

NEW YORK CITY BOARD OF STANDARDS AND APPEALS

REGULAR MEETING
TUESDAY MORNING, January 23, 2007
10:00 A.M.

<i>SOC – DECISIONS</i>		
1.	308-79-BZ	<p>Stuart A. Klein, Esq. 43 Clark Street, aka 111 Hicks Street, BROOKLYN Extension of term and waiver of the rules to allow the continuation of a Physical Culture Establishment, and an amendment to allow minor interior modifications. R7-1 (LH-1) zoning district. COMMUNITY BOARD #2BK</p> <p>Examiner: Carlo Costanza (212) 788-8739</p> <p>Status: Granted – 1/23/07</p>
2.	230-98-BZ	<p>Agusta & Ross 5810-5824 Bay Parkway, BROOKLYN Extension of time to obtain a Certificate of Occupancy which expired on April 30, 2003 for an automotive repair shop and the sale of used cars in an R5 zoning district. COMMUNITY BOARD #12BK</p> <p>Examiner: Henry Segovia (212) 788-8757</p> <p>Status: Granted – 1/23/07</p>

<i>SOC – CONTINUED HEARINGS</i>		
3.	619-83-BZ	<p>Harold Weinberg, P.E. 552-568 McDonald Avenue, BROOKLYN Extension of term and waiver of the rules for an automotive repair facility (UG 16) with parking for more than five vehicles. R5 zoning district. COMMUNITY BOARD #12BK</p> <p>Examiner: Carlo Costanza (212) 788-8739</p> <p>Status: Continued Hearing – 2/27/07</p>
4.	133-94-BZ	<p>Alfonso Duarte 166-11 Northern Boulevard, QUEENS Z.R. §11-411 and §11-413 for the legalization in the change of use from automobile repair, truck rental and used car sales facility (UG16) to automobile sales (UG8) and to extend the term of use, which expired on September 27, 2005, for 10 years. The premise is located in a C1-2/R2 zoning district. COMMUNITY BOARD #1Q</p> <p>Examiner: Henry Segovia (212) 788-8757</p> <p>Status: Continued Hearing – 3/6/07</p>

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<i>SOC – CONTINUED HEARINGS</i>		
5.	395-04-BZ	<p>Moshe M. Friedman, P.E. 1232 54th Street, BROOKLYN Reopening and amendment to a previously-granted variance (§72-21) that allowed bulk waivers for a new house of worship in an R5 district. The proposed amendment includes (1) increase in floor area and FAR, (2) increase in perimeter wall height; and (3) minor reduction in front yard. COMMUNITY BOARD #12BK</p> <hr/> <p>Examiner: Jed Weiss (212) 788-8781</p> <hr/> <p>Status: Continued Hearing – 3/20/07</p>

<i>SOC – NEW CASES</i>		
6.	1053-88-BZ	<p>Freda Design Associates, Ltd. 590/596 East 183rd Street, BRONX Extension of term and waiver of the rules for a variance (§72-21) to allow a (UG6) pharmacy (Rite-Aid) in a R7-1 zoning district which expired on September 27, 2004. COMMUNITY BOARD #6BX</p> <hr/> <p>Examiner: Henry Segovia (212) 788-8757</p> <hr/> <p>Status: Closed, Decision – 2/6/07</p>
7.	20-02-BZ	<p>The Law Office of Fredrick A. Becker 303 Park Avenue South, MANHATTAN Extension of term and amendment for a Physical Culture Establishment and change in hours of operation, on portions of the cellar, first floor and second floor of existing five-story mixed use loft building. COMMUNITY BOARD #5M</p> <hr/> <p>Examiner: Carlo Costanza (212) 788-8739</p> <hr/> <p>Status: Continued Hearing – 2/13/07</p>

