

NEW YORK CITY BOARD OF STANDARDS AND APPEALS

REGULAR MEETING

TUESDAY MORNING, June 9, 2009

10:00 A.M.

<i>SOC – DECISIONS</i>		
1.	5-98-BZ	Maxfield Blaifeux & Heywood Blaifeux 1861 McDonald Avenue, Brooklyn Extension of Term of a previously granted variance (§72-21) for a garden supply sales and nursery establishment (UG17) with accessory parking and storage in an R5 (OP) zoning district which expired on February 23, 2009. Community Board #15BK
		Examiner: Henry Segovia (212) 788-8757
		Status: Granted – 6/9/09
2.	7-99-BZ	The Law Office of Fredrick A. Becker 300 East 34th Street, Manhattan Extension of Term of a previously granted Special Permit for the operation of Physical Culture Establishment (<i>New York Sports Club</i>), located in a C1-9 (TA) zoning district, which expired on January 11, 2009. Community Board #6M
		Examiner: Henry Segovia (212) 788-8757
		Status: Granted – 6/9/09

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SOC – CONTINUED HEARINGS

3.	951-55-BZ	Eric Palatnik, P.C. 1098 Richmond Road, Staten Island Amendment (§11-411) to permit the installation of a canopy and minor modifications to the existing pump islands to a previously granted variance for a UG16 gasoline service station in a C2-1/R3-2 zoning district. Community Board #2SI
		Examiner: Henry Segovia (212) 788-8757
		Status: Closed, Decision – 6/16/09
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 – 6/23/09

SOC – NEW CASES

5.	1252-79-BZ	Miele Associates 23-87-91 Bell Boulevard, aka 214-05-15 & 214-19 24th 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: Closed, Decision – 6/23/09

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<i>SOC – NEW CASES</i>		
6.	303-99-BZ	<p>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</p> <p>Examiner: Henry Segovia (212) 788-8757</p> <p>Status: Continued Hearing – 6/23/09</p>
7.	55-01-BZ	<p>Greenberg Traurig, LLP 568 Broadway, Manhattan Extension of Term/waiver of a previously granted Special Permit (§73-36) for the continued operation of a physical culture establishment (<i>Bliss Spa</i>) located on portions of the second and third floors of an 11-story mixed use building in an M1-5B zoning district which expired on April 1, 2007. Community Board #2M</p> <p>Examiner: Henry Segovia (212) 788-8757</p> <p>Status: Closed, Decision – 7/14/09</p>
8.	26-09-BZ	<p>Board of Standards and Appeals Sheldon Lobel, P.C. 97 Crooke Avenue, Brooklyn Review pursuant to Sec 1-10(f) of Board Rules and 666(8) of the Charter of a previously-granted Variance (§72-21) to permit the construction of a nine-story community facility building (<i>CAMBA Housing</i>). The proposal is contrary to §24-36. R7-1 district. Community Board #14BK</p> <p>Examiner: Rory Levy (212) 788-8749</p> <p>Status: Closed, Decision – 6/16/09</p>

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<i>APPEALS – DECISIONS</i>		
9.	19-09-A	Sheldon Lobel, P.C. 132-55 34th Avenue, Queens Legalization of an existing building constructed within the bed of a mapped street, contrary to General City Law Section 35. M2-1 Zoning District. Community Board #7Q
		Examiner: Toni Matias (212) 788-8752
		Status: Granted – 6/9/09
10.	32-09-BZY thru 34-09-BZY	William Alicea 122, 124 & 126 Treadwell Avenue, Staten Island Extension of time to complete construction (§11-332) and obtain a Certificate of Occupancy of a major development commenced prior to the text amendment of the zoning district regulations. R3A. Community Board #1SI
		Examiner: Toni Matias (212) 788-8752
		Status: Granted – 6/9/09

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<i>APPEALS – NEW CASES</i>		
11.	140-08-BZY	<p>Eric Palatnik, P.C. 1016 East 13th Street, Brooklyn Extension of time (§11-332) to complete construction of a minor development commenced under the prior R6 zoning district. R5 zoning district. Community Board #14BK</p> <p>Examiner: Toni Matias (212) 788-8752</p> <p>Status: Continued Hearing – 7/14/09</p>
12.	293-08-A & 294-08-A	<p>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</p> <p>Examiner: Toni Matias (212) 788-8752</p> <p>Status: Closed, Decision – 6/23/09</p>
13.	160-09-A	<p>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</p> <p>Examiner: Toni Matias (212) 788-8752</p> <p>Status: Continued Hearing – 6/23/09</p>

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1:30 P.M.

