

NEW YORK CITY BOARD OF STANDARDS AND APPEALS

REGULAR MEETING
TUESDAY MORNING, June 17, 2008
10:00 A.M.

| <i>SOC - DECISIONS</i> | | |
|------------------------|--------------------------|--|
| 1. | 1334-66-BZ | Sheldon Lobel, PC 150 West End Avenue, Manhattan Extension of term for a variance, which was originally granted under Section 60(3) of the Multiple Dwelling Law, which permits the operation of a transient parking garage in the cellar and sub-cellar of a building. R8 zoning district. Community Board #7M |
| | | Examiner: Henry Segovia (212) 788-8757 |
| | | Status: Granted - 6/17/08 |
| 2. | 120-01-BZ | Sheldon Lobel, P.C. 134-02 Cross Bay Boulevard, Queens Extension of Time (expired on May 14, 2006) and Waiver to obtain a Certificate of Occupancy for a variance (§72-21) to permit the commercial use (UG6) in an existing two-story building, R4 zoning district. Community Board #10Q |
| | | Examiner: Henry Segovia (212) 788-8757 |
| | | Status: Granted - 6/17/08 |
| 3. | 370-02-BZ & 373-02-BZ | Sheldon Lobel, P.C. 56-14 & 56-44 Main Street, Queens Extension of Time (expired on May 20, 2007) to obtain a Certificate of Occupancy for (UG4) Medical Offices, and a waiver of the rules. R5B zoning district. Community Board #7Q |
| | | Examiner: Henry Segovia (212) 788-8757 |
| | | Status: Granted - 6/17/08 |

DISCLAIMER

This information is provided in draft form and is a public service courtesy only. Although the BSA endeavors to ensure that the information is as current and accurate as possible, errors do occasionally occur, and the schedule may change due to withdrawals and adjournments. Therefore, the BSA cannot guarantee the accuracy of the information. Readers should, where possible, verify the information before acting on it.

NEW YORK CITY BOARD OF STANDARDS AND APPEALS

REGULAR MEETING
TUESDAY MORNING, June 17, 2008
10:00 A.M.

| <i>SOC - CONTINUED HEARINGS</i> | | |
|--|-------------------|--|
| 4. | 718-56-BZ | <p>Walter T. Gorman 741 Forest Avenue, Staten Island Extension of Term/Waiver for the continued use of a gasoline service station (<i>Mobil</i>) which expired on July 2, 2002; an Extension of Time to obtain a Certificate of Occupancy which expired on July 27, 2000; and an Amendment to legalize the conversion of a restroom to office space and office/sales area to an accessory convenience store. C2-1/R3-2 zoning district. Community Board #1SI</p> <p style="color: green;">Examiner: Henry Segovia (212) 788-8757</p> <p style="color: red;">Status: Closed, Decision - 7/15/08</p> |
| 5. | 1098-83-BZ | <p>Walter T. Gorman, P.E. 147-10 Northern Boulevard, Queens Extension of Term/Waiver for the continued use of a gasoline service station (<i>Mobil</i>) which expired on April 3, 2004 and an Amendment to legalize the conversion of the sales area to an accessory convenience store, installation of planters, public telephone, fencing and the elimination of bollards. C1-2/R5 zoning district. Community Board #7Q</p> <p style="color: green;">Examiner: Henry Segovia (212) 788-8757</p> <p style="color: red;">Status: Closed, Decision - 7/15/08</p> |
| 6. | 16-92-BZ | <p>Sheldon Lobel, P.C. 115 King Street/78 Sullivan Street, Brooklyn Extension of term, amendment and waiver of the Board's rules to permit the legalization of a change in use from auto repair and warehouse to a charity auto donation facility (UG16 automotive storage), container storage (UG 16), a woodworking and metal working company (UG16) and a 2,420 square foot mezzanine addition. R5/C1-1 zoning district. Community Board #6BK</p> <p style="color: green;">Examiner: Carlo Costanza (212) 788-8739</p> <p style="color: red;">Status: Continued Hearing - 7/22/08</p> |

DISCLAIMER

This information is provided in draft form and is a public service courtesy only. Although the BSA endeavors to ensure that the information is as current and accurate as possible, errors do occasionally occur, and the schedule may change due to withdrawals and adjournments. Therefore, the BSA cannot guarantee the accuracy of the information. Readers should, where possible, verify the information before acting on it.