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8.	265-02-BZ	Peter Hirshman 19 East 94th Street, MANHATTAN Extension of time to complete construction and to obtain a Certificate of Occupancy which expires on August 12, 2007 for a community facility use (UG4) (Ramakrishna-Vivekananda Center of New York) located in an R8B and R10 zoning district. COMMUNITY BOARD #8M Examiner: Henry Segovia (212) 788-8757 Status: Closed, Decision – 2/6/07
9.	383-04-BZ	Anthony Cucich, RA 46-21 Greenpoint Avenue, QUEENS To consider dismissal for lack of prosecution COMMUNITY BOARD #1Q Examiner: Toni Matias (212) 788-8752 Status: Continued Hearing – 2/27/07
10.	105-05-A	John Saracco, RA 3242 Reservoir Oval East, BRONX To consider dismissal for lack of prosecution COMMUNITY BOARD#7BX Examiner: Toni Matias (212) 788-8752 Status: Dismissed – 1/23/07
11.	287-05-A	Evie Hantzopoulos/Astoria Neighborhood Coalition 32-42 33rd Street, QUEENS To consider dismissal for lack of prosecution COMMUNITY BOARD #1Q Examiner: Toni Matias (212) 788-8752 Status: Withdrawn from dismissal calendar – 1/23/07
12.	312-05-BZ	Sheldon Lobel, PC 82-24 Northern Boulevard, QUEENS To consider dismissal for lack of prosecution COMMUNITY BOARD #3Q Examiner: Toni Matias (212) 788-8752 Status: Dismissed – 1/23/07

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<i>APPEALS – CONTINUED HEARINGS</i>		
13.	84-06-BZY	Eric Palatnik, P.C. 1472 East 19th Street, BROOKLYN Proposed extension of time to complete construction of a minor development (§11-331) for a four-story, mixed use building. Prior zoning was R6 and new zoning district is R4-1 as of April 5, 2006. COMMUNITY BOARD #14BK
		Examiner: Toni Matias (212) 788-8752
		Status: Continued Hearing – 2/27/07
14.	85-06-BZY	Eric Palatnik, P.C. 1623 Avenue “P”, BROOKLYN Proposed extension of time (§11-331) to complete construction of a minor development for a mixed-use building under the prior R6 zoning district. New zoning district is R4-1. COMMUNITY BOARD #14BK
		Examiner: Toni Matias (212) 788-8752
		Status: Closed, Decision – 2/13/07
15.	182-06-A thru 211-06-A	Stadtmauer Bailkin, LLP Beach 5th Street, Beach 6th Street and Seagirt Avenue, QUEENS An appeal seeking a determination that the owner of said premises has acquired a common law vested right to continue development commenced under the prior R5 zoning district. R4-A zoning district. COMMUNITY BOARD #14Q
		Examiner: Toni Matias (212) 788-8752
		Status: Closed, Decision – 3/20/07

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<i>APPEALS – NEW CASES</i>		
16.	77-06-A & 78-06-A	<p>Stephen J. Rizzo, Esq. 96 Crabtree Avenue, 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 zoning district regulations in effect as of March 1999. R3-2 Zoning District. COMMUNITY BOARD #3SI Examiner: Toni Matias (212) 788-8752 Status: Continued Hearing – 2/13/07</p>
17.	229-06-A	<p>Sheldon Lobel, P.C. 607 Bayside Drive, QUEENS Appeal seeking to revoke permits and approvals for the reconstruction and enlargement of an existing one-family dwelling based on claim that the permit allows for new non-compliances, increases the degree of existing non-compliances, and violates provisions of the Building Code regarding access and fire safety. R4 - Zoning District. COMMUNITY BOARD #14Q Examiner: Toni Matias (212) 788-8752 Status: Postponed – Off Calendar</p>

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1:30 P.M.