<i>BZ – DECISIONS</i>		
1.	178-07-BZ	<p>Dominick Salvati and Son Architects 2261-2289 Bragg Street, Brooklyn Variance (§72-21) to permit proposed seven-story residential building above existing three-story community facility building, contrary to residential floor area, FAR and lot coverage (§23-141(b)), number of dwelling units (§23-222), rear yard (§23-47 & §24-36), sky exposure plane and setback, (§23-631(d)), required residential and community facility parking (§25-23 & §25-31). R5 district. Community Board #15BK</p> <p>Examiner: Rory Levy (212) 788-8749</p> <p>Status: Withdrawn – 6/9/09</p>
2.	220-07-BZ	<p>Moshe M. Friedman, P.E. 847 Kent Avenue, Brooklyn Variance (§72-21) to allow the erection of a new four-story residential building containing four dwelling units, contrary to use regulations (§42-10). M1-1 district. Community Board #3BK</p> <p>Examiner: Ronald Rizzotti (212) 788-8781</p> <p>Status: Deferred Decision – 8/18/09</p>
3.	88-08-BZ	<p>Alfonso Duarte 101-17 Lefferts Boulevard, Queens Variance (§72-21) to allow the commercial office conversion of an existing residential building; contrary to use regulations §22-00. R5 District. Community Board #9Q</p> <p>Examiner: Ronald Rizzotti (212) 788-8781</p> <p>Status: Denied – 6/9/09</p>
4.	276-08-BZ	<p>Alfonso Duarte 150 East 55th Street, Manhattan Special Permit (§73-36) to allow a physical culture establishment on the sixth floor of a seven-story office building. The proposal is contrary to ZR §32-10. C5-2 district. Community Board #6M</p> <p>Examiner: Rory Levy (212) 788-8749</p> <p>Status: Granted – 6/9/09</p>

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<i>BZ – DECISIONS</i>		
5.	8-09-BZ	Sheldon Lobel, P.C. 125 Fulton Street, Manhattan Special Permit (§73-36) to allow the operation of a physical culture establishment on the second floor of an existing two-story commercial building. The proposal is contrary to ZR §32-10. C6-4 district. Community Board #1M
		Examiner: Rory Levy (212) 788-8749
		Status: Granted – 6/9/09
6.	20-09-BZ	MetroPCS New York, LLC 54-44 Little Neck Parkway, Queens Special Permit (§§73-03, 73-30), to permit a non-accessory radio tower in an R3-2 within a C1-2 district. Community Board #11Q
		Examiner: Roy Starrin (212) 788-8797
		Status: Granted – 6/9/09
7.	35-09-BZ	Kramer Levin Naftalis & Frankel LLP 345-347 East 103rd Street, Manhattan Special Permit (§11-411 & §11-412) to renew for an additional 10 years an approval under Section 7(e) of the 1916 Zoning Resolution to allow a contractor's establishment (UG16) in the ground floor of a two-story building located in an R7A zoning district. Community Board #11M
		Examiner: Carlo Costanza (212) 788-8739
		Status: Granted – 6/9/09

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<i>BZ – CONTINUED HEARINGS</i>		
8.	269-06-BZ	<p>Joseph Margolis 125 Greaves Lane, Staten Island Variance (§72-21) to permit the construction of a retail/commercial building. The proposal is contrary to § 22-00. R3-2 district (South Richmond Special District). Community Board #3SI</p> <p>Examiner: Rory Levy (212) 788-8749</p> <p>Status: Withdrawn – 6/9/09</p>
9.	193-08-A	<p>Joseph Margolis 125 Greaves Lane, Staten Island Proposed construction of retail/commercial building not fronting on a mapped street, contrary to General City Law Section 36. R3-2 Zoning District (South Richmond Special District). Community Board #3SI</p> <p>Examiner: Toni Matias (212) 788-8752</p> <p>Status: Withdrawn – 6/9/09</p>
10.	287-06-BZ	<p>Sheldon Lobel, P.C. 32-12 23rd Street, Queens Variance (§72-21) to allow a residential/community facility building contrary to yard regulations. R5 zoning district. Community Board #1Q</p> <p>Examiner: Ronald Rizzotti (212) 788-8781</p> <p>Status: Closed, Decision – 7/21/09</p>
11.	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: Closed, Decision – 6/23/09</p>

