

NEW YORK CITY BOARD OF STANDARDS AND APPEALS

REGULAR MEETING
TUESDAY MORNING, August 7, 2007
10:00 A.M.

<i>SOC – DECISIONS</i>		
1.	247-85-BZ	<p>Francis R. Angelino, Esq. 40/60 West 34th Street, aka 1282/130 Broadway, MANHATTAN Extension of Term/Waiver-Reopening of a special permit for a physical culture establishment located in an C5-3, C6-6(MID) zoning district. COMMUNITY BOARD #5M</p> <p>Examiner: Carlo Costanza (212) 788-8739</p> <p>Status: Granted – 8/7/07</p>
2.	81-93-BZ	<p>Rothkrug Rothkrug & Spector, LLP 2255 Bedford Avenue, BROOKLYN Amendment of a previous grant to permit the re-establishment of residential use on the upper floors and a childcare center on the ground floor and portions of the cellar in a C8-2 district. Amendment would convert portions of the first floor to residential use. COMMUNITY BOARD #17BK</p> <p>Examiner: Carlo Costanza (212) 788-8739</p> <p>Status: Granted – 8/7/07</p>
3.	102-95-BZ	<p>The Law Office of Fredrick A. Becker 50 West 17th Street, MANHATTAN Extension of Term of a special permit (§73-244) for a previously granted UG12 eating and drinking establishment with dancing (<i>Splash Bar</i>) for a term of three years, which expired on March 5, 2007, in a C6-4A zoning district. COMMUNITY BOARD #5M</p> <p>Examiner: Henry Segovia (212) 788-8757</p> <p>Status: Granted – 8/7/07</p>
4.	297-99-BZ II	<p>Walter T. Gorman, P.E. 45-05 Bell Boulevard, QUEENS Extension of Time to obtain a Certificate of Occupancy/waiver of the Rules for a gasoline service station (Mobil Station) which expired on September 19, 2004 in a C2-2/R6B zoning district. COMMUNITY BOARD #11Q</p> <p>Examiner: Henry Segovia (212) 788-8757</p> <p>Status: Off-Calendar</p>

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5.	242-02-BZ	Joseph Fullam 1 North Railroad Street, STATEN ISLAND Extension of Time (expires July 27, 2007) to complete construction of a two family residence in an R3X/SR zoning district. COMMUNITY BOARD #3SI
		Examiner: Henry Segovia (212) 788-8757
		Status: Granted – 8/7/07

<i>SOC – CONTINUED HEARINGS</i>		
6.	558-71-BZ	Eric Palatnik, P.C. 1949 Richmond Avenue, STATEN ISLAND Amendment of a previous grant which permitted greenhouse and nursery establishment with accessory uses (UG6) in an R3-1 district. Amendment would legalize the change in use to an eating and drinking establishment (UG6). COMMUNITY BOARD #2SI
		Examiner: Carlo Costanza (212) 788-8739
		Status: Closed, Decision – 8/21/07

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<i>SOC – NEW CASES</i>		
7.	517-68-BZ	<p>Alfonso Duarte 1667 East Gun Hill Road, BRONX Extension of Term/Amendment/Waiver of a variance permitting in an R3-2 district automobile sales and repair (UG 16A) with accessory office. The application seeks to legalize the rental of automobiles and trucks (UG 8C). The term of the variance expired on October 7, 2005. COMMUNITY BOARD #12BX</p> <p>Examiner: Carlo Costanza (212) 788-8739</p> <p>Status: Continued Hearing – 9/11/07</p>
8.	175-95-BZ	<p>H. Irving Sigman 205-35 Linden Boulevard, QUEENS Extension of Term/Amendment/Waiver to permit at the first floor level the extension of an existing banquet hall/catering establishment (UG9) located in a C1-2/R3-2 zoning district. COMMUNITY BOARD # 12Q</p> <p>Examiner: Carlo Costanza (212) 788-8739</p> <p>Status: Continued Hearing – 9/11/07</p>
9.	8-05-BZ	<p>NYC Board of Standards and Appeals Applicant: Sheldon Lobel, P.C. 85-15 Queens Boulevard, QUEENS To consider dismissal for lack of prosecution – proposed use, bulk and parking variance to allow a 17-story mixed-use building in R6/C1-2 and R5 zoning districts. COMMUNITY BOARD #4Q</p> <p>Examiner: Jed Weiss (212) 788-8781</p> <p>Status: Continued Hearing – 9/25/07</p>
10.	284-05-BZ	<p>NYC Board of Standards and Appeals Applicant: Alfonso Duarte 34-29 37th Street, QUEENS To consider dismissal for lack of prosecution – proposed bulk variance to allow a four-story industrial building with rooftop parking in an M1-1 district. COMMUNITY BOARD #1Q</p> <p>Examiner: Jed Weiss (212) 788-8781</p> <p>Status: Dismissed – 8/7/07</p>

