

NEW YORK CITY BOARD OF STANDARDS AND APPEALS

REGULAR MEETING
TUESDAY MORNING, SEPTEMBER 14, 2010
10:00 A.M.

<i>SOC – DECISIONS</i>		
1.	1715-61-BZ	<p>Mitchell S. Ross, Esq. 129-02 Guy R. Brewer Boulevard/129-02 New York Boulevard, Queens 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. Community Board #12Q Examiner: Henry Segovia (212) 788-8757 Status: Granted – 9/14/10</p>
2.	11-93-BZ	<p>Sheldon Lobel, P.C. 46-45 Kissena Boulevard, aka - 140-01 Laburnum Avenue, Queens Extension of Term (§§11-411 & §11-412) to allow the continued operation of an Eating and Drinking establishment (UG 6) which expired on March 15, 2004; Amendment to legalize alterations to the structure; Waiver of the Rules. C2-2 and R3-2 zoning districts. Community Board #7Q Examiner: Carlo Costanza (212) 788-8739 Status: Deferred Decision – 10/5/10</p>
3.	98-97-BZ	<p>Law Office of Fredrick A. Becker 270 Eighth Avenue, Manhattan Extension of Term of a previously granted Special Permit (§73-36) for the continued operation of a Physical Culture Establishment (<i>New York Sports Club</i>) which expired on November 1, 2006; Amendment to change the hours of operations; Waiver of the Rules. C2-7A zoning district. Community Board #4M Examiner: Henry Segovia (212) 788-8757 Status: Granted – 9/14/10</p>
4.	221-97-BZ	<p>Wachtel & Masyr, LLP 550 Second Avenue, Manhattan Extension of Term of a previously granted Special Permit (§73-36) for the operation of a physical culture establishment which expired on June 16, 2008; Amendment for a change in ownership from <i>Bally Total Fitness</i> to <i>Crunch</i>; Waiver of the Rules. C2-5/R-8 zoning district. Community Board #6M Examiner: Henry Segovia (212) 788-8757 Status: Granted – 9/14/10</p>

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<i>SOC – DECISIONS</i>		
5.	200-98-BZ	<p>The Law Office of Fredrick A. Becker 633 Third Avenue, Manhattan Extension of Term of a previously granted Special Permit (§73-36) for the continued operation of a Physical Culture Establishment (<i>New York Sports Club</i>) which expired on April 30, 2008; Waiver of the Rules. C5-3(Mid) zoning district. Community Board #6M Examiner: Henry Segovia (212) 788-8757 Status: Granted – 9/14/10</p>
6.	290-99-BZ	<p>Rothkrug, Rothkrug & Spector 99/101 Greenwich Avenue, Manhattan Extension of Term of a previously granted Variance (§72-21) for the continued operation of a Physical Culture Establishment (<i>Equinox</i>) which expired on March 28, 2010. C1-6/R6 zoning district. Community Board #2M Examiner: Henry Segovia (212) 788-8757 Status: Granted – 9/14/10</p>

<i>SOC – CONTINUED HEARINGS</i>		
7.	395-60-BZ	<p>Sheldon Lobel, P.C. 2557-2577 Linden Boulevard, Brooklyn Extension of Time to obtain a Certificate of Occupancy for a previously granted Automotive Repair Shop and Convenience Store use which expired on May 17, 2010. R-5 zoning district. Community Board #5M Examiner: Henry Segovia (212) 788-8757 Status: Continued Hearing – 10/26/10</p>
8.	637-74-BZ	<p>Kramer Levin Naftalis & Frankel, LLP 1048-62 Second Avenue, Manhattan Extension of Term for transient parking in a garage accessory to a multiple dwelling which expired on May 6, 2010; Waiver of the Rules. C1-9(TA)/R8 zoning district. Community Board #6M Examiner: Henry Segovia (212) 788-8757 Status: Granted – 9/14/10</p>