<i>BZ – DECISIONS</i>		
1.	151-04-BZ	Philips Nizer, LLP 1385 Commerce Avenue, BRONX Special Permit (§73-36) for the legalization of an existing physical culture establishment (Star Fitness) in an M3-1 zoning district. COMMUNITY BOARD #10BX
		Examiner: Toni Matias (212) 788-8752
		Status: Granted – 1/23/07
2.	36-06-BZ	Sheldon Lobel, P.C. 2125 Utica Avenue, BROOKLYN Special Permit (§73-53) to permit the enlargement of an existing non-conforming manufacturing building located within an R3-2 zoning district. COMMUNITY BOARD #18BK
		Examiner: Carlo Costanza (212) 788-8739
		Status: Adjourned 2/27/07
3.	55-06-BZ	Rampulla Associates Architects 31 Nadine Street, STATEN ISLAND Variance (§72-21) to allow a proposed office building in an R3-2/C1-1 (NA-1) district contrary to rear yard regulations (§§33-26 and 33-23). Special Permit is also proposed pursuant to §73-44 to allow reduction in required accessory parking spaces. COMMUNITY BOARD #2SI
		Examiner: Jed Weiss (212) 788-8781
		Status: Granted – 1/23/07
4.	115-06-BZ	Harold Weinberg 1820 East 28th Street, BROOKLYN Special Permit (§73-622) for the enlargement of a single family detached residence. This application seeks to vary open space, floor area and lot coverage (§23-141); 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: Continued Hearing – 2/27/07

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5.	122-06-BZ	<p>Sheldon Lobel 2671 86th Street, BROOKLYN Variance (§72-21) to permit proposed enlargement of an existing medical office building and construction of residences without the required front and side yard (§§23-45, 24-34, 23-462 and 24-35). R5 and C2-3/R5 zoning district. COMMUNITY BOARD #15BK</p> <hr/> <p>Examiner: Rory Levy (212) 788-8749</p> <hr/> <p>Status: Deferred Decision – 2/6/07</p>
6.	180-06-BZ	<p>Kramer Levin Naftalis & Frankel, LLP 515 West 185th Street, MANHATTAN Variance (§72-21) to allow a new six-story academic building (UG 3) for Yeshiva University that would violate applicable lot coverage (§ 24-11), rear yard (§ 24-36 and § 24-391) and height and setback requirements (§ 24-522). R7-2 district. COMMUNITY BOARD #12M</p> <hr/> <p>Examiner: Jed Weiss (212) 788-8781</p> <hr/> <p>Status: Deferred Decision – 2/6/07</p>

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<i>BZ – CONTINUED HEARINGS</i>		
7.	239-04-BZ	<p>Agusta & Ross 225 Starr Street, BROOKLYN Variance (§72-21) to permit the proposed residential occupancy (UG 2) within an existing loft building, contrary to Z.R. §42-10. M1-1 zoning district. COMMUNITY BOARD #4BK Examiner: Roy Starrin (212) 788-8797 Status: Adjourned – Continued Hearing 2/13/07</p>
8.	159-05-BZ	<p>Vito J. Fossella, P.E. 880 Anadale Road, STATEN ISLAND Variance (§72-21) to allow a three story mixed-use building containing residential use on the upper floors and retail use (UG 6) on the ground and cellar levels on a site zoned R3X/C2-1; contrary to §22-00. COMMUNITY BOARD #3SI Examiner: Jed Weiss (212) 788-8781 Status: Adjourned – Continued Hearing 4/10/07</p>
9.	427-05-BZ	<p>Eric Palatnik, P.C. 133-47 39th Avenue, QUEENS Special Permit (§73-44) to permit proposed retail, community facility and office development (UG 6, parking requirement category B1) which provides less than the required parking and is contrary to §36-21. COMMUNITY BOARD #7Q Examiner: Jed Weiss (212) 788-8781 Status: Continued Hearing – 2/27/07</p>
10.	67-06-BZ	<p>Joseph P. Morsellino, Esq. 2270 Clove Road, STATEN ISLAND Variance (§72-21) to permit a proposed drugstore with less than the 59 parking spaces required in a C2-1 zoning district (§36-21) and to use the R2 portion of the zoning lot for accessory required parking. COMMUNITY BOARD #2SI Examiner: Rory Levy (212) 788-8749 Status: Adjourned – Continued Hearing 2/6/07</p>

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11.	128-06-BZ	<p>Juan D. Reyes III, Esq. 415 Washington Street, MANHATTAN Variance (§72-21) to allow a nine-story, 26-unit residential building with 26 parking spaces in an M1-5 district (Area B-2 of Special Tribeca Mixed Use District). The development would be contrary to use (§111-104(d) and 42-10), height and setback (§43-43), floor area ratio (§111-104(d) and 43-12), and parking regulations (§13-12). COMMUNITY BOARD #1M</p>
		Examiner: Jed Weiss (212) 788-8781
		Status: Closed, Decision – 3/13/07

