90-BZ

APPLICANT - Philip P. Agusta, The Agusta Group, for Les-Ted, LLC, owner.

SUBJECT - Application June 5, 2002 - request for a waiver of the Rules of Practice and Procedure and reopening for an extension of term of variance which expired October 8, 2001.

PREMISES AFFECTED - 482/486 College Avenue, east side 25' south of East 148th Street, Block 2329, Lot 58, Borough of The Bronx.

COMMUNITY BOARD #1BX

APPEARANCES -

For Applicant: Sol Korman.

ACTION OF THE BOARD - Laid over to November 26, 2002, at 10 A.M., for continued hearing.

47-99-BZ

APPLICANT - Rampulla Associates Architects, for John Riggio, for Scott Lizo, owner.

SUBJECT - Application May 30, 2002 - request for a waiver of the Rules of Practice and Procedure, reopening for an extension of term of variance which expired March 14, 2001 and for an amendment to the resolution.

PREMISES AFFECTED - 3122 Victory Boulevard, between Richmond Avenue and Jones Street, Block 2159, Lot 13, Borough of Staten Island.

COMMUNITY BOARD #2S.I.

APPEARANCES - None.

THE VOTE TO CLOSE HEARING -

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

Negative:0

Absent: Commissioner Miele.....1

ACTION OF THE BOARD - Laid over to October

29, 2002, at 10 A.M., for decision, hearing closed.

47-02-A & 48-02-A

APPLICANT - Michael DeRuvo, R.A., for Carmen Loconte, owner.

SUBJECT - Application February 6, 2002 - Proposed construction of a two story, 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 - 3667 Richmond Avenue, east side, 675.0' south of Katan Avenue, Block 5515, Lot 3, Borough of Staten Island.

3669 Richmond Avenue, east side, 715.0' south of Katan Avenue, Block 5515, Lot 1, Borough of Staten Island.

COMMUNITY BOARD #3 S.I.

APPEARANCES -

For Administration: John A. Yacovone, Fire Department.

ACTION OF THE BOARD - Application dismiss for lack of prosecution.

THE VOTE TO DISMISS -

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

Negative:0

Absent: Commissioner Miele.....1

Adopted by the Board of Standards and Appeals, October 8, 2002.

54-02-A & 55-02-A

APPLICANT - Rothkrug Rothkrug Weinberg & Spector, LLP, owner; Charleston Development Corp., owner.

SUBJECT - Application February 11, 2002 - Proposed construction of a two family dwelling, not fronting on a legally mapped street, is contrary to Section 36, Article 3 of the General City Law.

PREMISES AFFECTED - 100 Gary Street, south side, 150.7' east of Kenilworth Avenue, Block 5720, Lot 99, Borough of Staten Island.

106 Gary Street, south side, 100.0' east of Kenilworth Avenue, Block 5720, Lot 102, Borough of Staten Island.

COMMUNITY BOARD #3S.I.

APPEARANCES -

For Applicant: Adam W. Rothkrug.

For Administration: John A. Yacovone, Fire Department.

THE VOTE TO CLOSE HEARING -

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

Negative:0

Absent: Commissioner Miele.....1

ACTION OF THE BOARD - Laid over to October

MINUTES

29, 2002, at 11 A.M., for decision, hearing closed.

140-02-A

APPLICANT - New York City Department of Buildings, for Joseph DeFronzo, owner.

SUBJECT - Application May 1, 2002 - Application to revoke Certificate of Occupancy No. 401029338, on the basis that the conversion of the subject premises from a two family to a four family dwelling violates the Multiple Dwelling Law and the Zoning Resolution.

PREMISES AFFECTED - 67-35 73rd Place, east side, 96.37' south of 67th Road, Block 3771, Lot 8, Borough of Queens.

COMMUNITY BOARD #6Q

APPEARANCES -

For Applicant: John Resinger, Department of Buildings.

THE VOTE TO CLOSE HEARING -

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

Negative:0

Absent: Commissioner Miele.....1

ACTION OF THE BOARD - Laid over to November 12, 2002, at 11 A.M., for decision, hearing closed.

141-02-A

APPLICANT - The Agusta Group for Raymond & Katherine Koon, owner.

SUBJECT - Application May 1, 2002 - Proposed construction of a two-story, one family dwelling, located partially within the bed of a mapped street, which is contrary to Section 35, Article 3 of the General City Law.

PREMISES AFFECTED - 46-17 Overbrook Street, west side, between Alameda and Thebes Avenues, Block 8204, Lot 14, Borough of Queens.

COMMUNITY BOARD #11Q

APPEARANCES -

For Applicant: Sol Korman.

For Administration: John A. Yacovone, Fire Department.

THE VOTE TO CLOSE HEARING -

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

Negative:0

Absent: Commissioner Miele.....1

ACTION OF THE BOARD - Laid over to October 29, 2002, at 11 A.M., for decision, hearing closed.

