

NEW YORK CITY BOARD OF STANDARDS AND APPEALS

REGULAR MEETING

TUESDAY MORNING, NOVEMBER 10, 2009

10:00 A.M.

<i>SOC – DECISIONS</i>		
1.	1038-80-BZ	Davidoff Malito & Hutcher, LLP 31-07/09/11 Downing Street, Queens Extension of Term of a Special Permit for the continued operation of a UG15 Amusement Arcade (<i>Smile Arcade</i>) which expired on January 6, 2009. M2-1 zoning district. Community Board #7Q
		Examiner: Henry Segovia (212) 788-8757
		Status: Granted – 11/10/09
2.	3-04-BZ	Eric Palatnik, P.C. 147-08 46th Avenue, Queens Extension of Time to Complete Construction of a previously granted Variance (§72-21) for a two story, two family dwelling which expires on November 29, 2009; Waiver of the Rules. R-2 zoning district. Community Board #7Q
		Examiner: Henry Segovia (212) 788-8757
		Status: Granted – 11/10/09
3.	19-05-BZ	Slater & Beckerman, LLP 151 West 28th Street, Manhattan Extension of Time to complete construction of a previously granted Variance (§72-21) for the change in use of portions of an existing nine-story, mixed-use building to residential use which expires on October 18, 2009. M1-6 zoning district. Community Board #5M
		Examiner: Henry Segovia (212) 788-8757
		Status: Granted – 11/10/09

*****DISCLAIMER*****

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SOC – CONTINUED HEARINGS

4.	149-01-BZ	Eric Palatnik, P.C. 88 Jane Street, Manhattan Amendment to a previously issued resolution that seeks to remove the condition that a residential unit be occupied by a qualified senior citizen at a subsidized rate for a term of 10 years, from the date of the issuance of the Certificate of Occupancy. R6 zoning district. Community Board #2M
		Examiner: Henry Segovia (212) 788-8757
		Status: Closed, Decision – 11/24/09

SOC – NEW CASES

5.	728-29-BZ	Walter T. Gorman, P.E. 154-04 Horace Harding Expressway, Queens Extension of Term for the continued use of a gasoline service station (<i>Mobil</i>) which expires on March 19, 2010. R4 zoning district. Community Board #8Q
		Examiner: Henry Segovia (212) 788-8757
		Status: Closed, Decision – 11/24/09
6.	467-58-BZ	Walter T. Gorman, P.E. 172-11 Northern Boulevard, Queens Extension of Term for the continued operation of a Gasoline Service Station (<i>Mobil</i>) which expires on December 4, 2009. R3-2 zoning district. Community Board #7Q
		Examiner: Henry Segovia (212) 788-8757
		Status: Closed, Decision – 11/24/09

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<i>APPEALS – DECISIONS</i>		
7.	159-09-A	Rothkrug, Rothkrug & Spector, LLP 85 Woodland Avenue, Staten Island Proposed construction of a single family home located within the bed of a mapped street (Doane Avenue), contrary to General City Law §35. R2 zoning district. Community Board #3SI
		Examiner: Toni Matias (212) 788-8752
		Status: Deferred Decision – 11/17/09
8.	232-09-A	New York City Fire Department 1775 Flatbush Avenue, Brooklyn Appeal seeking a modification of the Certificate of Occupancy to require an approved automatic wet sprinkler system installed throughout the entire building. R5 zoning district. Community Board #18BK
		Examiner: Toni Matias (212) 788-8752
		Status: Granted – 11/10/09