<i>BZ – NEW CASES</i>		
12.	25-06-BZ	<p>Dominick Salvati and Son Architects 2908 Nostrand Avenue, BROOKLYN Variance (§ 72-21) to allow an eight-story, 29-unit residential building with ground floor community facility use and 31 parking spaces, contrary to regulations for dwelling unit density (§ 23-22), street wall height (§ 23-631 & § 24-521), maximum building height (§ 23-631), front yard (§ 24-34), side yards (§ 24-35 & §24-551), FAR (§ 24-11, 24-162 & 23-141) and lot coverage (§ 23-141 & § 24-11). R3-2 district. COMMUNITY BOARD #15BK</p>
		Examiner: Jed Weiss (212) 788-8781
		Status: Continued Hearing 2/27/07
13.	103-06-BZ	<p>Eric Palatnik, P.C. 1324 East 23rd 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)) and rear yard (23-47) in R-2 zoning district. COMMUNITY BOARD #14BK</p>
		Examiner: Henry Segovia (212) 788-8757
		Status: Continued Hearing – 3/13/07

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<i>BZ – NEW CASES</i>		
14.	107-06-BZ	Kramer Levin Naftalis & Frankel, LLP 140 East 63rd Street, MANHATTAN Special Permit (§ 73-36) to allow a physical culture establishment use (<i>Equinox</i>) in the cellar, subcellar, first floor and second floor of a 22-story mixed use building. C1-8X/R8B zoning district. COMMUNITY BOARD#8M
		Examiner: Toni Matias (212) 788-8752
		Status: Closed, Decision - 2/27/07
15.	133-06-BZ	The Law Office of Fredrick A. Becker 225 Varick Street, MANHATTAN Special Permit (§73-36) to allow a physical culture establishment (<i>NY Sports Club</i>) to be located on the second floor of an existing 12-story commercial building. M1-5 Zoning District. COMMUNITY BOARD#2M
		Examiner: Toni Matias (212) 788-8752
		Status: Closed, Decision – 2/6/07
16.	175-06-BZ	Rothkrug Rothkrug & Spector 1653/9 Richmond Road, STATEN ISLAND Special Permits (§§73-243 and 73-44) to allow the development of an eating and drinking establishment (UG 6) with an accessory drive-through facility, and to permit a reduction in the amount of required off-street parking for UG 6 parking category B-1 uses. C1-1/R1-2 (NA-1) zoning district. COMMUNITY BOARD#2SI
		Examiner: Rory Levy (212) 788-8749
		Status: Continued Hearing – 3/13/07
17.	177-06-BZ	Sheldon Lobel, P.C. 1840 Richmond Terrace, STATEN ISLAND Special Permit (§§11-411, 11-413) to legalize auto repair and sale of used cars (UG 16), contrary to use regulations (§32-25). C2-2/R3A district COMMUNITY BOARD#SI
		Examiner: Roy Starrin (212) 788-8797
		Status: Continued Hearing – 3/6/07

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<i>BZ – NEW CASES</i>		
18.	236-06-BZ	Moshe M. Friedman 1500 East 21st Street, BROOKLYN Special Permit (§73-622) for the enlargement of a one-family residence. This application seeks to vary open space, floor area (§23-141) and rear yard (§23-47) in an R-2 zoning district. COMMUNITY BOARD #14BK
		Examiner: Henry Segovia (212) 788-8757
		Status: Closed, Decision – 2/13/07
19.	274-06-BZ	Stadtmauer Bailkin, LLP 116-07 132nd Street, QUEENS Variance (§72-21) for the construction of a two-story, one-family residence, contrary to the required front yards (§23-45) and minimum lot width (§23-32) in an R3-2 zoning district. COMMUNITY BOARD #10Q
		Examiner: Henry Segovia (212) 788-8757
		Status: Closed, Decision – 2/13/07

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