216-02-A

APPLICANT - Joseph A. Sherry, for Breezy Point Cooperative Inc., owner; Thomas Concannon, lessee.

SUBJECT - Application July 25, 2002 - proposed enlargement of an existing one family dwelling, not fronting on a legally mapped street, and located within the bed of a mapped street, is contrary to Sections 35 and 36, Article 3 of the General City Law.

PREMISES AFFECTED - 42 Tioga Walk, between Sixth Avenue and Beach 216th Street, Block 16350, Lot 400, Borough of Queens

COMMUNITY BOARD #14Q

APPEARANCES -

For Applicant: Loretta Papa.

For Administration: John A. Yacovone, Fire Department.

ACTION OF THE BOARD - Laid over to October 29, 2002, at 11 A.M., for continued hearing.

Pasquale Pacifico, Executive Director.

Adjourned: 11:25 P.M.

REGULAR MEETING

TUESDAY AFTERNOON, OCTOBER 8, 2002

2:00 P.M.

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

Absent: Commissioner Miele

ZONING CALENDAR

32-02-BZ

CEQR# 02-BSA-120K

APPLICANT - Martyn and Don Weston, for 176 Johnson LLC, owner.

SUBJECT - Application January 18, 2002 - under Z.R. §72-21, to permit, in an M1-1 zoning district, the conversion of a former industrial building to a residential (Use Group 2) use, which is contrary to Z.R. Section 42-00.

PREMISES AFFECTED - 176/82 Johnson Street, aka 92/102 Prince Street, southwest corner, Block 2049, Lot 15, Borough of Brooklyn.

COMMUNITY BOARD #2BK

APPEARANCES -

For Applicant: Don Weston.

For Administration: John Yacovone, 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

MINUTES

Negative:0
Absent: Commissioner Miele.....1

THE RESOLUTION

WHEREAS, the decision of the Borough Commissioner, dated March 5, 2002 acting on Application No. 301116664 reads:

"The proposal to change Manufacturing Use (U.G. 17) to Class "A" apartments (U.G.2) is contrary to Section 42-00 Zoning Resolution which does not permit residential use in an M1-1 Zoning District."; and

WHEREAS, a public hearing was held on this application on August 6, 2002 after due notice by publication in The City Record, and laid over to October 8, 2002 for decision; and

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

WHEREAS, this is an application under Z.R. §72-21, to permit, in an M1-1 zoning district, the conversion of a former industrial building to a residential (Use Group 2) use, which is contrary to Z.R. Section 42-00; and

WHEREAS, the subject parcel measures approximately 73 feet by 110 feet, located on the southwest corner formed by the intersection of Johnson and Prince Streets, improved with an eight -story building; and

WHEREAS, the applicant seeks permission to convert an existing industrial building to 64 residential units consisting of 66,470 square feet; and

WHEREAS, the record indicates that the subject building is burdened by a lack of accessory parking, an infrastructure that cannot accommodate modern industrial communication needs and a floor plate that is interrupted by 8 columns; and

WHEREAS, the record indicates that the applicant documented good-faith attempts to obtain a conforming tenant; and

WHEREAS, the record indicates that the subject property is located on a narrow street, and its location would create difficulty in loading and unloading of trucks; and

WHEREAS, in response to Board concerns, that the addition of residential uses would create parking impacts, the applicant will provide a 12 car parking garage at the cellar level of the subject building which will be serviced by an automated lift operating from Prince Street; and

WHEREAS, the aforementioned unique conditions demonstrate that the development of this site with a conforming development creates an undue hardship; and

WHEREAS, evidence in the record, including a feasibility study, demonstrates that developing the site with a complying development would not yield a reasonable

return; and

WHEREAS, the record indicates that within the vicinity of the subject site, residential and community facility uses predominate; and

WHEREAS, therefore, Board finds that the proposed application will not alter the essential character of the surrounding neighborhood, impair the use or 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 is the minimum variance necessary to afford relief; and

WHEREAS, the Board has determined that the evidence in the record supports the findings required to be made under Z.R. §72-21; and

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, limited to the objections cited, to permit, in an M1-1 zoning district, the conversion of a former industrial building to a residential (Use Group 2) use, which is contrary to Z.R. Section 42-00, on condition that all work shall substantially conform to drawings as they apply to the objections above noted, filed with this application marked "Received April 15, 2002"- (2) sheets and "August 20, 2002"- (4) sheets, and on further condition;

THAT in accordance with BSA approved plans the applicant will provide the following Fire Safety measures;

THAT substantial construction shall be completed in accordance with Z.R. '72-23;

THAT the above conditions shall be noted in 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; 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, October 8, 2002

44-02-BZ
CEQR#02-BSA-130K

MINUTES

APPLICANT - Harold Weinberg, P.E., for Oksana Ginkburg, owner.

