

# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

REGULAR MEETING  
TUESDAY MORNING, DECEMBER 8, 2009  
10:00 A.M.

<b><i>SOC – DECISIONS</i></b>		
1.	115-53-BZ	<p>Eric Palatnik, P.C. <b>252-02 Union Turnpike, Queens</b> Extension of Term and Waiver of the Rules for the continued use of a Gasoline Service Station (<i>Mobil</i>) which expired on July 11, 2008. C2-2/R3-2 zoning district. <b>Community Board #13Q</b></p> <p><b>Examiner: Henry Segovia (212) 788-8757</b></p> <p><b>Status: Granted – 12/8/09</b></p>
2.	240-55-BZ	<p>Joseph P. Morsellino <b>207-22 Northern Boulevard, Queens</b> Extension of Term (§11-411) for the continued operation of a UG16 auto repair shop with sales, exchange of vehicles and products which expired on November 3, 2008. C2-2(R6B) &amp; R-4 zoning district. <b>Community Board #11Q</b></p> <p><b>Examiner: Henry Segovia (212) 788-8757</b></p> <p><b>Status: Granted – 12/8/09</b></p>
3.	1715-61-BZ	<p>Mitchell S. Ross, Esq. <b>129-02 Guy R. Brewer Boulevard/129-02 New York Boulevard, Queens</b> Extension of Term (§11-411) for a dry cleaning establishment (UG 6A), which expired on June 5, 2007; Extension of Time to obtain a certificate of occupancy, which expired on December 14, 2000; Waiver of the Rules. R3X zoning district. <b>Community Board #12Q</b></p> <p><b>Examiner: Carlo Costanza (212) 788-8739</b></p> <p><b>Status: Granted – 12/8/09</b></p>
4.	1016-86-BZ	<p>The Law Office of Fredrick A. Becker <b>2162-2166 Broadway, Manhattan</b> Extension of Term for a special permit (§73-36) which expired on May 5, 2007 for the operation of a Physical Culture Establishment (<i>New York Sports Club</i>); Extension of Time to obtain a Certificate of Occupancy which expired on October 26, 2000; and Waiver of the Rules. C4-6A zoning district. <b>Community Board #7M</b></p> <p><b>Examiner: Carlo Costanza (212) 788-8739</b></p> <p><b>Status: Granted – 12/8/09</b></p>

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## *SOC – CONTINUED HEARINGS*

5.	826-86-BZ thru 828-86-BZ	Eric Palatnik, P.C. <b>269-10, 270-10, 271-10 Grand Central Parkway, Queens</b> Extension of Term for a Special Permit (§73-11) to allow non-accessory radio towers and transmitting equipment on the roof of a 33-story multiple dwelling ( <i>North Shore Towers</i> ) which expired on March 28, 2008; Extension of Time to obtain a Certificate of Occupancy which expired on March 6, 2003; an Amendment to eliminate the condition that a new Certificate of Occupancy be obtained; and Waiver of the Rules. R3-2 zoning district. <b>Community Board #13Q</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Closed, Decision – 1/26/10</b>
6.	217-96-BZ	Joseph P. Morsellino <b>165-01 Northern Boulevard, Queens</b> Extension of Term of a previously granted Variance (§72-21) for the continued use of an existing car rental facility ( <i>Enterprise</i> ) with accessory outdoor storage of rental cars (UG 8) which expired on October 7, 2007; Extension of Time to obtain a Certificate of Occupancy which expired on October 7, 1998; and Waiver of the Rules. C1-2/R-2 zoning district. <b>Community Board #7Q</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Closed, Decision – 1/12/10</b>

