

# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

REGULAR MEETING  
TUESDAY MORNING, NOVEMBER 17, 2009  
10:00 A.M.

<b><i>SOC – DECISIONS</i></b>		
<b>1.</b>	<b>395-60-BZ</b>	<p>Sheldon Lobel, P.C. <b>2557-2577 Linden Boulevard, Brooklyn</b> Extension of Term (§11-411, §11-413) for change of use from a gasoline service station (UG16) to automotive repair establishment (UG16), which expired on December 9, 2005; Amendment 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. R5 zoning district. <b>Community Board #5BK</b></p> <p><b>Examiner: Henry Segovia (212) 788-8757</b></p> <p><b>Status: Granted – 11/17/09</b></p>
<b>2.</b>	<b>60-82-BZ</b>	<p>Eric Palatnik, P.C. <b>60-11 Queens Boulevard, Queens</b> Extension of Time to obtain a Certificate of Occupancy for a gasoline service station (<i>BP North America</i>) which expired on December 13, 2007; Waiver of the Rules. C2-3/R7X zoning district. <b>Community Board #2Q</b></p> <p><b>Examiner: Henry Segovia (212) 788-8757</b></p> <p><b>Status: Deferred Decision – 11/24/09</b></p>
<b>3.</b>	<b>16-95-BZ</b>	<p>Akerman Senterfitt, LLP <b>434 East 77<sup>th</sup> Street, Manhattan</b> Extension of Term and Waiver of the Rules of a previously granted Variance (§72-21) for a UG8 parking garage with accessory auto repairs which expired on March 23, 2009. R-8B zoning district. <b>Community Board #8M</b></p> <p><b>Examiner: Henry Segovia (212) 788-8757</b></p> <p><b>Status: Granted – 11/17/09</b></p>
<b>4.</b>	<b>172-96-BZ</b>	<p>Law Office of Mitchell Ross, Esq. <b>597/99 Marcy Avenue, Brooklyn</b> Extension of Term for a variance (§72-21) which expired on May 11, 2009 allowing the operation of a welding shop (UG 16A) contrary to §32-00; Waiver of the Rules. C6-6 zoning district. <b>Community Board #3BK</b></p> <p><b>Examiner: Carlo Costanza (212) 788-8739</b></p> <p><b>Status: Granted – 11/17/09</b></p>

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<b><i>SOC – CONTINUED HEARINGS</i></b>		
<b>5.</b>	<b>115-53-BZ</b>	<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 style="margin-left: 20px;"><b>Examiner: Henry Segovia (212) 788-8757</b></p> <p style="margin-left: 20px;"><b>Status: Closed, Decision – 12/8/09</b></p>
<b>6.</b>	<b>1715-61-BZ</b>	<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 style="margin-left: 20px;"><b>Examiner: Carlo Costanza (212) 788-8739</b></p> <p style="margin-left: 20px;"><b>Status: Closed, Decision – 12/8/09</b></p>
<b>7.</b>	<b>1016-86-BZ</b>	<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 style="margin-left: 20px;"><b>Examiner: Carlo Costanza (212) 788-8739</b></p> <p style="margin-left: 20px;"><b>Status: Closed, Decision – 12/8/09</b></p>
<b>8.</b>	<b>311-04-BZ</b>	<p>Rothkrug Rothkrug &amp; Spector  <b>380 Lighthouse Avenue, Staten Island</b>                      Amendment to a previously granted Variance (§72-21) for a proposed one family dwelling which is contrary to lot coverage (§105-33) and maximum height (§23-631) regulations. R1-2(NA-1) zoning district.  <b>Community Board #2SI</b></p> <p style="margin-left: 20px;"><b>Examiner: Henry Segovia (212) 788-8757</b></p> <p style="margin-left: 20px;"><b>Status: Continued Hearing – 12/15/09</b></p>

