
BULLETIN

OF THE NEW YORK CITY BOARD OF STANDARDS AND APPEALS

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November 25, 2004

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185-04-BZ	2275 East Second Street, Brooklyn
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250-04-BZ	1220 East 27 th Street, Brooklyn
261-04-BZ	2824 Avenue "R", Brooklyn

DOCKETS

New Case Filed Up to November 16, 2004

355-04-BZ B.BK. 302/10 North Seventh Street, aka 289 North Sixth Street, bounded on the southwest side, by north sixth street, southeast side by Meeker Avenue and northeast side by North Seventh Street, Block 2331, Lot 9, Borough of Brooklyn. Alt.1#301830400. Proposed residential conversion of a portion of an existing three-story manufacturing building, and the construction of a four story residential enlargement atop said building, located in an M1-2(R6)(N) zoning district, is contrary to Z.R.§97-21 and §42-00.

COMMUNITY BOARD #1BK

356-04-BZ B.M. 60 East 55th Street, south midblock, bounded by Park and Madison Avenues and East 54th and East 55th Streets, Block 1290, Lot 45, Borough of Manhattan. Applic.#103319491. Proposed use of the third, fourth and sixth floors, and portions of the cellar and first floor, of 41-story commercial and residential building, currently under construction, as a physical culture establishment, requires a special permit from the Board as per Z.R. §73-36.

COMMUNITY BOARD #5M

357-04-BZ B.Q. 707 Cross Bay Boulevard, southwest corner of 98th Street, Block 15311, Lot 11, Borough of Queens. N.B.#401807283. Proposed erection of a two story medical facility, located in an R3-2 zoning district, which does not comply with the zoning requirements for second floor occupancy, lot coverage, front yards, side yard, off-street parking spaces and penetration of the exposure plane, is contrary to Z.R. §22-14, §24-11, §24-33, §24-34, §24-35, §25-31 and §24-521.

COMMUNITY BOARD #14Q

358-04-BZ B.Q. 728 Cross Bay Boulevard, southeast corner of 194th Avenue, Block 15453, Lot 8, Borough of Queens. Alt.#401819252. Proposed use of the site, for off-site accessory parking, for a proposed medical facility across the street, is contrary to §25-31.

COMMUNITY BOARD #14Q

359-04-BZ B.BK. 1425 East 24th Street, between Avenues "N" and "O", Block 7678, Lot 40, Borough of

Brooklyn. Applic.#300414031. The legalization of an enlargement to an existing single family residence, located in an R-2 zoning district, which does not comply with the zoning requirements for floor area ratio, open space ratio and rear yard, is contrary to Z.R. §23-141 and §23-47.

COMMUNITY BOARD #14BK

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

DECEMBER 14, 2004, 10:00 A.M.

NOTICE IS HEREBY GIVEN of a public hearing, Tuesday morning, December 14, 2004, 10:00 A.M., at 40 Rector Street, 6th Floor, New York, N.Y. 10006, on the following matters:

SPECIAL ORDER CALENDAR

100-71-BZ

APPLICANT - The Agusta Group, for Maurice Cohen/1065 Eagle, LLC, owner.

SUBJECT - Application July 21, 2004 - request for a waiver of the Rules of Practice and Procedure and reopening for an extension of term of variance to permit the use of an open area for the sale of used cars (U.G. 16) and accessory parking on a lot containing an existing automobile repair shop, located in an R5 zoning district.

PREMISES AFFECTED - 61-03 Northern Boulevard, northeast corner of Northern Boulevard, and 61st Street, Block 1162, lot 53, Borough of Queens.

COMMUNITY BOARD #1Q

APPEALS CALENDAR

253-04-A

APPLICANT - Joseph P. Morsellino, Esq., for P & D Builders Inc., owners.

SUBJECT - Application July 15, 2004 - Proposed one family dwelling, not fronting on a legally mapped street, is contrary to Section 36, Article 3 fo the General City Law.

PREMISES AFFECTED - 102-35 Williams Court, west of Ocean Avenue, Block 14239, Lot 1184, Borough of Queens.

COMMUNITY BOARD #10Q

254-04-A

APPLICANT - Joseph P. Morsellino, Esq., for P & D Builders Inc., owners.