NEW YORK CITY BOARD OF STANDARDS AND APPEALS

REGULAR MEETING
TUESDAY MORNING, June 17, 2008
10:00 A.M.

| <i>SOC – NEW CASES</i> | | |
|------------------------|------------|--|
| 7. | 1149-62-BZ | <p>Bryan Cave LLP 24-40 West 16th Street & 31-35 West 15th Street, Manhattan</p> <p>Amendment to a previously approved variance for a UG3 parochial school (<i>Xavier High School</i>). Amendment would permit an increase in zoning lot size. C6-2 zoning district.</p> <p>Community Board #5M</p> <p>Examiner: Henry Segovia (212) 788-8757</p> <p>Status: Closed, Decision – 6/24/08</p> |
| 8. | 84-91-BZ | <p>Eric Palatnik, P.C. 2344 Eastchester Road, Bronx</p> <p>Extension of Term/Waiver of a previously granted variance for the continued UG6 use (professional offices) in a residential building in an R4A zoning district, and an Amendment to allow storage use in the attic.</p> <p>Community Board #11BX</p> <p>Examiner: Henry Segovia (212) 788-8757</p> <p>Status: Closed, Decision – 7/15/08</p> |
| 9. | 200-00-BZ | <p>Eric Palatnik, P.C. 107-24 37th Avenue aka 37-16 108th Street, Queens</p> <p>Extension of Time to Obtain a Certificate of Occupancy for a Physical Culture Establishment (Squash Total Fitness), which expired on May 21, 2008, in a C1-4 (R6B) zoning district.</p> <p>Community Board #3Q</p> <p>Examiner: Henry Segovia (212) 788-8757</p> <p>Status: Continued Hearing – 7/15/08</p> |
| 10. | 33-06-BZ | <p>Rampulla Associates Architects 1457 Richmond Road, Staten Island</p> <p>Amendment to a previously approved variance to allow the relocation of the approved commercial building to a different location on the zoning lot. R1-2 district.</p> <p>Community Board #2SI</p> <p>Examiner: Jed Weiss (212) 788-8781</p> <p>Status: Continued Hearing – 7/15/08</p> |

DISCLAIMER

This information is provided in draft form and is a public service courtesy only. Although the BSA endeavors to ensure that the information is as current and accurate as possible, errors do occasionally occur, and the schedule may change due to withdrawals and adjournments. Therefore, the BSA cannot guarantee the accuracy of the information. Readers should, where possible, verify the information before acting on it.

NEW YORK CITY BOARD OF STANDARDS AND APPEALS

REGULAR MEETING
TUESDAY MORNING, June 17, 2008
10:00 A.M.

| <i>APPEALS - DECISIONS</i> | | |
|----------------------------|----------|---|
| 11. | 259-07-A | George N. Mihalios, Esq. 41-97 Parsons Boulevard, Queens Proposed construction of an eight-story mixed use building with community facility and parking on the ground floor located within the bed of mapped street (Ash Drive) contrary to General City Law Section 35. R6 Zoning District. Community Board #7Q |
| | | Examiner: Toni Matias (212) 788-8752 |
| | | Status: Granted - 6/17/08 |

| <i>APPEALS - CONTINUED HEARINGS</i> | | |
|-------------------------------------|----------|---|
| 12. | 194-07-A | Rothkrug Rothkrug & Spector, LLP 1447 Rosedale Avenue, Bronx Appeal seeking a determination that the owner of the premises has acquired a common law vested right to continue development commenced under the prior R6 Zoning District. R5 Zoning District. Community Board #9BX |
| | | Examiner: Toni Matias (212) 788-8752 |
| | | Status: Closed, Decision - 7/15/08 |
| 13. | 255-07-A | Eric Palatnik, P.C. 40-54 Francis Lewis Boulevard, Queens Proposed construction of a daycare center located within the bed of mapped street (Francis Lewis Boulevard) contrary to General City Law Section 35. R3-2 Zoning district. Community Board #11Q |
| | | Examiner: Toni Matias (212) 788-8752 |
| | | Status: Closed, Decision - 7/1/08 |

DISCLAIMER

This information is provided in draft form and is a public service courtesy only. Although the BSA endeavors to ensure that the information is as current and accurate as possible, errors do occasionally occur, and the schedule may change due to withdrawals and adjournments. Therefore, the BSA cannot guarantee the accuracy of the information. Readers should, where possible, verify the information before acting on it.