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<i>SOC – CONTINUED HEARINGS</i>		
9.	60-90-BZ	<p>EPDSCO, Inc. 525 Forest Avenue, Staten Island Extension of Term of a previously granted Special Permit (§73-211) for the continued use of a Gasoline Service Station (<i>Citgo</i>) and Automotive Repair Shop which expired on February 25, 2001; Waiver of the Rules. C2-1/R3X zoning district. Community Board #1SI Examiner: Henry Segovia (212) 788-8757 Status: Closed, Decision – 10/5/10</p>
10.	136-01-BZ	<p>Eric Palatnik, P.C. 11-11 44th Drive, Queens Extension of Time to Complete Construction and Obtain a Certificate of Occupancy for a Variance (§72-21) which permitted non-compliance in commercial floor area and rear yard requirements which expired on July 12, 2010. M1-4/R7A(LIC) zoning district. Community Board #1Q Examiner: Henry Segovia (212) 788-8757 Status: Closed, Decision – 9/21/10</p>
11.	164-04-BZ	<p>Sheldon Lobel, P.C. 2241 Westchester Avenue, Bronx Extension of Time to obtain a Certificate of Occupancy for a previously granted physical culture establishment (<i>Planet Fitness</i>) which expired on February 7, 2007; Amendment to change operator, hours of operation and interior modification; Waiver of the Rules. C2-1/R6 zoning district. Community Board #10BX Examiner: Henry Segovia (212) 788-8757 Status: Closed, Decision – 10/5/10</p>

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<i>SOC – NEW CASES</i>		
12.	656-69-BZ	<p>Rothkrug, Rothkrug & Spector 2617/23 Harway Avenue, aka - 208/18 Bay 43rd Street, Brooklyn Extension of Term of a (UG9) parking lot accessory to an existing funeral home establishment which expired on May 27, 2010; Extension of Time to obtain a Certificate of Occupancy; waiver of the rules. R-5 zoning district. Community Board #13BK Examiner: Henry Segovia (212) 788-8757 Status: Continued Hearing – 10/5/10</p>
13.	322-98-BZ	<p>The Law Office of Fredrick A. Becker 300 West 125th Street, Manhattan Extension of Term of a previously granted Special Permit (§73-36) for the operation of a Physical Culture Establishment (<i>New York Sports Club</i>) which expired on March 23, 2009; Amendment to legalize the increase in floor area; Waiver of the Rules. C4-4(125) zoning district. Community Board #10M Examiner: Henry Segovia (212) 788-8757 Status: Continued Hearing – 10/5/10</p>
14.	294-99-BZ	<p>Rothkrug, Rothkrug & Spector 521 5th Avenue, Manhattan Extension of Term of a previously granted Special Permit (§73-36) for the continued operation of a Physical Culture Establishment (<i>Equinox</i>) which expired on May 9, 2010. C5-3(MID) & C5-2.5(MID) zoning district. Community Board #5M Examiner: Henry Segovia (212) 788-8757 Status: Continued Hearing – 10/19/10</p>
15.	161-00-BZ	<p>Stuart A. Klein, Esq. 320 East 52nd Street, Manhattan Extension of Term of a previously granted Variance (§72-21) for the operation of a Physical Culture Establishment (<i>Bodescu Skin Care</i>) which expired on June 2, 2010; Extension of Time to obtain a Certificate of Occupancy. R8B zoning district. Community Board #6M Examiner: Henry Segovia (212) 788-8757 Status: Continued Hearing – 10/5/10</p>

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<i>APPEALS – DECISIONS</i>		
16.	315-08-A	<p>Stuart A. Klein, Esq. 246 Spring Street, Manhattan An appeal seeking the revocation of permits for a condominium hotel on the basis that the approved plans allow for exceeding of maximum permitted floor area. M1-6 zoning. Community Board #2M</p> <p style="color: green;">Examiner: Toni Matias (212) 788-8752</p> <p style="color: red;">Status: Deferred Decision – 10/5/10</p>
17.	298-09-A	<p>Joseph A. Sherry 109 Beach 217th Street, Queens Reconstruction and enlargement of an existing single family home not fronting a legally mapped street, contrary to General City Law Section 36. R4 zoning district. Community Board #14Q</p> <p style="color: green;">Examiner: Toni Matias (212) 788-8752</p> <p style="color: red;">Status: Granted – 9/14/10</p>
18.	10-10-A	<p>Law Office of Fredrick A. Becker 1882 East 12th Street, Brooklyn Appeal seeking a determination that the owner has acquired a common law vested right to continue development commenced under the prior zoning district. R6 zoning district. Community Board #15BK</p> <p style="color: green;">Examiner: Toni Matias (212) 788-8752</p> <p style="color: red;">Status: Deferred Decision – 10/5/10</p>

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<i>APPEALS – CONTINUED HEARINGS</i>		
19.	237-09-A/ 238-09-A	Rothkrug Rothkrug & Spector 81, 85 Archwood Avenue, aka - 5219 Amboy Road, Staten Island Proposed construction in the bed of a mapped street, contrary to General City Law Section 35. R3X zoning district. Community Board #3SI Examiner: Toni Matias (212) 788-8752 Status: Adjourned, Continued Hearing – 10/26/10

