

NEW YORK CITY BOARD OF STANDARDS AND APPEALS

REGULAR MEETING

TUESDAY MORNING, June 23, 2009

10:00 A.M.

SOC – DECISIONS

1.	1252-79-BZ	Miele Associates 23-87-91 Bell Boulevard, aka 214-05-15 & 214-19 24 th Avenue, Queens Extension of Term permitting in a R5 zoning district a bank and office use (UG 6) contrary to section §22-00, and amendments to allow the increase of parking from eight spaces to 21-attended spaces, and the elimination of the term. Community Board #7Q
		Examiner: Carlo Costanza (212) 788-8739
		Status: Granted – 6/23/09

SOC – CONTINUED HEARINGS

2.	395-60-BZ	Sheldon Lobel, P.C. 2557-2577 Linden Boulevard, Brooklyn Pursuant to ZR §11-411 and §11-413, Extension of Term (expired on December 9, 2005), waiver and Amendment for change of use from a (UG16) gasoline service station to (UG16) automotive repair establishment; to reduce the size of the subject lot and to request a UG6 designation for the convenience store, and an Extension of Time to obtain a Certificate of Occupancy which expired on January 19, 2000. R-5 zoning district. Community Board #5BK
		Examiner: Henry Segovia (212) 788-8757
		Status: Continued Hearing – 8/11/09
3.	303-99-BZ	Vito J. Fossella, P.E. 2122 Richmond Avenue, Staten Island Extension of Time to obtain a Certificate of Occupancy which expired on September 12, 2004 and an amendment to legalize the change in use from the previously granted Auto Sales Establishment (UG16) to Commercial/Retail (UG6) in an R3-2 zoning district. Community Board #2SI
		Examiner: Henry Segovia (212) 788-8757
		Status: Closed, Decision – 7/21/09

DISCLAIMER

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SOC – CONTINUED HEARINGS

4.	23-06-BZ	Sheldon Lobel, P.C. 150-62 78th Road, Queens
		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.
		Community Board #8Q
		Examiner: Henry Segovia (212) 788-8757
		Status: Continued Hearing – 7/28/09

SOC – NEW CASES

5.	441-31-BZ	Ian Peter Barnes 7702 Flatlands Avenue, Brooklyn
		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.
		Community Board #18BK
		Examiner: Henry Segovia (212) 788-8757
		Status: Postponed, Hearing – 7/28/09
6.	826-86-BZ thru 828-86-BZ	Eric Palatnik, P.C. 269-10, 270-10, 271-10 Grand Central Parkway, Queens
		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.
		Community Board #13Q
		Examiner: Henry Segovia (212) 788-8757
		Status: Continued Hearing – 7/28/09

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<i>SOC – NEW CASES</i>		
7.	149-01-BZ	<p>Eric Palatnik, P.C. 88 Jane Street, Manhattan Amendment to remove condition that a qualified senior citizen occupy one subsidized unit at a subsidized rate for a term of 10-years from the date of the issuance of the Certificate of Occupancy. Community Board #2M</p> <p>Examiner: Henry Segovia (212) 788-8757</p> <p>Status: Postponed, Hearing – 9/22/09</p>
8.	246-01-BZ	<p>Eric Palatnik, P.C. 35-11 Prince Street, Queens 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. Community Board #7Q</p> <p>Examiner: Carlo Costanza (212) 788-8739</p> <p>Status: Continued Hearing – 7/28/09</p>
9.	29-05-BZ	<p>Kramer Levin Naftalis & Frankel LLP 350 West Broadway, Manhattan Extension of Time to Complete Construction of a previously granted Variance (§72-21) for the development of an 10 story mixed-use building, in an M1-5A zoning district, which expires on October 18, 2009. Community Board #2M</p> <p>Examiner: Henry Segovia (212) 788-8757</p> <p>Status: Withdrawn – 6/23/09</p>