SUBJECT- Application February 1, 2002 - under Z.R. §73-622, to permit, in an R4 zoning district, the proposed enlargement to an existing single-family dwelling by enlarging the building forward and erecting a second story, which creates non-compliance with regard to Floor Area Ratio, Lot Coverage, Open Space Ratio and Rear Yard, contrary to Z.R. §§23-141, 23-48, 54-31 and 23-47 and to permit the conversion to a two family dwelling.

PREMISES AFFECTED - 1125 Gilmore Court, northside, 100'-0" west of East 12th Street, Block 7455, Lot 56, Borough of Brooklyn.

COMMUNITY BOARD #15BK

APPEARANCES -

For Applicant: Harold Weinberg and Betty Glover.

For Administration: John Yacovone, 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

Absent: Commissioner Miele.....1

THE RESOLUTION -

WHEREAS, the decision of the Borough Commissioner, dated January 30, 2002, acting on Application No. 301172460 reads:

“THE PROPOSED ENLARGEMENT OF THE ONE STORY RESIDENCE IN AN R4 ZONING DISTRICT;

1. CREATES A NON-COMPLIANCE WITH RESPECT TO FLOOR AREA RATIO AND IS CONTRARY TO SECTION 23-141 OF THE ZONING RESOLUTION (ZR).

2. CREATES NON-COMPLIANCES WITH RESPECT TO LOT COVERAGE AND OPEN SPACE RATION AND IS CONTRARY TO SECTION 23-141.

3. INCREASES THE DEGREE OF NON-COMPLIANCE WITH RESPECT TO SIDE YARD AND IS CONTRARY TO SECTIONS 23-48 & 54-31.

4. PROVIDE REAR YARD AS PER Z.R. SECTION 23-47.”; and

WHEREAS, a public hearing was held on this application on September 24, 2002 after due notice by publication in The City Record, and laid over to October 8, 2002 for decision; and

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

WHEREAS, a special permit is sought under Z.R.

'73-622 to allow, in an R4 zoning district, the proposed enlargement to an existing single-family dwelling by enlarging the building forward and erecting a second story, which creates non-compliance with regard to Floor Area Ratio, Lot Coverage, Open Space Ratio and Rear Yard, contrary to Z.R. §§23-141, 23-48, 54-31 and 23-47; and

WHEREAS, upon enlargement, the applicant also seeks to permit the conversion of the premises into a two family dwelling; and

WHEREAS, Community Board #15 recommends approval of this application; and

WHEREAS, the perimeter wall height will comply with the applicable zoning regulation; and

WHEREAS, the Board finds that the proposed enlargement will not alter the essential character of the surrounding neighborhood nor will it impair the future use and development of the surrounding area; and

WHEREAS, the proposed project will not interfere with any pending public improvement project; and

WHEREAS, the Board has determined that the evidence in the record supports the findings required to be made under Z.R. §§73-622 and 73-03.

Resolved that the Board of Standards and Appeals issues a Type II determination under 6 NYCRR Part 617 of the Rules of Procedure for City Environmental Quality Review and makes the required findings under Z.R. "73-03 and 73-622 and grants a special permit to allow, in an R4 zoning district, the proposed enlargement to an existing single-family dwelling by enlarging the building forward and erecting a second story, which creates non-compliance with regard to Floor Area Ratio, Lot Coverage, Open Space Ratio and Rear Yard, contrary to Z.R. §§23-141, 23-48, 54-31 and 23-47 and to permit the conversion to a two family dwelling, on condition that all work shall substantially conform to drawings as they apply to the objection above-noted, filed with this application marked “Received September 9, 2002”-(9) sheets; and on further condition;

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;

THAT substantial construction be completed and a new Certificate of Occupancy be obtained within four years of this grant.

Adopted by the Board of Standards and Appeals,

MINUTES

October 8, 2002.

143-02-BZ

APPLICANT- SheldonLobel,P.C., for VivianStok, owner.
SUBJECT- ApplicationMay 3, 2002 - under Z.R. §73-622,
to permit, in an R2 zoning district, the proposed
enlargement to an existing single-family dwelling, which
creates non-compliance with regard to Floor Area Ratio,
Lot Coverage, Open Space Ratio and Side and Rear Yards,
contrary to Z.R.§§23-141, 23-461 and 23-47.

PREMISES AFFECTED - 3468 Bedford Avenue, 350'
north of Avenue "N", between Avenues "M and N", Block
7660, Lot 66, Borough of Brooklyn.

COMMUNITY BOARD #14BK

APPEARANCES - None.