SUBJECT - Application July 15, 2004 - Proposed one family dwelling, not fronting on a legally mapped street, is contrary to Section 36, Article 3 fo the General City Law.

PREMISES AFFECTED - 102-29 Williams Court, west of Ocean Avenue, Block 14239, Lot 1186, Borough of Queens.

COMMUNITY BOARD #10Q

271-04-A

APPLICANT Pier 63 Maritime, Inc. , by Michele A. Luzio.

SUBJECT - Application August 3, 2004 - An appeal challenging the Department of Buildings jurisdiction to issue summons to subject property, on the grounds that the NYC Department of Business

REGULAR MEETING

TUESDAY MORNING, NOVEMBER 16, 2004

10:00 A.M.

Present: Chair Srinivasan, Vice-Chair Babbar, Commissioner Caliendo, Commissioner Miele and Commissioner Chin.

Services has exclusive jurisdiction over The "Barge".

PREMISES AFFECTED - One Pier 63, at 23rd Street and The Hudson River, (The Barge), Block 662, Lot 2, Borough of Manhattan.

DECEMBER 14, 2004, 1:30 P.M.

NOTICE IS HEREBY GIVEN of a public hearing, Tuesday afternoon, December 14, 2004, at 1:30 P.M., at 40 Rector Street, 6th Floor, New York, N.Y. 10006, on the following matters:

ZONING CALENDAR

357-03-BZ

APPLICANT - Agusta & Ross, for ECROB, LLC., owner.

SUBJECT - Application November 19, 2003 - under Z.R. §72-21 to permit the proposed four-story and penthouse multiple dwelling in an M1-2 district contrary to Z.R. §42-10.

PREMISES AFFECTED - 33 Berry Street, aka 144 North 12th Street, southwest corner of North 12th Street and Berry Street, Block 2290, Lot 5, Borough of Brooklyn.

COMMUNITY BOARD #1BK

238-04-BZ

APPLICANT - Agusta & Ross, for C - Squarewood, LLC, owner; New York Health & Racquet Club, lessee.

SUBJECT - Application June 23, 2004 - under Z.R. §73-36 to permit the proposed physical culture establishment, to be located in the cellar, also on the first and mezzanine floors, of an existing twelve story mixed-use building, located in an M1-5B zoning district.

PREMISES AFFECTED - 62 Cooper Square, west side, 159.05' south of Astor Place, Block 544, Lot 7501 (condo), Zoning Lots 32, 33 and 34, Borough of Manhattan.

COMMUNITY BOARD #2M

259-04-BZ

APPLICANT - Sheldon Lobel, P.C., for Richard Senior, owner.

SUBJECT - Application July 20, 2004- under Z.R. §73-622 to permit the proposed enlargement of a single family residence in an R-2 zoning district, which does not comply with the zoning requirements for floor area, open space, side and rear yards, is contrary to Z.R. §23-461 and §23-47.

PREMISES AFFECTED -1181 East 22nd Street, between Avenues "K" and "L", Block 7622, Lot 40, Borough of Brooklyn.

COMMUNITY BOARD #14BK

Pasquale Pacifico, Executive Director

The minutes of the regular meetings of the Board held on Tuesday morning and afternoon, September 21, 2004, were approved as printed in the Bulletin of September 30, 2004, Volume 89, No. 39.

MINUTES

SPECIAL ORDER CALENDAR

410-68-BZ

APPLICANT - Sheldon Lobel, P.C., for Alessandro Bartellino, owner.

SUBJECT - Application June 29, 2004 - reopening for an amendment to the resolution to convert a portion of the existing automotive service station to a convenience store and permit the construction of a new building to contain two automobile service repair bays, service attendant area and customer waiting area.

PREMISES AFFECTED - 85-05 Astoria Boulevard, fronting 85th Street and 24th Avenue, Block 1097, Lot 1, Borough of Queens.

COMMUNITY BOARD #3Q

APPEARANCES -

For Applicant: Janice Cahalane and Chris T.

For Opposition:

ACTION OF THE BOARD - Laid over to December 7, 2004, at 10:00 A.M., for continued hearing.