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<i>SOC – NEW CASES</i>		
11.	309-05-BZ	<p>NYC Board of Standards and Appeals Applicant: Gerald J. Caliendo 53-03 Broadway, QUEENS To consider dismissal for lack of prosecution – proposed bulk variance to allow a 6-story mixed-use building in an R5/C1-2 district. COMMUNITY BOARD #1Q</p> <hr/> <p>Examiner: Jed Weiss (212) 788-8781</p> <hr/> <p>Status: Continued Hearing – 8/14/07</p>
12.	287-06-BZ	<p>NYC Board of Standards and Appeals Applicant: Sheldon Lobel, P.C. 32-12 23rd Street, QUEENS To consider dismissal for lack of prosecution – proposed bulk variance to legalize a recently developed residential/community facility building with two non-complying side yards in an R5 district. COMMUNITY BOARD #1Q</p> <hr/> <p>Examiner: Jed Weiss (212) 788-8781</p> <hr/> <p>Status: Dismissed – 8/7/07</p>

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<i>APPEALS – DECISIONS</i>		
13.	84-07-A & 85-07-A	<p>Law Office of Anthony J. Tucci 12 & 14 Brook Avenue, STATEN ISLAND Proposal to build two, semi- attached, one-family homes which do not front on a mapped street, contrary to Article 3, Section 36 of the General City Law and NYC Building Code Section 27-291. R3-1 zoning district. COMMUNITY BOARD #3SI</p> <hr/> <p>Examiner: Toni Matias (212) 788-8752</p> <hr/> <p>Status: Granted – 8/7/07</p>

<i>APPEALS – CONTINUED HEARINGS</i>		
14.	70-06-A	<p>Eric Palatnik, P.C. 4 Rockwell Avenue, STATEN ISLAND Proposed construction of a two-story, three-family dwelling located within the bed of mapped street (Zev Place), contrary to General City Law §35. R3-2 Zoning District. COMMUNITY BOARD #1SI</p> <hr/> <p>Examiner: Toni Matias (212) 788-8752</p> <hr/> <p>Status: Closed, Decision – 9/11/07</p>
15.	170-06-A & 171-06-A	<p>Adam Rothkrug, Esq. 3546 and 3548 Ely Avenue, BRONX Proposed construction of two, three-family homes located within the bed of a mapped street (Needham Avenue) contrary to §35 of General City Law. R5 Zoning District. COMMUNITY BOARD #12BX</p> <hr/> <p>Examiner: Toni Matias (212) 788-8752</p> <hr/> <p>Status: Closed, Decision – 8/21/07</p>

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<i>APPEALS – CONTINUED HEARINGS</i>		
16.	219-06-A thru 225-06-A	<p>Rothkrug, Rothkrug and Spector 241-10/16/22/28/15/21/25 128th Drive, QUEENS Proposed construction of seven two-story, one-family dwellings within the bed of a mapped street (128th Drive), contrary to General City Law §35, and not fronting on a legally mapped street, contrary to Article 3, §36 of the General City Law. R-2 Zoning District. COMMUNITY BOARD #13Q</p> <hr/> <p>Examiner: Toni Matias (212) 788-8752</p> <hr/> <p>Status: Closed, Decision – 8/21/07</p>
17.	326-06-A	<p>David L. Businelli, R.A. 1523 Richmond Road, STATEN ISLAND An appeal seeking a determination that the owner of said premises has acquired a common law vested right to continue development commenced under the R1-2 district regulations in effect prior to the zoning text change on September 9, 2004. COMMUNITY BOARD #2SI</p> <hr/> <p>Examiner: Toni Matias (212) 788-8752</p> <hr/> <p>Status: Continued Hearing – 9/18/07</p>

<i>APPEALS – NEW CASES</i>		
18.	77-07-A	<p>Burgher Avenue Property Management LLC, owner 32 Adele Street, STATEN ISLAND Proposed construction of a one-story commercial building not fronting on a mapped street, contrary to Article 3, Section 36 of the General City Law. C2-1 zoning district. COMMUNITY BOARD #2SI</p> <hr/> <p>Examiner: Toni Matias (212) 788-8752</p> <hr/> <p>Status: Granted – 8/7/07</p>