ACTION OF THE BOARD -

THE VOTE TO GRANT-Application granted on condition.
Affirmative: Chairman Chin, Vice-Chair Babbar,
Commissioner Korbey and Commissioner Caliendo.....4
Negative:0

Absent: Commissioner Miele.....1

THE RESOLUTION -

WHEREAS, the decision of the Borough
Commissioner, dated April 24, 2002, acting on Application
No. 301329541 reads:

"Obtain special permit approval from the Board of
Standards and Appeals for the following objections:

1. Proposed floor area ratio contrary to zr 23-141.
2. Proposed open space ratio contrary to zr 23-141.
3. Proposed side yards contrary to zr 23-461.
4. Proposed rear yard contrary to zr 23-47." and

WHEREAS, a public hearing was held on this
application on September 10, 2002 after due notice by
publication in The City Record, and laid over to October 8,
2002 for decision; and

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

WHEREAS, a special permit is sought under Z.R.
'73-622 to permit, in an R2 zoning district, the proposed
enlargement to an existing single-family dwelling, which
creates non-compliance with regard to Floor Area Ratio,
Lot Coverage, Open Space Ratio and Side and Rear Yards,
contrary to Z.R.§§23-141, 23-461 and 23-47; and

WHEREAS, the perimeter wall height will comply with
the applicable zoning regulation; and

WHEREAS, the Board finds that the proposed
enlargement will not alter the essential character of the

surrounding neighborhood nor will it impair the future use
and development of the surrounding area; and

WHEREAS, the proposed project will not interfere
with any pending public improvement project; and

WHEREAS, the Board has determined that the
evidence in the record supports the findings required to be
made under Z.R.§§73-622 and 73-03.

Resolved that the Board of Standards and Appeals
issues a Type II determination under 6 NYCRR Part 617 of
the Rules of Procedure for City Environmental Quality
Review and makes the required findings under Z.R.
§§73-03 and 73-622 and grants a special permit to allow,
in an R2 zoning district, the proposed enlargement to an
existing single-family dwelling, which creates
non-compliance with regard to Floor Area Ratio, Lot
Coverage, Open Space Ratio and Side and Rear Yards,
contrary to Z.R.§§23-141, 23-461 and 23-47, on condition
that all work shall substantially conform to drawings as they
apply to the objection above-noted, filed with this
application marked "Received July 22, 2002" -(6) sheets
and "October 1, 2002"- (1) sheet; and on further condition;

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;

THAT substantial construction be completed and a new
Certificate of Occupancy be obtained within four years of
this grant.

Adopted by the Board of Standards and Appeals,
October 8, 2002.

158-02-BZ

CEQR# 02-BSA-203Q

APPLICANT- SheldonLobel,P.C., for Torah Academy for
Girls (The Bais Yaakov of Long Island), owner.

SUBJECT- Application May 15, 2002 - under Z.R. §72-21,
to permit, in an R3-1 zoning district, the proposed
enlargement of an existing two-story Community
Facility, (Use Group 3) which is contrary to Z.R.§§24-11,
24-35, 24-34, 24-382 and 24-521.

PREMISES AFFECTED - 444 Beach 6th Street, between
Jarvis and Meehan Avenues, Block 15591, Lot 1,
Borough of Queens.

COMMUNITY BOARD #14Q

MINUTES

APPEARANCES -

For Applicant: Eric Palatnik.

For Administration: John A. Yacovone, Fire Department.

ACTION OF THE BOARD - Application granted on condition.

THE VOTE TO REOPEN HEARING -

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

Negative:0

Absent: Commissioner Miele.....1

THE VOTE TO CLOSE HEARING -

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

Negative:0

Absent: Commissioner Miele.....1

THE VOTE TO GRANT -

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

Negative:0

Absent: Commissioner Miele.....1

THE RESOLUTION -

WHEREAS, the decision of the Borough Commissioner, dated March 3, 2002 acting on Alt. Application No. 401403076, reads;

"Obtain approval from Board of Standards and Appeals for the following objections:

1) Proposed floor area is contrary to 24-11

2) Side yard is contrary to 24-35

3) Front yard is contrary to 24-34

4) Rear Yard is contrary to 24-382

5) Height & Setback contrary to 24-521"; and

WHEREAS, a public hearing was held on this application on September 10, 2002 after due notice by publication in The City Record, and laid over to October 8, 2002 for decision; and

WHEREAS, Community Board No. 14 in Queens recommended approval of the subject application; 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 under Z.R. §72-21 to permit, in an R3-1 zoning district, the proposed enlargement of an existing two-story Community Facility, (Use Group 3) which is contrary to Z.R. §§24-11, 24-35, 24-34, 24-382 and 24-521; and

WHEREAS, the subject site is a trapezoidal-shaped parcel fronting on Meehan Avenue, Bay 6th Street, and Jarvis Avenue developed with a "U" shaped structure housing a school/Yeshiva; and

WHEREAS, the instant application seeks to add a third story to meet the growing programmatic needs of the student population; and

WHEREAS, the subject building presently houses 36 classrooms, a cafeteria, auditorium, computer rooms, a science lab and offices; and