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APPEALS – CONTINUED HEARINGS		
9.	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 – 1/12/10
10.	167-09-A	Harold Weinberg, P.E. 820 39th Street, Brooklyn Appeal challenging Department of Building's determination that the reconstruction of non-complying building must be done in accordance with §54-41 and be required to provide a 30 foot rear yard. M1-2 zoning district. Community Board #12BK
		Examiner: Toni Matias (212) 788-8752
		Status: Continued Hearing – 2/23/10
11.	228-09-A & 229-09-A	Sheldon Lobel, P.C. 37-45 and 37-47 98th Street, Queens An Appeal seeking a common law vested right to complete construction commenced under the prior R6B zoning district. R5 zoning district. Community Board #3Q
		Examiner: Toni Matias (212) 788-8752
		Status: Closed, Decision – 11/24/09

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APPEALS – NEW CASES		
12.	216-09-A	Gary D. Lenhart, R.A. 51 West Market Street, Queens Proposed reconstruction and enlargement of a single family home and the proposed upgrade of an existing non-conforming private disposal system located in the bed of a mapped street, contrary to General City Law Section 35. R4 zoning district. Community Board #14Q
		Examiner: Toni Matias (212) 788-8752
		Status: Granted – 11/10/09
13.	241-09-BZY	Gouranga Kundu 87-26 175th Street, (aka 88-04 175th Street) Queens Extension of time to complete construction of a minor development (§11-332) commenced under the prior R6 Zoning district. R4-1 Zoning District. Community Board #12Q
		Examiner: Toni Matias (212) 788-8752
		Status: Closed, Decision – 12/8/09
14.	249-09-A	Bryan Cave LLP 363 Lafayette Street, Manhattan Appeal challenging Department of Building's determination that permit for the subject premises expired and became invalid because the permitted work was not commenced within 12 months from the date of issuance, per Title 28, §28-105.9 of the Administrative Code. Community Board #2M
		Examiner: Toni Matias (212) 788-8752
		Status: Postponed, Public Hearing – 1/12/10

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1:30 P.M.

<i>BZ – DECISIONS</i>		
1.	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 zoning district. Community Board #3BK</p> <p>Examiner: Ronald Rizzotti (212) 788-8781</p> <p>Status: Granted – 11/10/09</p>
2.	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. C4-2 zoning district. Community Board #6Q</p> <p>Examiner: Carlo Costanza (212) 788-8739</p> <p>Status: Granted – 11/10/09</p>
3.	249-08-BZ	<p>Rothkrug, Rothkrug & Spector, LLP 130 Adelaide Avenue, Staten Island Variance (§72-21) for the construction of a single family residence, contrary to floor area and open space (§23-141); required front yard (§23-45), rear yard (§23-47), side yard (§23-46) and off street parking (§25-622) regulations. R2 (LDGM) zoning district. Community Board #3SI</p> <p>Examiner: Henry Segovia (212) 788-8757</p> <p>Status: Granted – 11/10/09</p>
4.	37-09-BZ	<p>Law Office of Fredrick A. Becker 3950 Bedford Avenue, Brooklyn Special Permit (§73-622) for the in-part legalization and enlargement of an existing single family home, contrary to floor area, open space and lot coverage (ZR §23-141(b)); side yard (ZR §23-461(a)) & (ZR §23-48); rear yard (ZR §23 -47), and perimeter wall height (§23-631) regulations. R3-2 zoning district. Community Board #15BK</p> <p>Examiner: Henry Segovia (212) 788-8757</p> <p>Status: Granted – 11/10/09</p>

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<i>BZ – DECISIONS</i>		
5.	51-09-BZ	Eric Palatnik, P.C., 2032 East 17th Street, Brooklyn Special Permit (§73-622) for the legalization of an enlargement to an existing single family home, contrary to side yard requirements (§461). R-5 zoning district. Community Board #15BK
		Examiner: Henry Segovia (212) 788-8757
		Status: Withdrawn – 11/10/09
6.	164-09-BZ	Eric Palatnik, P.C. 124 Irwin Street, Brooklyn Special Permit (§73-622) for enlargement of an existing two-family home, contrary to floor area, lot coverage and open space (§23-141) and rear yard (ZR §23-47) regulations. R3-1 zoning district. Community Board#15BK
		Examiner: Henry Segovia (212) 788-8757
		Status: Closed, Decision – 11/24/09