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<b><i>SOC – NEW CASES</i></b>		
9.	240-55-BZ	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) & R-4 zoning district. <b>Community Board #11Q</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Closed, Decision – 12/8/09</b>
10.	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: Continued Hearing – 12/8/09</b>
11.	195-99-BZ	Eric Palatnik, P.C. <b>112 Atlantic Avenue, Brooklyn</b> Extension of Term (§11-411) for the continued use of a Gasoline Service Station ( <i>Shell</i> ) which expires on November 10, 2009. R-6 zoning district. <b>Community Board #6BK</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Continued Hearing – 12/15/09</b>

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<b><i>APPEALS – DECISIONS</i></b>		
12.	147-07-BZY	Cozen O'Connor <b>144 North 8<sup>th</sup> Street, Brooklyn</b> Extension of time (§11-332) to complete construction of a minor development commenced under the prior R6 (M1-2) district regulations. R6B zoning district. <b>Community Board #1BK</b>
		<b>Examiner: Toni Matias (212) 788-8752</b>
		<b>Status: Granted – 11/17/09</b>
13.	159-09-A	Rothkrug, Rothkrug & Spector, LLP <b>85 Woodland Avenue, Staten Island</b> 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. <b>Community Board #3SI</b>
		<b>Examiner: Toni Matias (212) 788-8752</b>
		<b>Status: Granted – 11/17/09</b>

<b><i>APPEALS – CONTINUED HEARINGS</i></b>		
14.	217-09-A	Marvin B. Mitzner, Esq. <b>514-516 East 6<sup>th</sup> Street, Manhattan</b> An appeal seeking to vary the applicable provisions under the Multiple Dwelling Law as it applies to the enlargement of non- fireproof tenement buildings. R7-2 zoning district. <b>Community Board #3M</b>
		<b>Examiner: Toni Matias (212) 788-8752</b>
		<b>Status: Continued Hearing – 12/15/09</b>

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15.	315-08-A	Stuart A. Klein, Esq. <b>246 Spring Street, Manhattan</b> An appeal seeking the revocation of permits for a condominium hotel on the basis that the approved plans allow for exceedance of maximum permitted floor area. M1-6 zoning. <b>Community Board #2M</b>
		<b>Examiner: Toni Matias (212) 788-8752</b>
		<b>Status: Postponed Hearing – 11/24/09</b>
16.	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: Closed, Decision – 12/8/09</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

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1:30 P.M.

<b><i>BZ – DECISIONS</i></b>		
1.	54-09-BZ	Riker Danzig <b>150 Mercer Street, (a/k/a 579 Broadway), Manhattan</b> Special Permit (§73-36) to allow a physical culture establishment ( <i>Haven Day Spa</i> ) on the cellar level of a four-story mixed-use building. M1-5B district. <b>Community Board #2M</b>
		<b>Examiner: Rory Levy (212) 788-8749</b>
		<b>Status: Granted – 11/17/09</b>
2.	56-09-BZ	Omnipoint Communications, Inc. <b>6736 Hylan Boulevard, Staten Island</b> Special Permit (§73-30) to allow a proposed non-accessory radio tower and related equipment. R3X zoning district. <b>Community Board #3SI</b>
		<b>Examiner: Roy Starrin (212) 788-8797</b>
		<b>Status: Granted – 11/17/09</b>
3.	198-09-BZ	Eric Palatnik, P.C. <b>143 West 19<sup>th</sup> Street, Manhattan</b> Special Permit (§73-36) to allow the operation of the proposed physical culture establishment ( <i>Personal Training Institute</i> ) on the first floor of an eight-story building. C6-3A zoning district. <b>Community Board #4M</b>
		<b>Examiner: Rory Levy (212) 788-8749</b>
		<b>Status: Granted – 11/17/09</b>