NEW YORK CITY BOARD OF STANDARDS AND APPEALS

REGULAR MEETING
TUESDAY MORNING, June 17, 2008
10:00 A.M.

| <i>APPEALS - NEW CASES</i> | | |
|----------------------------|----------|---|
| 14. | 141-07-A | Hakime Altine 129-48 Hookcreek Boulevard, Queens Proposed construction of a two-story, one-family residential building in the bed of mapped street (Hook Creek Boulevard) contrary to General City Law Section 35. R2 Zoning. Community Board #13Q |
| | | Examiner: Toni Matias (212) 788-8752 |
| | | Status: Continued Hearing - 7/15/08 |
| 15. | 68-08-A | Sheldon Lobel, P.C. 135-23 82nd Avenue, Queens An appeal seeking a determination that the property owner has acquired a common law vested right to continue construction commenced under the prior R6A zoning. R5D Zoning District. Community Board #8Q |
| | | Examiner: Toni Matias (212) 788-8752 |
| | | Status: Continued Hearing - 7/22/08 |

DISCLAIMER

This information is provided in draft form and is a public service courtesy only. Although the BSA endeavors to ensure that the information is as current and accurate as possible, errors do occasionally occur, and the schedule may change due to withdrawals and adjournments. Therefore, the BSA cannot guarantee the accuracy of the information. Readers should, where possible, verify the information before acting on it.

NEW YORK CITY BOARD OF STANDARDS AND APPEALS

REGULAR MEETING
TUESDAY MORNING, June 17, 2008
1:30 P.M.

| <i>BZ – DECISIONS</i> | | |
|------------------------------|------------------|--|
| 1. | 174-07-BZ | <p>Carl A. Sulfaro 1925 Coney Island Avenue, Brooklyn Special Permit (§73-211) proposed reconstruction of an existing Auto Service Station with new metal canopy, new fuel tanks, pumps, new accessory convenience store located in a C2-3/R7-A zoning district. Community Board #12BK</p> <p>Examiner: Carlo Costanza (212) 788-8739</p> <p>Status: Granted – 6/17/08</p> |
| 2. | 242-07-BZ | <p>Sheldon Lobel, P.C. 1760 Gleason Avenue, Bronx Variance (§72-21) to construct a two-story, two-family detached residence, contrary to required front yard (§23-45) in an R5 zoning district. Community Board #9BX</p> <p>Examiner: Henry Segovia (212) 788-8757</p> <p>Status: Granted – 6/17/08</p> |
| 3. | 24-08-BZ | <p>Snyder & Snyder 230-262 Arden Avenue, Staten Island Special Permit (§73-30) for a 90-foot non-accessory radio tower and related equipment at grade. C1-3/R3-2/SRD district. Community Board #3SI</p> <p>Examiner: Roy Starrin (212) 788-8797</p> <p>Status: Granted – 6/17/08</p> |
| 4. | 27-08-BZ | <p>Slater & Beckerman, LLP 4845 Hylan Boulevard, Staten Island Special Permit (§73-30) to permit in an R3X district, a 50-foot non-accessory radio tower as part of the NYC Department of Information Technology and Telecommunications/Wireless Network. Community Board #3SI</p> <p>Examiner: Roy Starrin (212) 788-8797</p> <p>Status: Granted – 6/17/08</p> |

DISCLAIMER

This information is provided in draft form and is a public service courtesy only. Although the BSA endeavors to ensure that the information is as current and accurate as possible, errors do occasionally occur, and the schedule may change due to withdrawals and adjournments. Therefore, the BSA cannot guarantee the accuracy of the information. Readers should, where possible, verify the information before acting on it.

NEW YORK CITY BOARD OF STANDARDS AND APPEALS

REGULAR MEETING
TUESDAY AFTERNOON, June 17, 2008
1:30 P.M.

| <i>BZ - DECISIONS</i> | | |
|-----------------------|----------|---|
| 5. | 29-08-BZ | Slater & Beckerman, LLP 422 Clarke Avenue, Staten Island Special Permit (§73-30) to permit a 50-foot non-accessory radio tower as part of the NYC Department of Information Technology and Telecommunications/Wireless. R3-2 zoning district. Community Board #3SI |
| | | Examiner: Roy Starrin (212) 788-8797 |
| | | Status: Granted - 6/17/08 |
| 6. | 38-08-BZ | Jay A. Segal, Greenberg Traurig, LLP 40 Broad Street (a/k/a 34-40 New Street) Manhattan Special Permit (§73-36) to allow the operation of a Physical Culture Establishment on the second and third floors of an existing 25-story commercial building. The proposal is contrary to §32-10. C5-5/ Special Lower Manhattan District. Community Board #1M |
| | | Examiner: Rory Levy (212) 788-8749 |
| | | Status: Granted - 6/17/08 |

DISCLAIMER

This information is provided in draft form and is a public service courtesy only. Although the BSA endeavors to ensure that the information is as current and accurate as possible, errors do occasionally occur, and the schedule may change due to withdrawals and adjournments. Therefore, the BSA cannot guarantee the accuracy of the information. Readers should, where possible, verify the information before acting on it.