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<i>BZ – CONTINUED HEARINGS</i>		
12.	222-07-BZ	<p>Stuart A. Klein, Esq. 110 West 26th Street, Manhattan Variance (§72-21) to legalize residential uses on the second and third floor of an existing building. M1-6 District. Community Board#4M</p> <p>Examiner: Ronald Rizzotti (212) 788-8781</p> <p>Status: Closed, Decision – 7/14/09</p>
13.	97-08-BZ	<p>Eric Palatnik, P.C. 84 Sanford Street, Brooklyn Special Permit (§73-19) to allow the legalization of an existing school (UG 3). M1-1 district. Community Board #3BK</p> <p>Examiner: Rory Levy (212) 788-8749</p> <p>Status: Continued Hearing – 7/14/09</p>
14.	173-08-BZ	<p>Rothkrug Rothkrug & Spector, LLP 42-59 Crescent Street, Queens Variance (§72-21) to allow a 12-story hotel building containing 99 hotel rooms; contrary to bulk regulations (§117-522). M1-5/R7-3 Special Long Island City Mixed Use District, Queens Plaza Subdistrict Area C. Community Board #2Q</p> <p>Examiner: Ronald Rizzotti (212) 788-8781</p> <p>Status: Continued Hearing – 7/21/09</p>
15.	201-08-BZ	<p>Rothkrug, Rothkrug & Spector, LLP 40-38 216th Street, Queens Variance (§72-21) to allow a one-story warehouse/ commercial vehicle storage building (UG16); contrary to use regulations (§22-00). R3X district. Community Board #11Q</p> <p>Examiner: Ronald Rizzotti (212) 788-8781</p> <p>Status: Taken Off Calendar – No Date</p>

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16.	228-08-BZ	Law Office of Fredrick A. Becker 2802 Avenue R, Brooklyn Variance (§72-21) to permit the construction of a one-story mikvah (ritual bath). The proposal is contrary to ZR §24-34 (front yards) and §24-35 (side yards). R3-2 zoning district. Community Board #15BK
		Examiner: Rory Levy (212) 788-8749
		Status: Closed, Decision – 7/21/09
17.	234-08-BZ	Eric Palatnik, P.C. 1702 Avenue Z, Brooklyn Special Permit (§73-36) to allow proposed Physical Culture Establishment at the cellar and a portion of the first and second floors in a seven-story mixed-use building, contrary to §32-10. C4-2 district. Community Board #15BK
		Examiner: Rory Levy (212) 788-8749
		Status: Continued Hearing – 8/11/09
18.	237-08-BZ	Sheldon Lobel, P.C. 37 Hillside Avenue, Manhattan Variance (§72-21) to allow for a 19-story residential building with 124 units and a community facility use (<i>Rocky Mountain Baptist Church</i>), contrary to bulk regulations (§23-145, §23-633, §24-552(b)). R7-2 District. Community Board #12M
		Examiner: Ronald Rizzotti (212) 788-8781
		Status: Withdrawn – 6/9/09

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<i>BZ – CONTINUED HEARINGS</i>		
19.	260-08-BZ	Eric Palatnik 148 Oxford Street, Brooklyn 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. Community Board #15BK
		Examiner: Henry Segovia (212) 788-8757
		Status: Continued Hearing – 7/28/09
20.	10-09-BZ	Francis R. Angelino, Esq. 2307 Farragut Road/583 East 23rd Street, 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: Closed, Decision – 6/23/09

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<i>BZ – NEW CASES</i>		
21.	139-07-BZ	<p>Mitchell S. Ross, Esq. 328 Jackson Avenue, Bronx Variance (§72-21) to permit the development of a two-story and cellar, two-family residence on a vacant lot. The proposal is contrary to §42-10. M1-2 zoning district. Community Board #1BX</p> <p>Examiner: Rory Levy (212) 788-8749</p> <p>Status: Continued Hearing – 7/14/09</p>
22.	210-08-BZ	<p>Sheldon Lobel, P.C. 130-15 89th Road, Queens Variance (§72-21) to permit two-story enlargement to an existing two-story building for a UG 3 drug treatment facility with sleeping accommodations (<i>Samaritan Village</i>), contrary to use regulations (ZR §43-00) in an M1-1 district. Community Board #9Q</p> <p>Examiner: Rory Levy (212) 788-8749</p> <p>Status: Continued Hearing – 7/14/09</p>
23.	7-09-BZ	<p>Law Office of Fredrick A. Becker 1082 East 26th Street, 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), side yards (§23-461) and rear yard (§23-47) in an R-2 zoning district. Community Board #14Q</p> <p>Examiner: Henry Segovia (212) 788-8757</p> <p>Status: Continued Hearing – 7/14/09</p>
24.	50-09-BZ	<p>Eric Palatnik, P.C. 29 West 35th Street, Manhattan Special Permit (§73-36) to allow the legalization of a physical culture establishment (<i>Warrior Fitness Boot Camp</i>) on the third floor in a twelve-story building. The proposal is contrary to ZR §42-10. M1-6 district. Community Board #5M</p> <p>Examiner: Rory Levy (212) 788-8749</p> <p>Status: Continued Hearing – 7/14/09</p>

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