

# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

REGULAR MEETING  
TUESDAY MORNING, July 28, 2009  
10:00 A.M.

<b><i>SOC – DECISIONS</i></b>		
1.	200-00-BZ	Eric Palatnik, P.C. <b>107-24 37<sup>th</sup> Avenue, Queens</b> Extension of Time to obtain a Certificate of Occupancy for a Physical Culture Establishment ( <i>Squash Total Fitness</i> ), in a C1-4(R6B) zoning district, which expired on February 19, 2009. <b>Community Board #3Q</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Granted – 7/28/09</b>
2.	26-02-BZ	Walter T. Gorman, P.E. <b>1680 Richmond Avenue, Staten Island</b> Extension of Time to obtain a Certificate of Occupancy for a UG16 Gasoline Service Station ( <i>Mobil</i> ), in a C1-2(R3X) zoning district, which expires on July 13, 2009. <b>Community Board #2SI</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Granted – 7/28/09</b>
3.	322-05-BZ	Eric Palatnik, P.C. <b>69-69 Main Street, Queens</b> Extension of Time to Complete Construction of a previously granted Variance (§72-21) for an enlargement of a single family home and the change in use from Residential to Community Use Facility ( <i>Queens Jewish Community Council</i> ), located in an R4B zoning district, which will expire on March 7, 2010. <b>Community Board #8Q</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Granted – 7/28/09</b>

**\*\*\*DISCLAIMER\*\*\***

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<b><i>SOC – CONTINUED HEARINGS</i></b>		
<b>4.</b>	<b>826-86-BZ thru 828-86-BZ</b>	<p>Eric Palatnik, P.C. <b>269-10, 270-10, 271-10 Grand Central Parkway, Queens</b> Extension of Term/Waiver for a Special Permit (73-11), in an R3-2 zoning district, 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; and an Amendment to eliminate the condition that a new Certificate of Occupancy be obtained. <b>Community Board #13Q</b></p> <hr/> <p><b>Examiner: Henry Segovia (212) 788-8757</b></p> <hr/> <p><b>Status: Continued Hearing – 9/15/09</b></p>
<b>5.</b>	<b>55-97-BZ</b>	<p>Sheldon Lobel, P.C. <b>76-36 164<sup>th</sup> Street, Queens</b> Extension of Term of a variance and Extension of Time to obtain a Certificate of Occupancy allowing the continued operation of an automotive repair shop (UG 16) located in a C2-2/R3-2 zoning district. <b>Community Board #8Q</b></p> <hr/> <p><b>Examiner: Carlo Costanza (212) 788-8739</b></p> <hr/> <p><b>Status: Continued Hearing – 8/18/09</b></p>
<b>6.</b>	<b>246-01-BZ</b>	<p>Eric Palatnik, P.C. <b>35-11 Prince Street, Queens</b> Extension of Term/Waiver for a previously granted special permit (§73-36) which expired on June 1, 2008 for the operation of Physical Culture Establishment (<i>Bodhi Fitness Center</i>). M1-1/C2-2 zoning district. <b>Community Board #7Q</b></p> <hr/> <p><b>Examiner: Carlo Costanza (212) 788-8739</b></p> <hr/> <p><b>Status: Adjourned, Continued Hearing – 8/11/09</b></p>

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## *SOC – CONTINUED HEARINGS*

7.	23-06-BZ	<p>Sheldon Lobel, P.C. <b>150-62 78<sup>th</sup> Road, Queens</b> Extension of Time/waiver to Complete Construction (which expired on July 2, 2008) and to obtain a Certificate of Occupancy (which expired on January 2, 2009) of a previously granted Variance (§72-21) for the expansion of an existing three story synagogue with accessory Rabbi's apartment in an R-4 zoning district. <b>Community Board #8Q</b> <b>Examiner: Henry Segovia (212) 788-8757</b> <b>Status: Closed, Decision – 8/18/09</b></p>
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<b><i>SOC – NEW CASES</i></b>		
<b>8.</b>	<b>441-31-BZ</b>	Ian Peter Barnes <b>7702 Flatlands Avenue, Brooklyn</b> Extension of Term/waiver for a Gasoline Service Station with accessory convenience store in a C2-2/R5 zoning district which expired on April 26, 2007. <b>Community Board #18BK</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Continued Hearing – 8/18/09</b>
<b>9.</b>	<b>271-81-BZ</b>	Mitchell S. Ross, Esq. <b>110/112 West 56<sup>th</sup> Street, Manhattan</b> Extension of Term, waiver and amendment of a special permit for a physical culture establishment. <b>Community Board #5M</b>
		<b>Examiner: Carlo Costanza (212) 788-8739</b>
		<b>Status: Continued Hearing – 8/25/09</b>
<b>10.</b>	<b>128-04-BZ</b>	Marvin B. Mitzner, Esq. <b>162-168 East 68<sup>th</sup> Street, Manhattan</b> Extension of Time to Complete Construction and to obtain a Certificate of Occupancy/waiver to a previously granted Variance for the enlargement of an existing school, in an R8B zoning district, which expired on December 14, 2008. <b>Community Board #8M</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Closed, Decision – 8/18/09</b>
<b>11.</b>	<b>197-05-BZ</b>	Marvin Mitzner, Esq. <b>813/815 Broadway, Manhattan</b> Amendment to a previously-granted variance to allow full commercial coverage on the ground floor and an increase in commercial FAR in a mixed use building. Zoning District C6-1. <b>Community Board #2M</b>
		<b>Examiner: Ronald Rizzotti (212) 788-8781</b>
		<b>Status: Continued Hearing – 8/25/09</b>