283-90-BZ

APPLICANT - Rothkrug Rothkrug Weinberg & Spector, LLP, for OPM Holdings, LLC, owner.

SUBJECT - Application January 7, 2004 - reopening for an amendment to the resolution.

PREMISES AFFECTED - 1400 Clove Road, a/k/a Oswego Street, southwest corner of Clove Road and Oswego Street, Block 658, Lot 1, Borough of Staten Island.

COMMUNITY BOARD #1SI

APPEARANCES -

For Applicant: Adam W. Rothkrug.

For Opposition: Mary Ann McGowan and Ali Alsuede and Mary Ann McGowan.

ACTION OF THE BOARD - Laid over to December 14, 2004, at 10:00 A.M., for continued hearing.

111-01-BZ

APPLICANT - Eric Palatnik, P.C., acting of Counsel to Charles R. Foy, Esq., for George Marinello, owner; Wendy's Restaurant, lessee.

SUBJECT - Application March 23, 2004 - reopening for an amendment to the resolution to amend the hours of operation of the existing drive thru facility until 4 A.M. daily.

148-04-A

APPLICANT - Jenkins & Gilchrist Parker Chaplin, LLP and Fischbein Badillo Wagner Harding

OWNER OF RECORD: Sterling & Seventh LLC.

SUBJECT - Application April 5, 2004 - Under Z.R. §12-10 to reverse the NYC Department of Buildings' revocation of the above referenced permits. The permits had allowed for the subdivision of Lot 52 from Lots 55, 58, and 61 and the construction of new

PREMISES AFFECTED - 9001 Ditmas Avenue, between 91st Street and Remsen Avenue, Block 8108, Lot 6, Borough of Brooklyn.

COMMUNITY BOARD #17

APPEARANCES -

For Applicant: Eric Palatnik.

For Opposition: Marva Straker and Trevor T.

ACTION OF THE BOARD - Laid over to January 11, 2005, at 10 A.M., for continued hearing.

239-02-BZ

APPLICANT - Deidre A. Carson, Esq., for Babbo Realty, LLC, owner.

SUBJECT - Application September 16, 2004 - reopening for an amendment to the resolution for an existing variance for the enlargement of a restaurant cellar to house a wine cellar-UG6A.

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

COMMUNITY BOARD #2M

APPEARANCES -

For Applicant: Deirdre A. Carson.

For Opposition: Stuart Beckerman and Norman J. R.

ACTION OF THE BOARD - Laid over to December 14, 2004, at 10 A.M., for continued hearing.

178-03-BZ

APPLICANT - Eric Palatnik, P.C., for King Carmichael, owner; BP Products North America, lessee.

SUBJECT - Application December 19, 2003 - reopening for an extension of term of variance which expires April 28, 2004.

PREMISES AFFECTED - 114-02 Van Wyck Expressway, for southwest corner of Linden Boulevard and Van Wyck Expressway, Block 11661, Lot 7, Borough of Queens.

COMMUNITY BOARD #10Q

APPEARANCES -

For Applicant: Eric Palatnik.

ACTION OF THE BOARD - Laid over to January 25, 2005, at 10 A.M., for continued hearing.

building on Lot 52.

PREMISES AFFECTED - 133 Sterling Place, a/k/a 22 Seventh Avenue, northwest corner, Block 942, lots 48 and 52, Borough of Brooklyn.

COMMUNITY BOARD #6BK

APPEARANCES -

For Applicant: Caroline Harris and Howard Goldman.

For Administration: Lisa Orantia, Department of Buildings.

MINUTES

THE VOTE TO CLOSE HEARING -

Affirmative: Chair Srinivasan, Vice-Chair Babbar,
Commissioner Caliendo Commissioner Miele and

Commissioner Chin.....5

Negative:.....0

ACTION OF THE BOARD- Laid over to December 7,
2004, at 10 A.M., for decision, hearing closed.

Pasquale Pacifico, Executive Director.

Adjourned: 12:25 P.M.

REGULAR MEETING TUESDAY AFTERNOON, NOVEMBER 16, 2004 2:00 P.M.

Present: Chair Srinivasan, Vice-Chair Babbar, Commissioner
Caliendo, Commissioner Miele and Commissioner Chin.