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<b><i>SOC – NEW CASES</i></b>		
7.	<b>603-86-BZ</b>	<p>H. Irving Sigman PE  <b>88-34 Parsons Boulevard, aka 88-26/34 Parsons Boulevard, Queens</b>                      Extension of Term for a Variance (§72-21) allowing the construction of retail stores (UG 6), which expired on September 8, 2007;                      Amendment to the accessory open parking area and refuse area and request to eliminate the term; Waiver of the Rules. R7A (Downtown Jamaica Special District) zoning district.  <b>Community Board #12Q</b></p> <p><b>Examiner: Carlo Costanza (212) 788-8739</b></p> <p><b>Status: Continued Hearing – 1/26/10</b></p>
8.	<b>813-87-BZ</b>	<p>The Law Office of Fredrick A. Becker  <b>110 Boerum Place, Brooklyn</b>                      Extension of Term for a special permit (§73-36) which expired on April 12, 2008 for the operation of a Physical Culture Establishment (<i>New York Sports Club</i>); Waiver of the Rules. C2-3 (R6) zoning district.  <b>Community Board#2BK</b></p> <p><b>Examiner: Carlo Costanza (212) 788-8739</b></p> <p><b>Status: Continued Hearing – 1/26/10</b></p>
9.	<b>21-91-BZ</b>	<p>Sheldon Lobel, P.C.  <b>2407-2417 Linden Boulevard, Brooklyn</b>                      Extension of Term (§72-01 &amp; 72-22) of a previous variance that permits the operation of an automotive glass and mirror repair establishment (UG 7D) and used car sales (UG 16B) which expired on July 24, 2009; Waiver of the Rules. R5 zoning district.  <b>Community Board #5BK</b></p> <p><b>Examiner: Carlo Costanza (212) 788-8739</b></p> <p><b>Status: Continued Hearing – 1/26/10</b></p>

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<b>10.</b>	<b>75-95-BZ</b>	The Law Office of Fredrick A. Becker <b>1635 Third Avenue, Manhattan</b> Extension of Term for a special permit (§73-36) which expired on January 28, 2006 for the operation of a Physical Culture Establishment ( <i>New York Sports Club</i> ); Waiver of the Rules. C2-8 zoning district. <b>Community Board #8M</b>
		<b>Examiner: Carlo Costanza (212) 788-8739</b>
		<b>Status: Continued Hearing – 1/12/10</b>
<b>11.</b>	<b>136-01-BZ</b>	Eric Palatnik, P.C. <b>11-11 44<sup>th</sup> Drive, Queens</b> Extension of Time to complete construction and obtain a Certificate of Occupancy for a Variance (§72-21) which permitted non-compliance in commercial floor area and rear yard requirements; Amendment to reduce amount of commercial floor area; Waiver of the Rules. M1-4/R7A (Hunters Point Subdistrict) zoning district. <b>Community Board #2Q</b>
		<b>Examiner: Carlo Costanza (212) 788-8739</b>
		<b>Status: Closed, Decision – 1/12/10</b>

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<b><i>APPEALS – DECISIONS</i></b>		
12.	241-09-BZY	Gouranga Kundu <b>87-26 175<sup>th</sup> Street, (aka 88-04 175<sup>th</sup> Street), Queens</b> Extension of time to complete construction of a minor development (§11-332) commenced under the prior R6 Zoning district. R4-1 Zoning District. <b>Community Board #12Q</b>
		<b>Examiner: Toni Matias (212) 788-8752</b>
		<b>Status: Granted – 12/8/09</b>
13.	243-09-BZY	Gouranga C. Kundu <b>87-12 175<sup>th</sup> Street, Queens</b> Application to complete construction of a minor development (§11-332) commenced under the prior R6 zoning district. R4-1 zoning district. <b>Community Board #12Q</b>
		<b>Examiner: Toni Matias (212) 788-8752</b>
		<b>Status: Granted – 12/8/09</b>
14.	301-09-BZY	Nelson A. Padilla <b>539 59<sup>th</sup> Street, Brooklyn</b> Extension of time (§11-332) to complete construction of an enlargement commenced prior to the text amendment on September 30, 2009. R6B Zoning district. <b>Community Board #7BK</b>
		<b>Examiner: Toni Matias (212) 788-8752</b>
		<b>Status: Granted – 12/8/09</b>