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## *APPEALS – DECISIONS*

12.	165-09-A	Law Office of Howard Goldman <b>150 Hendricks Avenue, Staten Island</b> Appeal seeking a determination that the owner has acquired common law vested rights for a development commenced under the prior R4 zoning district regulations. Current R3 zoning district. <b>Community Board #1SI</b>
		<b>Examiner: Toni Matias (212) 788-8752</b>
		<b>Status: Granted – 7/28/09</b>
13.	191-09-A	Michael T. Cetera, AIA <b>1291 Carroll Street, Brooklyn</b> Appeal seeking a determination that the owner has acquired a common law vested right to continue development commenced prior to the text amendment of April 30, 2008. R2 zoning district. <b>Community Board #9BK</b>
		<b>Examiner: Toni Matias (212) 788-8752</b>
		<b>Status: Granted – 7/28/09</b>

## *APPEALS – CONTINUED HEARINGS*

14.	22-09-A	Gary D. Lenhart <b>663 Highland Place, Queens</b> Reconstruction and enlargement of an existing single family home located partially in the bed of a mapped street and the upgrade of an existing non complying private disposal system contrary to General City Law Section 35 and contrary to Department of Buildings Policy. R4 Zoning District. <b>Community Board#14Q</b>
		<b>Examiner: Toni Matias (212) 788-8752</b>
		<b>Status: Granted – 7/28/09</b>

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<b>APPEALS – NEW CASES</b>		
15.	83-08-A	NYC Department of Buildings <b>3218 Emmons Avenue, Brooklyn</b> An appeal seeking to revoke Certificate of Occupancy due to failure to comply with ZR §62-711 (waterfront certification) and the failure to comply with ZR §12-10(d) in the formation of the zoning lot. R5/Sheepshead Bay District. <b>Community Board #15BK</b>
		<b>Examiner: Toni Matias (212) 788-8752</b>
		<b>Status: Postponed, Hearing – 12/15/09</b>
16.	55-09-A	Gary D. Lenhart <b>1 Kildare Walk, Queens</b> Proposed reconstruction and enlargement of an existing single family dwelling partially in the bed of a mapped street, contrary to Article 3, Section 35 of the General City Law, and proposed upgrade of an existing private disposal system in the bed of service road, contrary to Department of Building policy. R4 Zoning District. <b>Community Board #14Q</b>
		<b>Examiner: Toni Matias (212) 788-8752</b>
		<b>Status: Granted – 7/28/09</b>
17.	172-09-A	Gary D. Lenhart <b>10 Gotham Walk, Queens</b> Reconstruction and enlargement of a single family dwelling not fronting on a legally mapped street, contrary to General City Law Section 36, and proposed upgrade of existing private disposal located partly in the bed of the service road, contrary to Department of Building Policy. R4 district. <b>Community Board #14Q</b>
		<b>Examiner: Toni Matias (212) 788-8752</b>
		<b>Status: Granted – 7/28/09</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

REGULAR MEETING

TUESDAY AFTERNOON, July 28, 2009

1:30 P.M.