NEW YORK CITY BOARD OF STANDARDS AND APPEALS

REGULAR MEETING
TUESDAY AFTERNOON, June 17, 2008
1:30 P.M.

| <i>BZ - CONTINUED HEARINGS</i> | | |
|---------------------------------------|------------------|---|
| 7. | 134-06-BZ | <p>Sheldon Lobel, P.C. 241-15 Northern Boulevard, Queens Variance (§ 72-21) to allow a five-story residential building containing 40 dwelling units and 63 accessory parking spaces. Proposal is contrary to regulations for use (§22-12), FAR (§23-141), open space (§23-141), front yard (§23-45), height and setback (§23-631) and maximum number of dwelling units (§23-22). R1-2 district. Community Board # 11Q</p> <p>Examiner: Jed Weiss (212) 788-8781</p> <p>Status: Closed, Decision - 7/29/08</p> |
| 8. | 119-07-BZ | <p>Sheldon Lobel, P.C. 443 39th Street, Brooklyn Variance (§72-21) to allow a four-story community facility building contrary to regulations for use (§42-10), rear yard (§43-26) and parking (§44-21). M1-2 zoning district. Community Board #7BK</p> <p>Examiner: Jed Weiss (212) 788-8781</p> <p>Status: Continued Hearing - 8/19/08</p> |
| 9. | 171-07-BZ | <p>Sheldon Lobel, P.C. 167 Norfolk Street, Brooklyn Special Permit (§73-622) to allow legalization of an enlargement to a single-family residence which exceeds allowable floor area, lot coverage and less than the minimum open space (§23-141); less than the minimum required rear yard (§23-47) and side yards (§23-461) in an R3-1 zoning district. Community Board #15BK</p> <p>Examiner: Henry Segovia (212) 788-8757</p> <p>Status: Continued Hearing - 8/19/08</p> |
| 10. | 205-07-BZ | <p>Omnipoint Communications Inc. 53-20 72nd Place, Queens Special Permit (§73-30) to allow a non-accessory radio tower on the rooftop of an existing building. R4-1 zoning district. Community Board #5Q</p> <p>Examiner: Roy Starrin (212) 788-8797</p> <p>Status: Adjourned, Continued Hearing - 8/19/08</p> |

DISCLAIMER

This information is provided in draft form and is a public service courtesy only. Although the BSA endeavors to ensure that the information is as current and accurate as possible, errors do occasionally occur, and the schedule may change due to withdrawals and adjournments. Therefore, the BSA cannot guarantee the accuracy of the information. Readers should, where possible, verify the information before acting on it.

NEW YORK CITY BOARD OF STANDARDS AND APPEALS

REGULAR MEETING
TUESDAY AFTERNOON, June 17, 2008
1:30 P.M.

| <i>BZ - CONTINUED HEARINGS</i> | | |
|---------------------------------------|------------------|---|
| 11. | 248-07-BZ | Eric Palatnik, P.C. 32-15 60th Street, Queens Variance (§72-21) for legalization of three-story, two-family home, in an R5 zoning district, which was built on an undersized lot contrary to minimum lot width (§23-33). Community Board #1Q |
| | | Examiner: Henry Segovia (212) 788-8757 |
| | | Status: Adjourned, Continued Hearing - 7/29/08 |
| 12. | 274-07-BZ | Sheldon Lobel, P.C. 1157 83rd Street, Brooklyn Special Permit (§73-522) for the enlargement of an existing single family residence. This application seeks to vary floor area, lot coverage and open space (§23-141) and side yards (§23-461) in an R3X zoning district. Community Board #10BK |
| | | Examiner: Henry Segovia (212) 788-8757 |
| | | Status: Closed, Decision - 7/15/08 |
| 13. | 9-08-BZ | Rampulla Associates Architects 555 Foster Road, Staten Island Variance (§72-21) to construct a single family detached residence, contrary to minimum lot area (§107-42); side yard (§23-462) and front yard (§23-45) regulations in an R3-X (Special Richmond District/Special Growth Management District) zoning district. Community Board #3SI |
| | | Examiner: Henry Segovia (212) 788-8757 |
| | | Status: Continued Hearing - 7/29/08 |
| 14. | 12-08-BZ | Sheldon Lobel, P.C. 317 Lenox Avenue, a/k/a 105 W. 125th Street, Manhattan Special Permit (§73-36) to allow the operation of a Physical Culture Establishment on a portion of the cellar and ground floor of a ten-story commercial building. The proposal is contrary to §32-10. C4-7 zoning district. Community Board #10M |
| | | Examiner: Rory Levy (212) 788-8749 |
| | | Status: Adjourned, Continued Hearing - 7/15/08 |