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<b><i>BZ – CONTINUED HEARINGS</i></b>		
4.	<b>186-08-BZ</b>	Petrus Fortune, P.E. <b>3065 Atlantic Avenue, Brooklyn</b> Special Permit (§73-19) to allow the legalization and enlargement of a school ( <i>Followers of Jesus Mennonite Church &amp; School</i> ) in a former manufacturing building, contrary to ZR §42-10. M1-1 zoning district. <b>Community Board #5BK</b> <b>Examiner: Rory Levy (212) 788-8749</b> <b>Status: Closed, Decision – 1/26/10</b>
5.	<b>28-09-BZ</b>	Moshe M. Friedman, P.E. <b>133 Taaffe Place, Brooklyn</b> Variance (§72-21) to permit a four-story residential building on a vacant lot, contrary to use regulations (§42-10). M1-1 zoning district. <b>Community Board #3BK</b> <b>Examiner: Rory Levy (212) 788-8749</b> <b>Status: Adjourned, Continued Hearing – 1/26/10</b>
6.	<b>29-09-BZ</b>	Law Office of Fredrick A. Becker <b>44 Brunswick Street, Staten Island</b> Variance (§72-21) to legalize and enlarge a synagogue ( <i>Chabad Israeli Center</i> ), contrary to lot coverage, front yards, side yards, and parking regulations. R3X zoning district. <b>Community Board #2SI</b> <b>Examiner: Rory Levy (212) 788-8749</b> <b>Status: Adjourned, Continued Hearing – 1/12/10</b>
7.	<b>161-09-BZ</b>	Rizzo Group <b>580 Carroll Street, Brooklyn</b> Variance (§72-21) for the development of two residential buildings (20 dwelling units) contrary to rear yard equivalent, floor area, lot coverage, minimum distance between buildings and minimum distance between legally required window regulations (§§23-532, 23-145, 23-711, 23-861). R6B zoning district <b>Community Board #6BK</b> <b>Examiner: Ronald Rizzotti (212) 788-8781</b> <b>Status: Continued Hearing – 1/12/10</b>

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8.	187-09-BZ	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>
		<b>Examiner: Rory Levy (212) 788-8749</b>
		<b>Status: Closed, Decision – 12/8/09</b>
9.	215-09-BZ	Law Office of Fredrick A. Becker <b>92-16 95th Avenue, Queens</b> Special Permit (§11-411 & §11-413) for reinstatement and change of use from a wholesale (UG7) to retail (UG6) on the ground floor of a three story building, which expired on March, 2002; Extension of Time to obtain a certificate of occupancy, which expired March 1993; and Waiver of the Rules. R5 zoning district. <b>Community Board #9Q</b>
		<b>Examiner: Carlo Costanza (212) 788-8739</b>
		<b>Status: Granted – 11/17/09</b>

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<b><i>BZ – NEW CASES</i></b>		
<b>10.</b>	<b>239-09-BZ</b>	<p>Kramer Levin Naftalis &amp; Frankel LLP  <b>238 Thompson Street, aka 56 Washington Square South, Manhattan</b>                      Variance (§72-21) to allow for the development of a six-story community facility building (<i>NYU Center for Academic and Spiritual Life</i>), contrary to lot coverage (§24-11) and height and setback regulations (§§24-522, 33-431). R7-2/C1-5 and R7-2 Districts.  <b>Community Board #2M</b></p> <hr/> <p><b>Examiner: Ronald Rizzotti (212) 788-8781</b></p> <hr/> <p><b>Status: Postponed, Public Hearing – 12/15/09</b></p>
<b>11.</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></p> <hr/> <p><b>Examiner: Henry Segovia (212) 788-8757</b></p> <hr/> <p><b>Status: Continued Hearing – 12/8/09</b></p>
<b>12.</b>	<b>279-09-BZ</b>	<p>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></p> <hr/> <p><b>Examiner: Henry Segovia (212) 788-8757</b></p> <hr/> <p><b>Status: Closed, Decision – 12/8/09</b></p>

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