WHEREAS, the instant application seeks to add an additional 22 classrooms; and

WHEREAS, the evidence in the record indicates that the subject schools needs the requested enlargement to meet New York State licensing requirements; and

WHEREAS, the record indicates that presently the school serves an all-female population of 758 students enrolled in grades kindergarten through eighth with an additional 300 youngsters in its summer day camp; and

WHEREAS, the applicant's operation's plan indicates that students attend the school at different hours depending on their grade level; and

WHEREAS, the record also suggests that due to the school's need to provide religious instruction, the students are taught two-separate disciplines and accommodations are made for students needing special attention; and

WHEREAS, the aforementioned special services require a low student to teacher ratio creating the need for additional classrooms; and

WHEREAS, the Board finds that there are unique conditions, namely the growing programmatic needs of the community facility, which create practical difficulties and unnecessary hardships in constructing a building in compliance with the underlying district regulations; and

WHEREAS, the applicant need not address Z.R. § 72-21(b) since the applicant is a not-for-profit organization and the development on this site will be in furtherance of its not-for-profit purposes; and

WHEREAS, the Board notes that the subject community facility is a permitted use within the subject R3-1 zoning district, and the record indicates the majority of the students attend on a staggered schedule; and

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

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

WHEREAS, evidence in the record demonstrates that this proposal is the minimum necessary to meet the programmatic needs of the Yeshiva; and

WHEREAS, the Board has determined that the evidence in the record supports the findings required to be made under Z.R. §72-21; and

WHEREAS, evidence in the record demonstrates that the instant application is consistent with New York City's Local Waterfront Revitalization Program policies; and

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

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potential parking and traffic impacts; and

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

Therefore, it is Resolved that the Board of Standards and Appeals issues a Negative Declaration under 6 N.Y.C.R.R. 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 to permit, in an R3-1 zoning district, the proposed enlargement of an existing two-story Community Facility, (Use Group 3) which is contrary to Z.R. §§24-11, 24-35, 24-34, 24-382 and 24-521, on condition that all work shall substantially conform to drawings as they apply to the objection above noted, filed with this application marked "Received September 19, 2002" - (8) sheets; and on further condition;

THAT Fire Department safety measures referenced in the BSA approved plans shall be complied with;

THAT the premises shall not be used for commercial catering at any time;

THAT substantial construction shall be completed in accordance with Z.R. §72-23;

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

THAT a Certificate of Occupancy shall be obtained within two years 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; 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, October 8, 2002.

198-02-BZ

CEQR #02-BSA-230M

APPLICANT - Joseph P. Morsellino, Esq., for SK 55 Wall LLC, owner; The Regent Wall Street, lessee.

SUBJECT - Application June 20, 2002 - under Z.R. §73-36, to permit in a C5-5 zoning district, within the Lower Manhattan Special District, to permit use of an existing physical culture facility that was formerly accessory to a hotel, located on the fourth floor of the subject premises.

PREMISES AFFECTED - 55 Wall Street, south side,

between Hanover and William Streets, Block 27, Lot 1, Borough of Manhattan.

COMMUNITY BOARD #1M

APPEARANCES -

For Applicant: Joseph P. Morsellino.

For Administration: John A. Yacovone, Fire Department.

ACTION OF THE BOARD - Application granted on condition.

THE VOTE TO REOPEN HEARING -

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

Negative:0

Absent: Commissioner Miele.....1

THE VOTE TO CLOSE HEARING -

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

Negative:0

Absent: Commissioner Miele.....1

THE VOTE TO GRANT -

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

Negative:0

Absent: Commissioner Miele.....1

THE RESOLUTION -

WHEREAS, the decision of the Borough Commissioner, dated June 4, 2002 acting on Application No. 103161739 reads:

" Proposed physical culture establishment requires special permit of the Board of Standards and Appeals as per ZR 32-31 and ZR 73-36."

WHEREAS, a public hearing was held on this application on September 24, 2002 after due notice by publication in The City Record and laid over to October 8, 2002, for decision; and

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

WHEREAS, this is an application under Z.R. §§73-36 and 73-03 to permit in a C5-5 zoning district, within the Lower Manhattan Special District, to permit use of an existing physical culture facility that was formerly accessory to a hotel, located on the fourth floor of the subject premises; and

WHEREAS, the record indicates that approximately ten to twenty hotel guest per day use the fitness subject center with one to two using the spa; and

WHEREAS, the subject hotel will continue to operate the physical culture establishment for its guests but also wishes to attract additional clients from the surrounding commercial uses; and

WHEREAS, the applicant represents that the proposed application will not intensify the current use as the square footage will remain at 2,961 square feet, the hours of

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operation for the fitness center will remain at 5:30 a.m. to 10: p.m., with the hours for the spa limited to 9:00 a.m. to 6:00 p.m., Monday to Friday and 10:00 a.m. to 7:00 p.m. Saturday and Sunday; and