DISCLAIMER

This information is provided in draft form and is a public service courtesy only. Although the BSA endeavors to ensure that the information is as current and accurate as possible, errors do occasionally occur, and the schedule may change due to withdrawals and adjournments. Therefore, the BSA cannot guarantee the accuracy of the information. Readers should, where possible, verify the information before acting on it.

NEW YORK CITY BOARD OF STANDARDS AND APPEALS

REGULAR MEETING
TUESDAY AFTERNOON, June 17, 2008
1:30 P.M.

| <i>BZ - NEW CASES</i> | | |
|------------------------------|-----------|---|
| 15. | 245-07-BZ | <p>Law Offices of Howard Goldman, LLC 220 Water Street, Brooklyn Variance (§72-21) to allow the residential conversion of an existing five-story industrial building. Proposed project will contain 147 dwelling units, ground floor retail space and 59 accessory parking spaces. Proposal is contrary to use regulations (§42-00). M1-2 district. Community Board #2BK</p> <p>Examiner: Jed Weiss (212) 788-8781</p> <p>Status: Continued Hearing - 7/29/08</p> |
| 16. | 39-08-BZ | <p>Eric Palatnik, P.C. 77 Richmond Hill Road, Staten Island Special Permit (§73-36) to legalize the operation of a Physical Culture Establishment (<i>Synergy Fitness</i>) on the first floor of the subject building. The proposal is contrary to §32-10. C2-1 district. Community Board #2SI</p> <p>Examiner: Rory Levy (212) 788-8749</p> <p>Status: Continued Hearing - 7/29/08</p> |
| 17. | 65-08-BZ | <p>Slater & Beckerman, LLP 120-50 Springfield Boulevard, Queens Special Permit (§73-30) to permit, a 90 foot non-accessory radio tower as part of the NYC Department of Information Technology and Telecommunications (“DoITT”) New York City Wireless Network (“NYCWiN”). R3A zoning district. Community Board #12Q</p> <p>Examiner: Roy Starrin (212) 788-8797</p> <p>Status: Closed, Decision - 7/15/08</p> |
| 18. | 69-08-BZ | <p>Slater & Beckerman, LLP 61-40 Mt. Olivet Crescent, Queens Special Permit (§73-30) to permit in an R4 district, a 90 foot non-accessory radio tower as part of the NYC Department of Information Technology and Telecommunications (“DoITT”) New York City Wireless Network (“NYCWiN”). R4 zoning district. Community Board #5Q</p> <p>Examiner: Roy Starrin (212) 788-8797</p> <p>Status: Closed, Decision - 7/15/08</p> |

DISCLAIMER

This information is provided in draft form and is a public service courtesy only. Although the BSA endeavors to ensure that the information is as current and accurate as possible, errors do occasionally occur, and the schedule may change due to withdrawals and adjournments. Therefore, the BSA cannot guarantee the accuracy of the information. Readers should, where possible, verify the information before acting on it.

NEW YORK CITY BOARD OF STANDARDS AND APPEALS

REGULAR MEETING
TUESDAY MORNING, June 17, 2008
1:30 P.M.

| <i>BZ - NEW CASES</i> | | |
|-----------------------|----------|--|
| 19. | 85-08-BZ | Slater & Beckerman, LLP 222-89 Braddock Avenue, Queens Special Permit (§73-30) to permit, a non-accessory radio facility as part of the NYC Department of Information Technology and Telecommunications (“DoITT”) New York City Wireless Network (“NYCWiN”). R4 zoning district. Community Board #13Q |
| | | Examiner: Roy Starrin (212) 788-8797 |
| | | Status: Closed, Decision - 7/15/08 |

DISCLAIMER

This information is provided in draft form and is a public service courtesy only. Although the BSA endeavors to ensure that the information is as current and accurate as possible, errors do occasionally occur, and the schedule may change due to withdrawals and adjournments. Therefore, the BSA cannot guarantee the accuracy of the information. Readers should, where possible, verify the information before acting on it.