

NEW YORK CITY BOARD OF STANDARDS AND APPEALS

REGULAR MEETING

TUESDAY MORNING, OCTOBER 27, 2009

10:00 A.M.

<i>SOC – DECISIONS</i>		
1.	684-64-BZ	George E. Berger 360 East 72nd Street, Manhattan Extension of Term permitting the use of no more than 45 unused and surplus tenant parking spaces, within an accessory garage, for transient parking granted by the Board pursuant to §60 (3) of the Multiple Dwelling Law (MDL) which is set to expire on October 23, 2009. C1-5 in a R10A & R8B zoning district. Community Board #8M
		Examiner: Carlo Costanza (212) 788-8739
		Status: Granted – 10/27/09
2.	1259-79-BZ	Sheldon Lobel, P.C. 29 West 26th Street, Manhattan Extension of Time to complete construction and obtain a certificate of occupancy and Waiver of the Rules of a previously granted Variance (§72-21) for the conversion of all floors above the first floor from manufacturing lofts into residential dwellings which expired on October 6, 1984. M1-6 zoning district. Community Board #5M
		Examiner: Henry Segovia (212) 788-8757
		Status: Granted – 10/27/09
3.	193-97-BZ	Fredrick A. Becker 27-29 Great Jones Street, Manhattan Extension of Term for a special permit (§73-36) which expired on April 1, 2008 for the operation of a Physical Culture Establishment (Great Jones Spa); Waiver of the Rules. M1-5B zoning. Community Board #2M
		Examiner: Carlo Costanza (212) 788-8739
		Status: Granted – 10/27/09

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SOC – CONTINUED HEARINGS

4.	826-86-BZ thru 828-86-BZ	Eric Palatnik, P.C. 269-10, 270-10, 271-10 Grand Central Parkway, Queens Extension of Term for a Special Permit (§73-11) 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; an Amendment to eliminate the condition that a new Certificate of Occupancy be obtained; and Waiver of the Rules. R3-2 zoning district. Community Board #13Q
		Examiner: Henry Segovia (212) 788-8757
		Status: Continued Hearing – 12/8/09
5.	16-95-BZ	Akerman Senterfitt, LLP 434 East 77th Street, Manhattan 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. Community Board #8M
		Examiner: Henry Segovia (212) 788-8757
		Status: Closed, Decision – 11/17/09
6.	172-96-BZ	Law Office of Mitchell Ross, Esq. 597/99 Marcy Avenue, Brooklyn 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. Community Board #3BK
		Examiner: Carlo Costanza (212) 788-8739
		Status: Closed, Decision – 11/17/09

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<i>SOC – NEW CASES</i>		
7.	321-63-BZ	<p>Slater & Beckerman, LLP 1775 Grand Concourse, 100 East 175th Street and 1730 Walton Avenue, Bronx. Amendment of Special Permit (§73-65) which allowed the enlargement of a telephone exchange facility (UG 6D). The amendment would allow change of use from telephone exchange to UG 6 on the first floor, from UG 4A to a school (UG 3) on the fourth floor, from telephone exchange to a school (UG 3) on the fifth and sixth floors, from offices (UG 6B) to school accessory offices (UG 6B) on the seventh and eighth floors, and the creation of rooftop recreation space for the school (UG 3). R8/Special Grand Concourse Preservation District. Community Board #5BX Examiner: Carlo Costanza (212) 788-8739 Status: Withdrawn – 10/27/09</p>
8.	60-82-BZ	<p>Eric Palatnik, P.C. 60-11 Queens Boulevard, Queens 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. Community Board #2Q Examiner: Henry Segovia (212) 788-8757 Status: Closed, Decision – 11/17/09</p>
9.	140-92-BZ	<p>The Law Office of Fredrick A. Becker 39-21 Crescent Street, Queens Amendment of variance (§72-21) which allowed an enlargement of an existing school (UG 3). The amendment would further enlarge the school, contrary to height and setback (§43-43). M1-2/R5D & M1-2/R5B (Special Long Island City Mixed Use District). Community Board #1Q Examiner: Carlo Costanza (212) 788-8739 Status: Continued Hearing – 11/24/09</p>

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<i>SOC – NEW CASES</i>		
10.	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: Closed, Decision – 11/10/09
11.	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: Closed, Decision – 11/10/09

<i>APPEALS – CONTINUED HEARINGS</i>		
12.	313-08-A	Law Office of Howard Goldman, LLC 363-371 Lafayette Street, Manhattan Appeal to Department of Building's refusal to revoke permits and approvals for a six-story commercial building. M1-5B zoning district. Community Board #2M
		Examiner: Toni Matias (212) 788-8752
		Status: Adjourned, Continued Hearing – 12/15/09
13.	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: Closed, Decision – 11/10/09

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APPEALS – NEW CASES

14.	197-09-A	Paul Russo 518 Browns Boulevard, Queens Proposed reconstruction and enlargement of an existing building located within the bed of a mapped street, contrary to General City Law Section 35, and the upgrade of the private disposal system located within the bed of a mapped street, contrary to Section 35 General City Law and the Department of Buildings Policy. R4 zoning district. Community Board #14Q
		Examiner: Toni Matias (212) 788-8752
		Status: Granted – 10/27/09
15.	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: Closed, Decision – 11/10/09