WHEREAS, the applicant notes that while the subject site is located within the Special Lower Manhattan district, its regulations are not applicable to the instant application; and

WHEREAS, the applicant represents that the interior space is specifically arranged to allow for the location of athletic equipment and that it contains facilities for classes, instruction and programs for physical improvement, body building, weight reduction, aerobics and martial arts; and

WHEREAS, the applicant states that massages will continue to be performed by independent licensed massage therapists; and

WHEREAS, the subject building contains sprinklers throughout and is a Class "E" fire Alarm system, fire extinguishers, and "EXIT" signs pursuant to code; and

WHEREAS, the record indicates that the proposed use will not contain any potential hazards that impact on the privacy, quiet, light, and air to residential uses; and

WHEREAS, the Department of Investigation has performed a background check on the corporate owner and operator of the establishment and the principals of the owner and operator of such facility and issued a report which the Board has determined to be satisfactory; and

WHEREAS, the Board has determined that the evidence in the record supports the findings required to be made under Z.R. §§ 73-36, and 73-03; 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; and

WHEREAS, therefore, the Board has determined that the proposed action will not result in any significant environmental effects.

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 the required findings under Z.R. §§73-36 and 73-03 to permit in a C5-5 zoning district, within the Lower Manhattan Special District, to permit use of an existing physical culture facility that was formerly accessory to a hotel, located on the fourth floor of the subject premises, on condition that all work shall substantially conform to drawings as they apply to the objections above-noted, filed with this application marked "Received October 8, 2002" -(8) sheets; and on further condition;

THAT the term of this special permit shall be limited to ten years from the date of this grant to expire on

October 8, 2012;

THAT all massages will all be performed by New York State licensed massage therapists;

THAT there shall be no change in ownership or operating control of the physical culture establishment without prior application to and approval from the Board;

THAT, fire protection measures shall be provided and maintained in accordance with the BSA-approved plans;

THAT the hours of operation for the fitness center will remain at 5:30 a.m. to 10: p.m., with the hours for the spa limited to 9:00 a.m. to 6:00 p.m., Monday to Friday and 10:00 a.m. to 7:00 p.m. Saturday and Sunday;

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.

Adopted by the Board of Standards and Appeals, October 8, 2002.

321-01-BZ

APPLICANT - Titan Towers, LP, Pitney, Hardin, Kipp & Szuch, LLP, for Motiva Enterprises, LLC, owner.

SUBJECT - Application February 14, 2002 - under Z.R. §73-30, to permit the proposed construction of a 475' lattice communications tower, and two prefabricated 12' x 20' equipment shelters at the base of the tower, located in an M3-1 zoning district, which requires a special permit as per Z.R. §73-30.

PREMISES AFFECTED- 25 Paidge Avenue, on the corner of McGuiness Boulevard, Block 2491, Lot 1, Borough of Brooklyn.

COMMUNITY BOARD #1BK

APPEARANCES -

For Administration: John A. Yacovone, Fire Department.

ACTION OF THE BOARD - Application withdrawn.

THE VOTE TO WITHDRAW -

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

Negative:0

Absent: Commissioner Miele.....1

Adopted by the Board of Standards and Appeals, October 8, 2002.

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281-99-BZ

APPLICANT - Jay A. Segal (Greenberg Traurig), for Enopac Holding LLC, owner.

SUBJECT - Application November 5, 1999 - under Z.R. §72-21, to permit the proposed mini-storage facility (Use Group 16) located in an R3-1 zoning district, which is contrary to Z.R. §22-10.

PREMISES AFFECTED - 6055 Strictland Avenue, west side of Strictland Avenue roughly between the prolongation of Mayfair Avenue and East 59th Place, Block 8470, Lots 1060, 1064, 1070, 1076, Borough of Brooklyn.

COMMUNITY BOARD #18BK

APPEARANCES -

For Applicant: Jay Segal, Jack Freeman and Neil Capone.

For Administration: John A. Yacovone, Fire Department.

ACTION OF THE BOARD - Laid over to November 12, 2002, at 2 P.M., for continued hearing.

234-01-BZ

APPLICANT - Sheldon Lobel, P.C., for 80 North 5th Street, Corp., owner.

SUBJECT - Application July 10, 2001 - under Z.R. §72-21, to permit the proposed conversion of the second, third and fourth floors of an existing building in an manufacturing zone (M3-1 zoning district), to residential uses, is contrary to Z.R. §42-00.

PREMISES AFFECTED - 80 North 5th Street, north side, bounded west by Wythe Avenue and south by North 4th Street, Block 2342, Lots 1, 15 and 31, Borough of Brooklyn.

COMMUNITY BOARD #1BK

APPEARANCES -

For Applicant: Janice Cahalane

THE VOTE TO REOPEN HEARING -

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

Negative:0

Absent: Commissioner Miele.....1

ACTION OF THE BOARD - Laid over to November 26, 2002, at 1:30 P.M., for continued hearing.