<i>APPEALS – NEW CASES</i>		
20.	121-10-A	Rothkrug, Rothkrug & Spector 25-50 Francis Lewis Boulevard, aka - 166-43 168th Street, Queens An appeal challenging the Department of Buildings determination that a demolition permit signoff was required before issuance of an alteration permit, as per BC 28-105.3 of the NYC Building Code. R2A zoning district. Community Board #7Q Examiner: Toni Matias (212) 788-8752 Status: Continued Hearing – 11/9/10
21.	138-10-A	NYC Economic Development Corporation 174-20 North Boundary Road, Queens Construction of a NYPD vehicle storage facility, to be located within the bed of a mapped street, contrary to General City Law 35. M1-1 Zoning District. Community Board #13Q Examiner: Toni Matias (212) 788-8752 Status: Closed, Decision – 9/21/10

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<i>BZ – DECISIONS</i>		
1.	21-10-BZ	<p>Sheldon Lobel, P.C. 2801 Roebling Avenue, aka - 1590 Hutchison River Parkway, Bronx Special Permit (§73-243) to legalize an eating and drinking establishment with a drive-through. C1-2/R4A zoning district. Community Board #10BX</p> <p style="text-align: center;">Examiner: Ronald Rizzotti (212) 788-8781</p> <p style="text-align: center;">Status: Granted – 9/14/10</p>
2.	63-10-BZ	<p>Gerald J. Caliendo 163-18 Jamaica Avenue, Queens Special Permit (§73-36) to legalize the operation of a physical culture establishment on the second floor of a seven-story commercial building. C6-3 zoning district. Community Board #12Q</p> <p style="text-align: center;">Examiner: Rory Levy (212) 788-8749</p> <p style="text-align: center;">Status: Granted – 9/14/10</p>
3.	86-10-BZ	<p>Sheldon Lobel, P.C. 93-08 95th Avenue, Queens Special Permit (§§11-411 & 11-412) for the re-instatement of a previously granted Variance for a UG16 manufacturing use which expired on June 10, 1980; the legalization of 180 square foot enlargement at the rear of the building; waiver of the rules. R-5 zoning district. Community Board #9Q</p> <p style="text-align: center;">Examiner: Henry Segovia (212) 788-8757</p> <p style="text-align: center;">Status: Granted – 9/14/10</p>

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<i>BZ – CONTINUED HEARINGS</i>		
4.	92-08-BZ	<p>Juan D. Reyes, Esq. 13 Crosby Street, Manhattan Variance (§72-21) to allow for Use Group 6 below the floor level of the second story in an existing building, contrary to use, rear yard and floor area regulations (§42-14, §43-12 and §43-26). M1-5B zoning district. Community Board#4M</p> <p style="color: green;">Examiner: Ronald Rizzotti (212) 788-8781</p> <p style="color: red;">Status: Closed, Decision – 10/19/10</p>
5.	6-09-BZ	<p>Rampulla Associate Architects 24 Nelson Avenue, Staten Island Variance (§72-21) to permit the legalization of an existing Automotive Repair Facility (UG 16B), contrary to ZR §32-10. C4-1 (Special South Richmond Development District & Special Growth Management District) zoning district. Community Board #3SI</p> <p style="color: green;">Examiner: Carlo Costanza (212) 788-8739</p> <p style="color: red;">Status: Continued Hearing – 10/19/10</p>
6.	192-09-BZ	<p>Sheldon Lobel, P.C. 912 Broadway, Brooklyn Variance (§72-21) to allow for the construction of a department store (UG10), contrary to use regulations (§§22-00, 32-00). R6 and R6/C2-3 zoning districts. Community Board #3BK</p> <p style="color: green;">Examiner: Ronald Rizzotti (212) 788-8781</p> <p style="color: red;">Status: Continued Hearing – 10/19/10</p>
7.	194-09-BZ	<p>Sheldon Lobel, P.C. 2113 Utica Avenue, 2095-211 Utica Avenue, Brooklyn Variance to allow the construction of a four story mixed use building contrary to floor area (§23-141), open space (§23-141), lot coverage (§23-141), front yard (§23-45), height (§23-631), open space used for parking (§25-64) and parking requirements (§25-23); and to allow for the enlargement of an existing commercial use contrary to §22-10. R3-2 zoning district. Community Board #18BK</p> <p style="color: green;">Examiner: Ronald Rizzotti (212) 788-8781</p> <p style="color: red;">Status: Continued Hearing – 11/9/10</p>