ZONING CALENDAR

381-03-BZ

APPLICANT - Moshe M. Friedman, P.E., for Hamilton G.S.
Realty, owner.

SUBJECT - Application December 8, 2003 - under Z.R. §72-21 to
permit the proposed expansion of existing social security offices, and
the addition of school by adding a second floor, to an existing one
story building, located in an M1-1 zoning district, which does not
comply with the zoning requirements for Use Group and floor area,
and is contrary to Z.R. §42-00, §43-12 and §43-122.

PREMISES AFFECTED - 6023 Fort Hamilton Parkway, a/k/a
6013/23 Fort Hamilton Parkway, a/k/a 6012/24 Tenth Avenue, and
a/k/a 973/83 61st Street, northeast corner, Block 5715, Lot 55,
Borough of Brooklyn.

COMMUNITY BOARD #12BK

APPEARANCES - None.

ACTION OF THE BOARD - Laid over to December 14,
2004, at 1:30 P.M., for continued hearing.

185-04-BZ

APPLICANT - Sheldon Lobel, P.C., for Raymond Chakkalo,
owner.

SUBJECT - Application May 3, 2004 - under Z.R. §73-622 to
permit the proposed enlargement of an existing two family dwelling,
Use Group 2, located in an R5 zoning district, which does not
comply with the zoning requirements for floor area, lot coverage,
rear and side yards, is contrary to Z.R. §23-141, §23-47 and §23-
461.

PREMISES AFFECTED - 2275 East Second Street, between

8-04-BZ

APPLICANT - Sheldon Lobel, P.C., for Jewish Center of Torah
Emeth, owner; Yeshiva Ketanah D'Queens, lessee.

SUBJECT - Application June 9, 2004 - under Z.R. §72-21 to
permit the proposed renovation of an existing two story community
facility (school), Use Group 3, by the addition of two additional
stories, located in an R3-2 zoning district, which does not comply
with the zoning requirements for floor area ratio, height of front walls,
and the location of front stair and handicap elevator, which is
contrary to Z.R. §24-11, §24-521, §24-34 and §24-33.

PREMISES AFFECTED - 78-15 Parsons Boulevard, between
78th Avenue and 78th Road, Block 6829, Lot 1, Borough of
Queens.

COMMUNITY BOARD #8

APPEARANCES -

For Applicant: Elisa B. Hwu, Councilman Genero, Meyer Jeger,
Kenneth D. Cohen, A. Cyperstein, Larry Caponigro, Mario
Petretich, Griselda LaMota and Francisca L.

ACTION OF THE BOARD - Laid over to January 11,
2005, at 1:30 P.M., for continued hearing.

150-04-BZ

APPLICANT - The Agusta Group, for Shun K. Fung, owner.

SUBJECT - Application August 3, 2004 - under Z.R. §72-20 to
permit the proposed construction of a mixed-use residential and
commercial building, within an M1-5 zoning district, which does not
permit residential use, and has a non-complying front wall, is
contrary to Z.R. §42-10 and §43-43.

PREMISES AFFECTED - 129 Elizabeth Street, west side, 60'-5'
south of Broome Street, Block 470, Lot 17, Borough of Manhattan.

COMMUNITY BOARD #2M

APPEARANCES -

For Applicant: Sol Korman.

ACTION OF THE BOARD - Laid over to January 11,
2005, at 1:30 P.M., for continued hearing.

Avenue "W" and Gravesend Neck Road, Block 7154, Lot 64,
Borough of Brooklyn.

COMMUNITY BOARD #15

APPEARANCES - None.

THE VOTE TO CLOSE HEARING -

Affirmative: Chair Srinivasan, Vice-Chair Babbar,
Commissioner Caliendo Commissioner Miele and

Commissioner Chin.....5

Negative:.....0

ACTION OF THE BOARD - Laid over to January 11,

MINUTES

2005, at 1:30 P.M., for decision, hearing closed.

193-04-BZ

APPLICANT - Harold Weinberg, P.E., for Cherie & Don Lang, owners.