360-01-BZ

APPLICANT - Carl A. Sulfaro, Esq., for Kings Knapp Development Corp., owner.

SUBJECT - Application November 19, 2002 - under Z.R. §§73-211 & 73-212, to permit the proposed enlargement in lot area to an existing automotive service station with

accessory uses (Use Group 16) previously before the Board under Cal. Number 249-29-BZ, and the construction of a new one story accessory convenience store and a new metal canopy above a new fuel dispensing area, is contrary to Z.R. §32-00.

PREMISES AFFECTED - 2228 Gerritsen Avenue, southwest corner of Avenue "U", Block 7370, Lots 10 and 15, Borough of Brooklyn.

COMMUNITY BOARD #15

APPEARANCES -

For Applicant: Carl A. Sulfaro and Robert Bronzino.

For Opposition: John Yacovone, Fire Department.

ACTION OF THE BOARD - Laid over to November 19, 2002, at 1:30 P.M., for continued hearing.

388-01-BZ

APPLICANT - Hiram A. Rothkrug, EPDSCO, for Equinox Partners, LTD, owner; Clove Road Body Builders, Inc., lessee.

SUBJECT - Application December 17, 2001 - under Z.R. §73-36, to permit the legalization of an existing physical culture establishment, located within a portion of an existing commercial building, which requires a special permit as per Z.R. §32-10.

PREMISES AFFECTED - 2071 Clove Road, northeast corner, between Hillcrest Terrace and Mosel Avenue, Block 2921, Lot 6, Borough of Staten Island.

COMMUNITY BOARD #2S.I.

APPEARANCES -

For Applicant: Hiram A. Rothkrug and Adam Berman.

For Administration: John A. Yacovone, Fire Department.

ACTION OF THE BOARD - Laid over to November 19, 2002, at 1:30 P.M., for continued hearing.

29-02-BZ

APPLICANT - Salans Hertzfeld Heilbronn, Christy & Viener, for Long Island Jewish Medical, owner.

SUBJECT - Application January 16, 2002 - under Z.R. §72-21, to permit the proposed two-level addition, to an existing main parking garage, which encroaches into the required front yard, side yard and setback, and increases the total number of parking spaces beyond the maximum permitted by the Zoning Resolution, is contrary to Z.R. §24-34, §24-35, §24-521, §25-11, §25-12, §25-13 and §54-31.

PREMISES AFFECTED - 271-17 76th Avenue, block bounded by 76th Avenue, 74th Avenue, 263rd Street and the Queens/Nassau County Border, Block 8520, Lot 2, and Block 8489, Lots 50, 95, 100 and 120, Borough of Queens.

COMMUNITY BOARD #13Q

MINUTES

APPEARANCES -

For Administration: John A. Yacovone, Fire Department.

ACTION OF THE BOARD - Laid over to December 17, 2002, at 1:30 P.M., for postponed hearing.

41-02-BZ

APPLICANT - Vito J. Fossella, P.E., Land Planning and Engineering Consultants, P.C., for Salvatore Calcagno, owner.

SUBJECT- Application January 30, 2002 - under Z.R. §72-21, to permit the proposed eating and drinking establishment with live musical entertainment and dancing, Use Group 12, located in a C1-2 zoning district, is contrary to Z.R. §32-15.

PREMISES AFFECTED - 124 McLean Avenue, southwest corner of Railroad Avenue, Block 3115, Lot 1, Borough of Staten Island.

COMMUNITY BOARD #2S.I.

APPEARANCES -

For Applicant: Victor Han.

For Opposition: Catherine Pirrella.

For Administration: John Yacovone, Fire Department.

ACTION OF THE BOARD - Laid over to November 19, 2002, at 1:30 P.M., for continued hearing.

49-02-BZ

APPLICANT - Rothkrug Rothkrug Weinberg & Spector, LLP, for Spartacus Realty, Inc., owner.

SUBJECT- Application February 7, 2002 - under Z.R. §72-21, to permit the proposed construction of a one-family dwelling, Use Group 1, located in an R2 zoning district, which does not provide the required front yard, sky exposure clearance, width or lot area, and exceeds the permitted floor area, is contrary to Z.R. §23-30, §23-141 and §23-45.

PREMISES AFFECTED - 189-19 Pineville Lane, northwest corner of Lucas Street, Block 12720, Lot 119, Borough of Queens.

COMMUNITY BOARD #12Q

APPEARANCES -

For Applicant: Hiram A. Rothkrug.

THE VOTE TO CLOSE HEARING -

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

Negative:0

Absent: Commissioner Miele.....1

ACTION OF THE BOARD - Laid over to November 19, 2002, at 1:30 P.M., for decision, hearing closed.

66-02-BZ

APPLICANT - Sheldon Lobel, P.C., for Harry Einhorn, owner.