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<i>BZ – CONTINUED HEARINGS</i>		
8.	251-09-BZ	<p>Rothkrug Rothkrug & Spector 130-34 Hawtree Creek Road, Queens Variance (§72-21) to permit the development of a two-story community facility (<i>Bethany Church</i>). The proposal is contrary to §24-34 (front yard) and §25-31 (parking). R3-2 zoning district. Community Board #10Q Examiner: Rory Levy (212) 788-8749 Status: Continued Hearing – 10/26/10</p>
9.	66-10-BZ	<p>Eric Palatnik, P.C. 1618 Shore Boulevard, Brooklyn Special Permit (§73-622) for the enlargement of an existing single family home, contrary to floor area, open space and lot coverage (§23-141) and side yards (§23-461). R3-1 zoning district. Community Board #15BK Examiner: Henry Segovia (212) 788-8757 Status: Continued Hearing – 10/19/10</p>
10.	85-10-BZ	<p>Sheldon Lobel, P.C. 309-311 East Fordham Road, aka - 316 East Kingsbridge Road, Bronx Special Permit (§73-36) to legalize the operation of a physical culture establishment (<i>Planet Fitness</i>) on the first and second floors of an existing two-story building. C4-4 zoning district. Community Board #7BX Examiner: Rory Levy (212) 788-8749 Status: Closed, Decision – 9/21/10</p>
11.	91-10-BZ	<p>Eric Palatnik, P.C. 123 Coleridge Street, Brooklyn Special Permit (§73-622) for the enlargement of an existing single family home contrary to open space, lot coverage and floor area (§23-141); side yard (§23-461); rear yard (§23-47) and perimeter wall height (§23-631). R3-1 zoning district. Community Board #15BK Examiner: Henry Segovia (212) 788-8757 Status: Continued Hearing – 10/19/10</p>

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12.	99-10-BZ	<p>Fridman Saks LLP 2302 Avenue S, Brooklyn Special Permit (§73-622) for the in-Part legalization of construction into the side yard on a corner lot and proposed enlargement to an existing single family home, contrary to open space, lot coverage and floor area (§23-141) and side yards (§23-461). R3-2 zoning district. Community Board #15BK</p> <hr/> <p>Examiner: Henry Segovia (212) 788-8757</p> <hr/> <p>Status: Closed, Decision – 9/21/10</p>

<i>BZ – NEW CASES</i>		
13.	29-10-BZ	<p>Sheldon Lobel, P.C. 22-32/36 31st Street, Queens Special Permit (§73-52) to allow for an outdoor eating and drinking establishment within a residential district. C1-2 and R5 zoning districts. Community Board #1Q</p> <hr/> <p>Examiner: Ronald Rizzotti (212) 788-8781</p> <hr/> <p>Status: Continued Hearing – 10/26/10</p>
14.	43-10-BZ	<p>Gerald J. Caliendo, R.A., AIA 23-70 Steinway Street, Queens Special Permit (§73-244) to allow an eating and drinking establishment without restrictions and no limitation on entertainment and dancing. C2-2/R5 zoning district. Community Board #1Q</p> <hr/> <p>Examiner: Rory Levy (212) 788-8749</p> <hr/> <p>Status: Continued Hearing – 10/26/10</p>
15.	95-10-BZ	<p>Law Office of Fredrick A. Becker 2216 Quentin Road, Brooklyn Special Permit (§73-622) for the enlargement of an existing single family home contrary to floor area, open space and lot coverage (§23-141); side yard (§23-461) and less than the required rear yard (§23-47). R3-2 zoning district. Community Board #15BK</p> <hr/> <p>Examiner: Henry Segovia (212) 788-8757</p> <hr/> <p>Status: Continued Hearing – 11/23/10</p>

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16.	100-10-BZ	<p>Law Office of Fredrick A. Becker 2512 Avenue R, Brooklyn Special Permit (§73-622) for the enlargement of an existing single family home contrary to floor area, open space and lot coverage (§23-141), side yard (§§23-461 & 23-48) and less than the required rear yard (§23-47). R3-2 zoning district. Community Board #15BK</p> <hr/> <p>Examiner: Henry Segovia (212) 788-8757</p> <hr/> <p>Status: Closed, Decision – 10/5/10</p>
17.	101-10-BZ	<p>Sheldon Lobel, P.C. 54 Crosby Street, Manhattan Variance (§72-21) to allow a commercial use below the floor level of the second story, contrary to use (§42-14(D)(2)(b)). M1-5B zoning district. Community Board #2M</p> <hr/> <p>Examiner: Ronald Rizzotti (212) 788-8781</p> <hr/> <p>Status: Continued Hearing – 10/26/10</p>

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