SUBJECT - Application May 10, 2004- under Z.R. §73-622 to permit the proposed one story enlargement over the existing first floor of a one family residential dwelling, which does not comply with the zoning requirements for rear yard, floor area ratio, side yards and lot coverage, is contrary to Z.R. §54-31, §23-141, §23-48 and §23-47.

PREMISES AFFECTED - 92 Gotham Avenue, south side, 366'-0" east of Fane Court, Block 8923, Lot 936, Borough of Brooklyn.

COMMUNITY BOARD #15BK

APPEARANCES -

For Applicant: Harold Weinberg and Anna Centola.

For Administration: Lisa Orantia, Department of Buildings.

THE VOTE TO CLOSE HEARING -

Affirmative: Chair Srinivasan, Vice-Chair Babbar, Commissioner Caliendo Commissioner Miele and Commissioner Chin.....5

Negative:.....0

ACTION OF THE BOARD - Laid over to December 14, 2004, at 1:30 P.M., for decision, hearing closed.

228-04-BZ

APPLICANT - Louis Ari Schwartz, for Louis Ari Schwartz, owner.

SUBJECT - Application September 2, 2004- under Z.R. §73-622 to permit the proposed enlargement of an existing one family dwelling, which does not comply with the zoning requirements for floor area ratio, open space ratio and rear yard, is contrary to Z.R. §23-141(a) and §23-47.

PREMISES AFFECTED - 1400 East 22nd Street, west side, 300' south of Avenue "M", Block 7657, Lot 62, Borough of Brooklyn.

COMMUNITY BOARD #14

APPEARANCES -

For Applicant: Eric Palatnik.

THE VOTE TO REOPEN HEARING -

SUBJECT - Application July 22, 2004 - under Z.R. §73-622 to permit the proposed enlargement of an existing one family dwelling, Use Group 1, located in R3-2 zoning district, which does not comply with the zoning requirements for floor area ratio, open space and lot coverage, is contrary to Z.R. §23-141(b).

PREMISES AFFECTED - 2824 Avenue "R", southwest corner of East 29th Street, Block 6834, Lot 7, Borough of Brooklyn.

COMMUNITY BOARD #15

APPEARANCES -

For Applicant: Moshe M. Friedman.

THE VOTE TO CLOSE HEARING -

Affirmative: Chair Srinivasan, Vice-Chair Babbar, Commissioner Caliendo Commissioner Miele and Commissioner Chin.....5

Negative:.....0

Affirmative: Chair Srinivasan, Vice-Chair Babbar, Commissioner Caliendo and Commissioner Miele.....4

Absent: Commissioner Chin.....1

Negative:.....0

THE VOTE TO CLOSE HEARING -

Affirmative: Chair Srinivasan, Vice-Chair Babbar, Commissioner Caliendo Commissioner Miele and Commissioner Chin.....5

Negative:.....0

ACTION OF THE BOARD - Laid over to November 16, 2004, at 1:30 P.M., for decision, hearing closed.

250-04-BZ

APPLICANT - Sheldon Lobel, P.C., for Avrohom & Chava Dusowitz, owners.

SUBJECT - Application July 14, 2004 - under Z.R. §73-622 to permit the proposed enlargement of an existing one family dwelling, which does not comply with the zoning requirements for side and rear yards, floor area and open space ratio, is contrary to Z.R. §23-461, §23-47 and §23-141.

PREMISES AFFECTED - 1220 East 27th Street, between Avenues "L" and "M", Block 7644, Lot 54, Borough of Brooklyn.

COMMUNITY BOARD #14

APPEARANCES -

For Applicant: Irv Minkin.

THE VOTE TO CLOSE HEARING -

Affirmative: Chair Srinivasan, Vice-Chair Babbar, Commissioner Caliendo Commissioner Miele and Commissioner Chin.....5

Negative:.....0

ACTION OF THE BOARD - Laid over to December 14, 2004, at 1:30 P.M., for decision, hearing closed.

261-04-BZ

APPLICANT - Moshe M. Friedman, P.E., for Peretz Toiv, owner.

ACTION OF THE BOARD - Laid over to November 23, 2004, at 1:30 P.M., for decision, hearing closed.

Pasquale Pacifico, Executive Director.

Adjourned: 3:15 P.M.

MINUTES