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APPEALS – NEW CASES		
19.	82-07-A	<p>Gary Lenhart, R.A. 71 Bedford Avenue, QUEENS Proposal to reconstruct and enlarge an existing single-family dwelling and upgrade an existing private disposal system partially located within the bed of a mapped street (12th Avenue), contrary to General City Law Section 35 and the Department of Buildings Policy. R4 zoning district. COMMUNITY BOARD #14Q</p> <hr/> <p>Examiner: Toni Matias (212) 788-8752</p> <hr/> <p>Status: Granted – 8/7/07</p>
20.	87-07-A	<p>Robert C. Miller 347 Roxbury Avenue, QUEENS Proposal to reconstruct and enlarge an existing one-family home and upgrade of an existing private disposal system within the bed of mapped street (Bayside Drive), contrary to General City Law Section 35 and the Department of Buildings Policy. R4 Zoning district. COMMUNITY BOARD #14Q</p> <hr/> <p>Examiner: Toni Matias (212) 788-8752</p> <hr/> <p>Status: Granted – 8/7/07</p>
21.	153-07-BZY	<p>Mitchell A. Korbey, Esq. 20 Bayard Street, BROOKLYN Extension of time (§11-332) to complete construction of a minor development commenced prior to the amendment of the zoning district regulations on May 11, 2005. M1-2/R6B/R6A zoning districts. COMMUNITY BOARD #1BK</p> <hr/> <p>Examiner: Toni Matias (212) 788-8752</p> <hr/> <p>Status: Closed, Decision – 9/18/07</p>

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1:30 P.M.

<i>BZ – DECISIONS</i>		
1.	378-04-BZ	<p>Sheldon Lobel, P.C. 94 Kingsland Avenue, BROOKLYN Variance (§72-21) to permit the construction of a four-story residential building and a four-car garage located on a vacant lot in an M1-1 zoning district. The proposal is contrary to §42-00. COMMUNITY BOARD #1BK</p> <p>Examiner: Rory Levy (212) 788-8749</p> <p>Status: Deferred Decision – 9/18/07</p>
2.	75-06-BZ	<p>Joseph P. Morsellino, Esq. 108-20 71st Avenue, QUEENS Variance (§72-21) to allow a proposed 21-story residential building with ground floor retail and community facility uses contrary to FAR (§23-142 and §35-22), open space ratio (§23-142, §35-22, and §35-33) and sky exposure plane (§23-632) regulations. The proposed building would include 136 dwelling units and 146 parking spaces. The project site is located within an R7-1/C1-2 zoning district. COMMUNITY BOARD #6Q</p> <p>Examiner: Jed Weiss (212) 788-8781</p> <p>Status: Granted – 8/7/07</p>
3.	126-06-BZ	<p>Law Office of Fredrick A. Becker 1762 East 23rd Street, BROOKLYN Special Permit (§73-622) for the enlargement of a single family residence. The application seeks to vary floor area and lot coverage (§23-141); side yards (§23-461) and rear yard (§23-47) in an R3-2 zoning district. COMMUNITY BOARD #15BK</p> <p>Examiner: Henry Segovia (212) 788-8757</p> <p>Status: Granted – 8/7/07</p>

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<i>BZ – CONTINUED HEARINGS</i>		
4.	116-06-BZ	<p>Harold Weinberg, P.E. 172 Norfolk Street, BROOKLYN Special Permit (§73-622) for the enlargement of an existing single family residence. This application seeks to vary lot coverage and floor area (§23-141); side yards (§23-461) and rear yard (§34-47) in an R3-1 zoning district. COMMUNITY BOARD #15BK Examiner: Henry Segovia (212) 788-8757 Status: Closed, Decision – 8/21/07</p>
5.	227-06-BZ	<p>Eric Palatnik, P.C. 2066 Richmond Avenue, STATEN ISLAND Variance (§72-21) to allow a two-story commercial office building (UG6) contrary to use regulations (§22-00). R3-2 district. COMMUNITY BOARD #2SI Examiner: Toni Matias (212) 788-8752 Status: Continued Hearing – 9/25/07</p>
6.	264-06-BZ	<p>Law Office of Fredrick A. Becker 1632 East 28th Street, BROOKLYN Special Permit (§73-622) for the enlargement of a single family residence. This application seeks to vary open space and floor area (§23-141(a)); lot coverage (§23-141(b)); side yard (§23-461) and rear yard (§23-47) in an R3-2 zoning district. COMMUNITY BOARD #15BK Examiner: Henry Segovia (212) 788-8757 Status: Closed, Decision – 9/11/07</p>
7.	286-06-BZ	<p>Eric Palatnik, P.C. 1847 60th Street, BROOKLYN Variance (§72-21) to permit a two-story addition to the rear of a three-story structure for a UG 4, contrary to floor area (§24-162a), side yards (§24-35), and number of stories (§24-33). R5 (Borough Park) zoning district. COMMUNITY BOARD #12BK Examiner: Rory Levy (212) 788-8749 Status: Continued Hearing – 9/18/07</p>