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15.	199-09-A thru 213-09-A	<p>Eric Palatnik, P.C.  <b>165, 161, 159, 155, 153, 151, 149, 145, 143, 141, 137, 135, 131, 129, 127, Roswell Avenue, Staten Island</b>                      Proposed construction of 15, two-story, one family homes not fronting on a mapped street, contrary to General City Law Section 36. R3A /R3-2 Zoning District.  <b>Community Board #2SI</b></p> <p style="color: green;"><b>Examiner: Toni Matias (212) 788-8752</b></p> <p style="color: red;"><b>Status: Continued Hearing – 1/12/10</b></p>
16.	257-09-BZY thru 258-09-BZY	<p>Gouranga C. Kundu  <b>88-36, 88-38 144<sup>th</sup> Street, Queens</b>                      Extension of time (§11-332) to complete construction of a minor development commenced under the prior R6 Zoning District. R5 Zoning District.  <b>Community Board #12Q</b></p> <p style="color: green;"><b>Examiner: Toni Matias (212) 788-8752</b></p> <p style="color: red;"><b>Status: Continued Hearing – 1/26/10</b></p>
17.	259-09-BZY thru 261-09-BZY	<p>Gouranga C. Kundu  <b>139-48 88<sup>th</sup> Road, 88-30 144<sup>th</sup> Street and 88-34 144<sup>th</sup> Street, Queens</b>                      Extension of time (§11-332) to complete construction of a minor development commenced under the prior R6 Zoning district. R5 Zoning District.  <b>Community Board #12Q</b></p> <p style="color: green;"><b>Examiner: Toni Matias (212) 788-8752</b></p> <p style="color: red;"><b>Status: Continued Hearing – 1/26/10</b></p>

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1:30 P.M.

<b><i>BZ – DECISIONS</i></b>		
1.	<b>100-08-BZ &amp; 101-08-A</b>	<p>Rothkrug, Rothkrug &amp; Spector, LLP  <b>205 Wolverine Street, Staten Island</b>                      Variance (§72-21) for the construction of a two-story with basement single family residence, contrary to front yard regulations (§23-45) and within the bed of a mapped, un-built street, contrary to General City Law Section 35. R2 zoning district.  <b>Community Board #3SI</b></p> <p style="color: green;"><b>Examiner: Henry Segovia (212) 788-8757</b></p> <p style="color: red;"><b>Status: Granted – 12/8/09</b></p>
2.	<b>171-08-BZ</b>	<p>Law Offices of Howard Goldman, LLC  <b>40 West 68<sup>th</sup> Street, Manhattan</b>                      Variance (§72-21) to allow the enlargement of an existing school (<i>York Prep</i>) contrary to ZR §74-95 (City Planning Commission Housing Quality Special Permit). R8 zoning district.  <b>Community Board #7M</b></p> <p style="color: green;"><b>Examiner: Rory Levy (212) 788-8749</b></p> <p style="color: red;"><b>Status: Granted – 12/8/09</b></p>
3.	<b>187-09-BZ</b>	<p>Law Office of Fredrick A. Becker  <b>94 Amherst Street, Brooklyn</b>                      Variance (§72-21) to permit the construction of a mikvah (ritual bath) in the proposed building (<i>Torath Israel Sephardic Congregation</i>), contrary to FAR and lot coverage (§24-11), side yard (§24-35) and rear yard (§24-36). R3-1 zoning district.  <b>Community Board #15BK</b></p> <p style="color: green;"><b>Examiner: Rory Levy (212) 788-8749</b></p> <p style="color: red;"><b>Status: Granted – 12/8/09</b></p>
4.	<b>225-09-BZ</b>	<p>Antonio S. Valenziano  <b>45 Beacon Avenue, Staten Island</b>                      Variance (§72-21) for the construction of a single family residence on a vacant undersized lot, contrary to front yard (§23-45) regulations. R2 (LDGM) zoning district.  <b>Community Board #3SI</b></p> <p style="color: green;"><b>Examiner: Henry Segovia (212) 788-8757</b></p> <p style="color: red;"><b>Status: Granted – 12/8/09</b></p>