## ***BZ – DECISIONS***

1.	18-09-BZ	Stuart A. Klein <b>250 West 54<sup>th</sup> Street, Manhattan</b> Special Permit (§73-36) to allow the legalization of an existing physical culture establishment ( <i>Gold's Gym</i> ) on the first, second and third floors in an existing twelve-story building. The proposal is contrary to §32-10. C6-5, C6-7 and Special Midtown Districts. <b>Community Board #5M</b>
		<b>Examiner: Rory Levy (212) 788-8749</b>
		<b>Status: Granted – 7/28/09</b>
2.	30-09-BZ	Sheldon Lobel, P.C. <b>136-33 37<sup>th</sup> Avenue, Queens</b> Special Permit (§73-44) to reduce the amount of required parking spaces for commercial and medical offices uses from 153 to 97 spaces. C4-3 zoning district. <b>Community Board #7Q</b>
		<b>Examiner: Ronald Rizzotti (212) 788-8781</b>
		<b>Status: Granted – 7/28/09</b>

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<b><i>BZ – CONTINUED HEARINGS</i></b>		
<b>3.</b>	<b>169-08-BZ</b>	<p>James Chin &amp; Associates, LLC  <b>46 Laight Street, Manhattan</b>                      Variance (§72-21) to allow the redevelopment of an commercial building for residential use. Six residential floors and six dwelling units are proposed; contrary to use regulations (§42-00 &amp; §111-104 (e)). M1-5 (TMU- Area B-2) district.  <b>Community Board #1M</b></p> <p><b>Examiner: Ronald Rizzotti (212) 788-8781</b></p> <p><b>Status: Continued Hearing – 8/25/09</b></p>
<b>4.</b>	<b>241-08-BZ</b>	<p>Rothkrug, Rothkrug &amp; Spector, LLP  <b>546 Midland Avenue, a/k/a 287 Freeborn Street, Staten Island</b>                      Variance (§72-21) to permit a one-story commercial building (Use Group 6), contrary to §32-10. R3-1 zoning district.  <b>Community Board #2SI</b></p> <p><b>Examiner: Rory Levy (212) 788-8749</b></p> <p><b>Status: Closed, Decision – 9/22/09</b></p>
<b>5.</b>	<b>260-08-BZ</b>	<p>Eric Palatnik, P.C.  <b>148 Oxford Street, Brooklyn</b>                      Special Permit (§73-622) for legalization and enlargement of a single family home. This application seeks to vary floor area (§23-141) in an R3-1 zoning district.  <b>Community Board #15BK</b></p> <p><b>Examiner: Henry Segovia (212) 788-8757</b></p> <p><b>Status: Adjourned, Continued Hearing – 8/25/09</b></p>
<b>6.</b>	<b>9-09-BZ</b>	<p>Gerald J. Caliendo, R.A.  <b>63-03 Fresh Pond Road, Queens</b>                      Special Permit (§73-36) to allow a physical culture establishment in an existing one-story building. The proposal is contrary to §42-10. M1-1 zoning district.  <b>Community Board #5Q</b></p> <p><b>Examiner: Rory Levy (212) 788-8749</b></p> <p><b>Status: Closed, Decision – 8/25/09</b></p>

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## BZ – CONTINUED HEARINGS

7.	23-09-BZ	<p>Eric Palatnik, P.C.  <b>114 Amherst Street, Brooklyn</b>                      Special Permit (§73-622) for the enlargement of an existing two family home to be converted to a single family home. This application seeks to vary open space, lot coverage and floor area (§23-141(b)) and rear yard (§23-47) in an R3-1 zoning district.  <b>Community Board#15BK</b></p>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Adjourned, Continued Hearing – 8/25/09</b>

## BZ – NEW CASES

8.	53-09-BZ	<p>Harold Weinberg, P.E.  <b>540 Schenck Avenue, Brooklyn</b>                      Variance (§72-21) for the construction of a three-family home on a vacant undersized lot. This application seeks to vary floor area (§23-141); front yard (§23-45) side yard (§23-461) and parking (§25-161) in an R5 zoning district.  <b>Community Board #5BK</b></p>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Continued Hearing – 9/22/09</b>
9.	161-09-BZ	<p>Rizzo Group  <b>580 Carroll Street, Brooklyn</b>                      Variance (§72-21) for the development of two residential buildings contrary to bulk regulations (ZR §23-533, §23-145, §23-711, §23-861). R6B District.  <b>Community Board #6BK</b></p>
		<b>Examiner: Ronald Rizzotti (212) 788-8781</b>
		<b>Status: Continued Hearing – 9/15/09</b>
10.	176-09-BZ	<p>Bryan Cave LLP/Margery Purlmutter  <b>220-236 West 28<sup>th</sup> Street, Manhattan</b>                      Special Permit (§73-64) to waive height and setback regulations (§33-432) for a community facility building (<i>Fashion Institute of Technology</i>). C6-2 District.  <b>Community Board #5M</b></p>
		<b>Examiner: Ronald Rizzotti (212) 788-8781</b>
		<b>Status: Closed, Decision – 9/15/09</b>

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