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APPEALS – DECISIONS

10.	293-08-A & 294-08-A	Juan D. Reyes, III, Riker Danzig 36-38/40 166th Street, Queens Proposed construction of two semi-detached, two-family homes located within the bed of a mapped street, contrary to General City Law Section 35. R4 zoning district. Community Board #7Q
		Examiner: Toni Matias (212) 788-8752
		Status: Granted – 6/23/09

APPEALS – CONTINUED HEARINGS

11.	160-09-A	Eric Palatnik, P.C. 112-15 Northern Boulevard, Queens Appeal seeking a determination that the owner has acquired a common law vested right to continue development commenced under the prior C2-4 /R6 zoning district. C2-4 /R6A zoning district. Community Board #3Q
		Examiner: Toni Matias (212) 788-8752
		Status: Granted – 6/23/09

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<i>APPEALS – NEW CASES</i>		
12.	62-08-A	Eric Palatnik, P.C. 398 Nugent Street, Staten Island Proposed construction not fronting on a legally mapped street contrary to General City Law Section 36. R1-2 Zoning District. Community Board #2SI
		Examiner: Toni Matias (212) 788-8752
		Status: Continued Hearing – 8/11/09
13.	22-09-A	Gary D. Lenhart 663 Highland Place, Queens 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. Community Board #14Q
		Examiner: Toni Matias (212) 788-8752
		Status: Continued Hearing – 7/28/09

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<i>BZ – DECISIONS</i>		
1.	11-07-BZ	<p>Dominick Salvati and Son Architects 41-06 Junction Boulevard, Queens Variance (§72-21) to allow a five (5) story office building with ground floor retail, contrary to use regulations (§22-00). R6B district. Community Board #4Q</p> <p>Examiner: Ronald Rizzotti (212) 788-8781</p> <p>Status: Withdrawn – 6/23/09</p>
2.	177-07-BZ	<p>Sheldon Lobel, P.C./Manish S. Salvant 886 Glenmore Avenue, Brooklyn Variance (§72-21) to construct a two story, two family residential building on a vacant corner lot. This application seeks to vary the front yard requirement on one street frontage (§23-45) in an R-5 zoning district. Community Board #5BK</p> <p>Examiner: Henry Segovia (212) 788-8757</p> <p>Status: Granted – 6/23/09</p>
3.	235-08-BZ	<p>Eric Palatnik, P.C. 1508 Union Street, Brooklyn Variance (§72-21) to permit the expansion of a Mikvah (UG 3). The proposal is contrary to ZR §33-12 (floor area ratio) and §33-431 (wall height and required setbacks). C2-3/R4 district. Community Board #9BK</p> <p>Examiner: Rory Levy (212) 788-8749</p> <p>Status: Granted – 6/23/09</p>
4.	265-08-BZ	<p>Herrick Feinstein LLP 70 Wyckoff Avenue, Brooklyn Variance (§72-21) to allow for the legalization of residential units located in a manufacturing building, contrary to §42-00; M1-1 zoning district. Community Board #4BK</p> <p>Examiner: Ronald Rizzotti (212) 788-8781</p> <p>Status: Granted – 6/23/09</p>

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<i>BZ – DECISIONS</i>		
5.	301-08-BZ	Fridman Saks LLP 2717 Quentin Road, Brooklyn Special Permit (§73-622) for the enlargement of an existing single family home. This application seeks to vary floor area and lot coverage (§23-141), side yard (§23-461), perimeter wall height (§23-631(b)) and less than the minimum rear yard (§23-47) in an R3-2 zoning district. Community Board #15BK
		Examiner: Henry Segovia (212) 788-8757
		Status: Granted – 6/23/09
6.	10-09-BZ	Francis R. Angelino, Esq. 2307 Farragut Road/583 East 23rd Street, of Brooklyn Variance (§72-21) to allow a community facility use/house of worship, contrary to front yard regulations, §24-34. R3-2 zoning district. Community Board #14BK
		Examiner: Ronald Rizzotti (212) 788-8781
		Status: Granted – 6/23/09
7.	25-09-BZ	Law Office of Howard Goldman LLC 277 Canal Street, Manhattan Special Permit (§73-36) to allow the legalization of an existing physical culture establishment on the third floor of a three-story commercial building. The proposal is contrary to ZR §42-10. M1-5B zoning district. Community Board #2M
		Examiner: Rory Levy (212) 788-8749
		Status: Granted – 6/23/09