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<i>BZ – DECISIONS</i>		
1.	73-06-BZ	Eric Palatnik, P.C. 111 Union Street, Brooklyn Special Permit (§73-36) to allow the legalization of a physical culture establishment (<i>Elite Fitness</i>) in a portion of cellar and first floor in a three-story building. C2-3 zoning district. Community Board #6BK
		Examiner: Rory Levy (212) 788-8749
		Status: Granted – 10/27/09
2.	226-09-BZ	Mitchell S. Ross, Esq. 24 East 13th Street, Manhattan Special Permit (§73-36) to allow the legalization of a physical culture establishment (<i>New York Health & Racquet Club</i>) on the cellar through second floors of a six-story mixed-use building. C6-1 zoning district. Community Board #2M
		Examiner: Rory Levy (212) 788-8749
		Status: Granted – 10/27/09

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<i>BZ – CONTINUED HEARINGS</i>		
3.	195-07-BZ	<p>Greenberg Traurig 8-12 Bond Street, Manhattan Variance (§72-21) to allow hotel and retail uses below the floor level of the second story, contrary to use regulations (§42-14(d)(2)). M1-5B zoning district. Community Board #2M Examiner: Ronald Rizzotti (212) 788-8781 Status: Closed, Decision – 12/15/09</p>
4.	256-07-BZ	<p>Rothkrug, Rothkrug & Spector 1978 Atlantic Avenue, Brooklyn Variance (§72-21) to permit a three-story, five-unit residential building, contrary to use regulations (§42-00). M1-1 zoning district. Community Board # 8BK Examiner: Rory Levy (212) 788-8749 Status: Adjourned, Continued Hearing – 12/8/09</p>
5.	100-08-BZ & 101-08-A	<p>Rothkrug, Rothkrug & Spector, LLP 205 Wolverine Street, Staten Island Variance (§72-21) for the construction of a two-story with basement single family residence, contrary to front yard regulations (§23-45) and within the bed of a mapped, un-built street, contrary to General City Law Section 35. R2 zoning district. Community Board #3SI Examiner: Henry Segovia (212) 788-8757 Status: Closed, Decision – 12/8/09</p>
6.	187-08-BZ	<p>Sheldon Lobel, P.C. 1247 38th Street, Brooklyn Variance (§72-21) to permit the construction of a six-story community facility building (<i>Congregation & Yeshiva Machzikei Hadas</i>), contrary to ZR §42-00. M2-1 zoning district. Community Board #12BK Examiner: Rory Levy (212) 788-8749 Status: Adjourned, Continued Hearing – 11/24/09</p>

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<i>BZ – CONTINUED HEARINGS</i>		
7.	220-08-BZ	<p>Moshe M. Friedman 95 Taaffe Place, Brooklyn Variance (§72-21) to permit the enlargement of a non-conforming one-family dwelling, contrary to §42-10. M1-1 zoning district. Community Board #3BK Examiner: Rory Levy (212) 788-8749 Status: Adjourned, Continued Hearing – 12/15/09</p>
8.	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 Examiner: Henry Segovia (212) 788-8757 Status: Closed, Decision – 11/10/09</p>
9.	314-08-BZ	<p>Kramer Levin Naftalis & Frankel, LLP 437-447 West 13th Street, Manhattan Variance (§72-21) to allow for the construction of a 12-story commercial building (office and UG10 retail), contrary to FAR, height and setback and rear yard regulations (§43-12, §43-43, §43-26) and use regulations (§42-12). M1-5 zoning district. Community Board #2M Examiner: Ronald Rizzotti (212) 788-8781 Status: Closed, Decision – 11/24/09</p>

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<i>BZ – NEW CASES</i>		
10.	14-09-BZ	<p>Eric Palatnik, P.C. 2294 Forest Avenue, Staten Island Special Permit (§73-211) to allow an automotive service station with an accessory convenience store and automotive laundry (UG 16B). C2-1/R3-2 zoning district. Community Board #1SI</p> <p>Examiner: Carlo Costanza (212) 788-8739</p> <p>Status: Continued Hearing – 1/12/10</p>
11.	182-09-BZ	<p>Eric Palatnik, P.C. 612 West 180th Street, Manhattan Variance (§72-21) to legalize the existing UG 3 novitiate and UG 4 house of worship (<i>Congregation Mita</i>), contrary to §§ 24-35 (side yard) and 24-36 (rear yard). R7-2 zoning district. Community Board #12M</p> <p>Examiner: Rory Levy (212) 788-8749</p> <p>Status: Continued Hearing – 12/15/09</p>
12.	215-09-BZ	<p>Law Office of Fredrick A. Becker 92-16 95th Avenue, Queens 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. Community Board #9Q</p> <p>Examiner: Carlo Costanza (212) 788-8739</p> <p>Status: Continued Hearing – 11/17/09</p>
13.	218-09-BZ	<p>Jeffrey A. Chester 57 Empire Boulevard, Brooklyn Special Permit (§73-243) to allow an accessory drive-through facility to an eating and drinking establishment (<i>McDonald's</i>). C1-3/C8-2 zoning district. Community Board #1BK</p> <p>Examiner: Carlo Costanza (212) 788-8739</p> <p>Status: Continued Hearing – 11/24/09</p>

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14.	247-09-BZ	<p>Kramer Levin Naftalis and Frankel 123 East 55th Street, Manhattan Variance (§72-21) to allow for expansion of the community house for the Central Synagogue (UG 4), contrary to floor area and height and setback regulations. (§§33-12, 81-211, 33-432). C5-2, C5-2.5 MiD zoning districts. Community Board #5M</p> <hr/> <p>Examiner: Ronald Rizzotti (212) 788-8781</p> <hr/> <p>Status: Continued Hearing – 11/24/09</p>

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