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## ***BZ – DECISIONS***

5.	<b>279-09-BZ</b>	Lewis E. Garfinkel, R.A. <b>2709 Avenue M, Brooklyn</b> Special Permit (§73-622) for the enlargement of an existing single family home, contrary to open space and floor area (§23-141(a)); side yard (§23-461) and less than the required rear yard (§23-47). R-2 zoning district. <b>Community Board #14BK</b> <b>Examiner: Henry Segovia (212) 788-8757</b> <b>Status: Granted – 12/8/09</b>
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<b><i>BZ – CONTINUED HEARINGS</i></b>		
<b>6.</b>	<b>256-07-BZ</b>	<p>Rothkrug, Rothkrug &amp; Spector  <b>1978 Atlantic Avenue, Brooklyn</b>                      Variance (§72-21) to permit a three-story, five-unit residential building, contrary to use regulations (§42-00). M1-1 zoning district.  <b>Community Board #8BK</b>  <b>Examiner: Rory Levy (212) 788-8749</b>  <b>Status: Continued Hearing – 1/26/10</b></p>
<b>7.</b>	<b>231-09-BZ</b>	<p>Kramer Levin Naftalis &amp; Frankel  <b>412-414 Greenwich Street, Manhattan</b>                      Variance (§72-21) to allow for the construction of a six-story mixed use building, contrary to use and parking regulations (ZR §42-10, §13-10). M1-5/TMU Special District.  <b>Community Board #1M</b>  <b>Examiner: Ronald Rizzotti (212) 788-8781</b>  <b>Status: Closed, Decision – 1/12/10</b></p>
<b>8.</b>	<b>269-09-BZ</b>	<p>Dennis D. Dell'angelo, R.A.  <b>1938 East 12<sup>th</sup> Street, Brooklyn</b>                      Special Permit (§73-622) for the enlargement of an existing single family home, contrary to lot coverage (§23-141); side yard (§23-461) and less than the required rear yard (§23-47) and the legalization of a prior one story enlargement at the front of the existing home. R-5 zoning district.  <b>Community Board #15BK</b>  <b>Examiner: Henry Segovia (212) 788-8757</b>  <b>Status: Closed, Decision – 1/12/10</b></p>

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<b><i>BZ – NEW CASES</i></b>		
9.	44-09-BZ	<p>Philip L. Rampulla  <b>2175 Richmond Avenue, Staten Island</b>                      Variance (§72-21) to allow for a two-story commercial building (UG 6) with accessory parking, contrary to use regulations (§22-00). R3-1 district.  <b>Community Board #2SI</b>  <b>Examiner: Ronald Rizzotti (212) 788-8781</b>  <b>Status: Continued Hearing – 2/2/10</b></p>
10.	162-09-BZ	<p>Sheldon Lobel, P.C.  <b>30-33 Steinway Street, Queens</b>                      Special Permit (§73-36) to allow the legalization of a physical culture establishment (<i>Planet Fitness</i>) in the cellar, first, and second floors in an existing two-story building; Special Permit (§73-52) to extend the C4-2A zoning district regulations 25 feet into the adjacent R5 zoning district. C4-2A/R5 zoning districts.  <b>Community Board #1Q</b>  <b>Examiner: Rory Levy (212) 788-8749</b>  <b>Status: Continued Hearing – 1/26/10</b></p>
11.	264-09-BZ	<p>Moshe M. Friedman, P.E.  <b>927 Flatbush Avenue, Brooklyn</b>                      Special Permit (§73-36) to legalize the operation of an existing physical culture establishment (<i>Lucille Roberts</i>) on the second and third floors of a three-story commercial building. C4-4A zoning district.  <b>Community Board #14BK</b>  <b>Examiner: Rory Levy (212) 788-8749</b>  <b>Status: Continued Hearing – 1/26/10</b></p>
12.	292-09-BZ	<p>Martyn &amp; Don Weston  <b>9310-9333 Third Avenue, Brooklyn</b>                      Special Permit (§11-411, §11-413 &amp; §73-03) to reinstate previously granted variance which expired on December 7, 1999; amendment to change use from a gasoline service station (UG16B) to automotive repair establishment (UG16B); Waiver of the Boards Rules. C1-3/R6A &amp; R5B (Special Bay Ridge District).  <b>Community Board #10BK</b>  <b>Examiner: Carlo Costanza (212) 788-8739</b>  <b>Status: Continued Hearing – 1/26/10</b></p>

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<b><i>BZ – NEW CASES</i></b>		
<b>13.</b>	<b>293-09-BZ</b>	Eric Palatnik, Esq. <b>2501 Avenue M, Brooklyn</b> Special Permit (§73-622) for the enlargement of an existing two family home to be converted into a single family home contrary to open space and floor area (§23-141(a)). R-2 zoning district. <b>Community Board #8BK</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Continued Hearing – 1/26/10</b>

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