SUBJECT - Application February 20, 2002 - under Z.R. §72-21, to permit the proposed construction of a six story residential building, Use Group 2, in an M3-1 residential building, is contrary to Z.R. §42-00.

PREMISES AFFECTED - 439 Marcy Avenue, Lot fronting on Marcy Avenue and Union and Wallabout Streets, Block 2249, Lot 1, Borough of Brooklyn.

COMMUNITY BOARD #1BK

APPEARANCES -

For Applicant: Janice Cahalane.

For Opposition: John A. Yacovone, Fire Department.

ACTION OF THE BOARD - Laid over to November 26, 2002, at 2 P.M., for continued hearing.

76-02-BZ/77-02-BZ

APPLICANT - Vito J. Fossella, P.E., Land Planning and Engineering Consultants, P.C., for Gary Angiuli, owner.

SUBJECT- Applications March 12, 2002 - under Z.R. §72-21, to permit the proposed open auto sales establishment, accessory to an existing auto sales establishment, Use Group 16, located in an R3-2 zoning district, is contrary to Z.R. §22-10.

PREMISES AFFECTED - 265 Stobe Avenue, southeast corner of Hylan Boulevard, Block 3664, Lot 1, Borough of Staten Island.

277 Stobe Avenue, northeast corner of Boundary Avenue, Block 3664, Lot 13, Borough of Staten Island.

COMMUNITY BOARD #2S.I.

APPEARANCES -

For Applicant: Victor Han.

ACTION OF THE BOARD - Laid over to November 19, 2002, at 2 P.M., for continued hearing.

79-02-BZ

APPLICANT- Law Office of Howard Goldman, PLLC, for Big Sue, LLC, owner.

SUBJECT- Application March 20, 2002 - under Z.R. §72-21, to permit the proposed conversion of a four story industrial building located in an M1-1 zoning district, into a residential building with six dwelling units, which is contrary to Z.R. §42-00.

PREMISES AFFECTED - 1024 Dean Street, between Franklin and Classon Avenues, Block 1142, Part of Lot 40, Borough of Brooklyn.

COMMUNITY BOARD #8BK

MINUTES

APPEARANCES -

For Applicant: Chris Wright.

For Administration: John A. Yacovone, Fire Department.

ACTION OF THE BOARD - Laid over to November 12, 2002, at 2 P.M., for continued hearing.

108-02-BZ

APPLICANT- Sheldon Lobel, P.C., for Marcello Porcelli, owner; BP Amoco, plc, lessee.

SUBJECT- Application April 4, 2002 - under Z.R. §73-21, to permit the proposed construction of a new automotive service station with an accessory convenience store, Use Group 16, located in a C2-4 within an R7-2 zoning district, which is contrary to Z.R. §32-31.

PREMISES AFFECTED- 4566 Broadway, corner of Nagle Avenue, Block 2172, Lot 1, Borough of Manhattan.

COMMUNITY BOARD #12M

APPEARANCES -

For Applicant: Eric Palatnik.

THE VOTE TO REOPEN HEARING -

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

Negative:0

Absent: Commissioner Miele.....1

ACTION OF THE BOARD - Laid over to October 22, 2002, at 2 P.M., for continued hearing.

123-02-BZ

APPLICANT - Joseph P. Morsellino, for 14-34 110th Street, LLC, owner; JCH Delta Contracting Inc., lessee.

SUBJECT - Application April 18, 2002 - under Z.R. §72-21, to permit the 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, which is contrary to Z.R. §42-00.

PREMISES AFFECTED - 14-34 110th Street, west side of Powells Cove Boulevard, Block 4044, Lot 20, Borough of Queens.

COMMUNITY BOARD #7Q

APPEARANCES -

For Applicant: Joseph Morsellino and Toula Hennes.

For Opposition: Fred J. Mazzarello, Juan Vogt for Senator Padavan and NEQ Comm.

For Administration: John A. Yacovone, Fire Department.

ACTION OF THE BOARD - Laid over to November 26, 2002, at 1:30 P.M., for continued hearing

227-02-BZ

APPLICANT - Stanley K. Schlein, Esq., for Beatrice

Clemente, owner; 4201 Webster Corp., lessee.

SUBJECT - Application August 9, 2002 - under Z.R. §72-21, to permit the proposed construction and operation of a gasoline service station and an accessory convenience store, located within an R7A zoning district, which is contrary to Z.R. §22-00.

PREMISES AFFECTED - 527 East 233rd Street aka 4201 Webster Avenue, bounded by East 233rd Street, Webster Avenue and Peters Place, Block 3395, Lot 80, Borough of The Bronx.

COMMUNITY BOARD #12BX

APPEARANCES -

For Applicant: John Strauss and Jack Freeman.

ACTION OF THE BOARD - Laid over to November 12, 2002, at 2 P.M., for continued hearing

Pasquale Pacifico, Executive Director.

Adjourned: 5:15 P.M.

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