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<i>BZ – CONTINUED HEARINGS</i>		
8.	63-08-BZ	<p>Eric Palatnik, P.C. 116-33 Queens Boulevard, Queens Special Permit (§73-244) to legalize an eating and drinking establishment with entertainment and a capacity of more than 200 persons with dancing within a C4-2 zoning district. Community Board #6Q</p> <p>Examiner: Carlo Costanza (212) 788-8739</p> <p>Status: Closed, Decision – 8/11/09</p>
9.	241-08-BZ	<p>Rothkrug, Rothkrug & Spector, LLP 546 Midland Avenue, a/k/a 287 Freeborn Street, Staten Island Variance (§72-21) to permit a one-story commercial building (Use Group 6), contrary to §32-10. R3-1 zoning district. Community Board #2SI</p> <p>Examiner: Rory Levy (212) 788-8749</p> <p>Status: Continued Hearing – 7/28/09</p>
10.	297-08-BZ	<p>Lewis E. Garfinkel 3496 Bedford Avenue, Brooklyn Special Permit (§73-622) for the enlargement of an existing single family home. This application seeks to vary open space and floor area (§23-141(a)); and rear yard (§23-47) requirements in an R2 zoning district. Community Board #14BK</p> <p>Examiner: Henry Segovia (212) 788-8757</p> <p>Status: Continued Hearing – 8/25/09</p>
11.	30-09-BZ	<p>Sheldon Lobel, P.C. 136-33 37th Avenue, Queens 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. Community Board #7Q</p> <p>Examiner: Ronald Rizzotti (212) 788-8781</p> <p>Status: Closed, Decision – 7/28/09</p>

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<i>BZ – NEW CASES</i>		
12.	256-07-BZ	<p>Rothkrug, Rothkrug & Spector 1978 Atlantic Avenue, Brooklyn Variance (§72-21) to permit a proposed three-story and cellar residential building. The proposal is contrary to §42-00 (use regulations). M1-1 district. Community Board #8BK</p> <p>Examiner: Rory Levy (212) 788-8749</p> <p>Status: Continued Hearing – 8/11/09</p>
13.	254-08-BZ	<p>Eric Palatnik, P.C. 1214 East 15th Street, Brooklyn Variance (§72-21) to legalize the use and enlargement of a Yeshiva (<i>Yeshiva Ohr Yitzchok</i>) contrary to §42-11 (use regulations), §43-122 (floor area), §43-43 (wall height, number of stories, and sky exposure plane). §43-301 (required open area). M1-1D zoning district. Community Board #14BK</p> <p>Examiner: Rory Levy (212) 788-8749</p> <p>Status: Continued Hearing – 8/25/09</p>
14.	9-09-BZ	<p>Gerald J. Caliendo, R.A. 63-03 Fresh Pond Road, Queens 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. Community Board #5Q</p> <p>Examiner: Rory Levy (212) 788-8749</p> <p>Status: Continued Hearing – 7/28/09</p>
15.	18-09-BZ	<p>Stuart A. Klein 250 West 54th Street, Manhattan 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. Community Board #5M</p> <p>Examiner: Rory Levy (212) 788-8749</p> <p>Status: Closed, Decision – 7/28/09</p>

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<i>BZ – NEW CASES</i>		
16.	23-09-BZ	Eric Palatnik, P.C. 114 Amherst Street, Brooklyn 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. Community Board #15BK
		Examiner: Henry Segovia (212) 788-8757
		Status: Continued Hearing – 7/28/09

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