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8.	315-06-BZ	<p>Eric Palatnik, P.C. 1739 Ocean Avenue, BROOKLYN Variance (§72-21) to permit a three-story pre-school and accessory synagogue, contrary to Lot Coverage (§24-11), Front Yard (§24-34), Side Yard (§24-35), Rear Yard (§24-36), and Height & Setback (§24-521). R5B and R2 zoning districts. COMMUNITY BOARD #14BK</p> <hr/> <p>Examiner: Rory Levy (212) 788-8749</p> <hr/> <p>Status: Continued Hearing – 9/25/07</p>
9.	128-07-BZ	<p>Law Office of Fredrick A. Becker 1328 East 26th Street, BROOKLYN Special Permit (73-622) for the enlargement of an existing single family residence. This application seeks to vary open space and floor area (§23-141); less than the minimum side yards (§23-461 & §23-48) and rear yard (§23-47) in an R-2 zoning district. COMMUNITY BOARD #14BK</p> <hr/> <p>Examiner: Henry Segovia (212) 788-8757</p> <hr/> <p>Status: Continued Hearing – 9/11/07</p>

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<i>BZ – NEW CASES</i>		
10.	426-05-BZ	<p>Sheldon Lobel, P.C. 57-02/08 39th Avenue and 39-02 58th Street, QUEENS Variance (§72-21) to allow a two-level enlargement of an existing one-story commercial building contrary to FAR regulations (§43-12). M1-1 district. COMMUNITY BOARD #2Q</p> <p>Examiner: Jed Weiss (212) 788-8781</p> <p>Status: Continued Hearing – 9/25/07</p>
11.	16-07-BZ	<p>Juan D. Reyes, III 2614 Halperin Avenue, BRONX Special Permit (§73-44) to permit a reduction in required parking for a Use Group 4A ambulatory and diagnostic treatment center located in M1-1 and C1-2 (R2) zoning districts. COMMUNITY BOARD #10BX</p> <p>Examiner: Rory Levy (212) 788-8749</p> <p>Status: Continued Hearing – 9/18/07</p>
12.	33-07-BZ	<p>Rothkrug Rothkrug & Spector, LLP 25 Carroll Street, BROOKLYN Variance (§72-21) to permit the conversion of the upper four floors of an existing five-story manufacturing building for residential use in a M1-1 zoning district. The proposal is contrary to Section 42-00. COMMUNITY BOARD #6BK</p> <p>Examiner: Rory Levy (212) 788-8749</p> <p>Status: Continued Hearing – 9/11/07</p>
13.	69-07-BZ	<p>Jay A. Segal, for Greenberg Traurig, LLP 240 West Broadway, MANHATTAN Variance (§72-21) to allow a nine-story residential building containing seven dwelling units; contrary to use regulations (§42-10). M1-5 district (Area B-1 of Special TriBeca Mixed Use District). COMMUNITY BOARD #1M</p> <p>Examiner: Jed Weiss (212) 788-8781</p> <p>Status: Continued Hearing – 9/25/07</p>

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14.	112-07-BZ	<p>Law Office of Fredrick A. Becker 1089-1093 East 21st Street, BROOKLYN Variance (§72-21) to permit the construction of a synagogue in an R2 zoning district. The proposal is contrary to floor area ratio and lot coverage (§24-11), side yards (§24-35), rear yard (§24-36), wall height (§24-521) and parking (§25-31). COMMUNITY BOARD # 14BK</p> <hr/> <p>Examiner: Rory Levy (212) 788-8749</p> <hr/> <p>Status: Continued Hearing – 9/11/07</p>
15.	126-07-BZ	<p>Ellen Hay, Wachtel & Masyr, LLP 555 West 42nd Street, MANHATTAN Special Permit (§73-36) to legalize the operation of a physical culture establishment on a portion of the ground floor, second floor mezzanine, and second floor in a 43-story residential building. The proposal is contrary to §32-00. C6-4 zoning district. COMMUNITY BOARD #4M</p> <hr/> <p>Examiner: Rory Levy (212) 788-8749</p> <hr/> <p>Status: Continued Hearing – 9/11/07</p>

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