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BZ – CONTINUED HEARINGS		
7.	97-08-BZ	Eric Palatnik, P.C. 84 Sanford Street, Brooklyn Special Permit (§73-19) to allow the legalization of an existing school (<i>Central UTA</i>) (UG 3). M1-1 district. Community Board #3BK
		Examiner: Rory Levy (212) 788-8749
		Status: Continued Hearing – 12/15/09
8.	171-08-BZ	Law Offices of Howard Goldman, LLC 40 West 68th Street, Manhattan 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. Community Board #7M
		Examiner: Rory Levy (212) 788-8749
		Status: Closed, Decision – 12/8/09
9.	197-08-BZ	Stuart A. Klein 341/349 Troy Avenue, aka 1515 Carroll Street, Brooklyn Variance (§72-21) to permit a four-story and penthouse residential building, contrary to §23-141 (FAR, open space ratio), §23-22 (number of dwelling units), §23-45 (front yard), §23-462 (side yard), and §23-631 (wall height). R4 district. Community Board #9BK
		Examiner: Rory Levy (212) 788-8749
		Status: Continued Hearing – 12/15/09

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<i>BZ – CONTINUED HEARINGS</i>		
10.	23-09-BZ	<p>Eric Palatnik, P.C. 114 Amherst Street, Brooklyn Special Permit (§73-622) for the enlargement of an existing one family home, contrary to open space, lot coverage and floor area (§23-141(b)) and rear yard (§23-47) regulations. R3-1 zoning district. Community Board #15BK Examiner: Henry Segovia (212) 788-8757 Status: Closed, Decision – 11/24/09</p>
11.	53-09-BZ	<p>Harold Weinberg, P.E. 540 Schenck Avenue, Brooklyn 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. Community Board #5BK Examiner: Henry Segovia (212) 788-8757 Status: Continued Hearing – 12/15/09</p>
12.	214-09-BZ	<p>Rothkrug, Rothkrug & Spector, LLP 1464 Astor Avenue, Bronx Special Permit (§73-125) to allow for a 9,996 sq ft ambulatory diagnostic or treatment center which exceeds the 1,500 sq. ft. maximum allowable floor area set forth in ZR §22-14. R4-1 zoning district. Community Board #11BX Examiner: Ronald Rizzotti (212) 788-8781 Status: Continued Hearing – 1/12/10</p>
13.	225-09-BZ	<p>Antonio S. Valenziano 45 Beacon Avenue, Staten Island 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. Community Board #3SI Examiner: Henry Segovia (212) 788-8757 Status: Closed, Decision – 12/8/09</p>

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14.	160-08-BZ	Dominick Salvati and Son Architects 651-671 Fountain Avenue, Brooklyn Variance (§72-21) to permit the legalization of commercial storage of motor vehicles/buses (UG 16C) with accessory fuel storage and motor vehicles sales and repair (UG 16B), which is contrary to §22-00. R4 zoning district. Community Board #5BK
		Examiner: Carlo Costanza (212) 788-8739
		Status: Continued Hearing – 1/12/10
15.	299-08-BZ	Sheldon Lobel, P.C. 3857-3861 Third Avenue, Bronx Variance (§72-21) to allow for a nine-story, 104 unit community facility building (non profit institution with sleeping accommodations), contrary to floor area and use regulations (ZR §24-111, §42-00). R6/C1-4, R6/C2-4 and M1-4 zoning districts. Community Board #3BX
		Examiner: Ronald Rizzotti (212) 788-8781
		Status: Closed, Decision – 12/15/09
16.	231-09-BZ	Kramer Levin Naftalis & Frankel 412-414 Greenwich Street, Manhattan 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. Community Board #1M
		Examiner: Ronald Rizzotti (212) 788-8781
		Status: Continued Hearing – 12/8/09

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