

# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

REGULAR MEETING  
TUESDAY MORNING, FEBRUARY 28, 2012  
10:00 A.M.

<b><i>SOC – DECISIONS</i></b>		
<b>1.</b>	<b>295-57-BZ</b>	<p>Vassalotti Associates Architects, LLP <b>146-15 Union Turnpike, Queens</b> Extension of Term (§11-411) for the continued operation of a Gasoline Service Station (<i>British Petroleum</i>) which expired on August 7, 2011; Extension of Time to obtain a Certificate of Occupancy which expired on February 7, 2002. C1-2/R4 zoning district. <b>Community Board #8Q</b> <b>Examiner: Henry Segovia (212) 788-8757</b> <b>Status: Granted – 2/28/12</b></p>
<b>2.</b>	<b>611-76-BZ</b>	<p>Vassalotti Associates Architects, LLP <b>43-17/21 214<sup>th</sup> Place, Queens</b> Extension of Term of a Variance (§72-21) for the continued operation of an off-site accessory parking facility for a bank (<i>Capital One</i>) which expires on February 15, 2012. R4 zoning district. <b>Community Board #11Q</b> <b>Examiner: Henry Segovia (212) 788-8757</b> <b>Status: Granted – 2/28/12</b></p>
<b>3.</b>	<b>540-86-BZ</b>	<p>Slater &amp; Beckerman, LLP <b>32-11/32-21 Newton Avenue, Queens</b> Extension of Term of a Special Permit (§73-42) for the continued operation of a one story UG6 commercial building (<i>Key Food</i>); an Amendment to eliminate the restriction on hours of operation. C4-2A/R6B zoning district. <b>Community Board #1Q</b> <b>Examiner: Henry Segovia (212) 788-8757</b> <b>Status: Granted – 2/28/12</b></p>
<b>4.</b>	<b>290-03-BZ 40-05-BZ</b>	<p>Patrick W. Jones, P.C. <b>1097 &amp; 1095 Second Avenue, Manhattan</b> Extension of Term for a previously granted Special Permit (§73-36) for a Physical Culture Establishment (<i>Graceful Services</i>) which expired on September 26, 2011; Extension of Time to obtain a Certificate of Occupancy which expired on April 20, 2005; and an Amendment to legalize an increase in floor area; and Waiver of the Rules. C2-8 (TA) zoning district. <b>Community Board #6M</b> <b>Examiner: Henry Segovia (212) 788-8757</b> <b>Status: Granted – 2/28/12</b></p>

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<b><i>SOC – CONTINUED HEARINGS</i></b>		
<b>5.</b>	<b>118-53-BZ</b>	<p>Issa Khorasanchi  <b>106-57/61 160<sup>th</sup> Street, Queens</b>                      Extension of Term (§11-411) for continued operation of UG6 retail stores which expired on December 7, 2011. R4 zoning district.  <b>Community Board #12Q</b></p> <hr/> <p><b>Examiner: Henry Segovia (212) 788-8757</b></p> <hr/> <p><b>Status: Closed, Decision – 3/27/12</b></p>
<b>6.</b>	<b>188-78-BZ</b>	<p>Eric Palatnik, P.C.  <b>8102 New Utrecht Avenue, Brooklyn</b>                      Amendment (§11-413) to a previously granted Variance (§72-21) to add (UG16) automobile body with spray painting booth and automobile sales to an existing (UG16) automobile repair and auto laundry. R5 zoning district.  <b>Community Board #11BK</b></p> <hr/> <p><b>Examiner: Henry Segovia (212) 788-8757</b></p> <hr/> <p><b>Status: Continued Hearing – 4/24/12</b></p>
<b>7.</b>	<b>11-93-BZ</b>	<p>Sheldon Lobel, P.C.  <b>46-45 Kissena Boulevard, Queens</b>                      Extension of Time to obtain a Certificate of Occupancy for a UG6 Eating and Drinking Establishment (<i>Eastern Pavilion Chinese Restaurant</i>) which expired on October 5, 2011. C2-2/R3-2 zoning district.  <b>Community Board #7Q</b></p> <hr/> <p><b>Examiner: Henry Segovia (212) 788-8757</b></p> <hr/> <p><b>Status: Closed, Decision – 3/20/12</b></p>
<b>8.</b>	<b>11-01-BZ</b>	<p>Vassalotti Associates Architects, LLP  <b>586/606 Conduit Boulevard, Brooklyn</b>                      Extension of Term for a gasoline service station (<i>BP British Petroleum</i>) which expired on August 7, 2011 and Extension of Time to obtain a Certificate of Occupancy which expired on July 26, 2006. C1-2/R5 zoning district.  <b>Community Board #5BK</b></p> <hr/> <p><b>Examiner: Henry Segovia (212) 788-8757</b></p> <hr/> <p><b>Status: Closed, Decision – 3/20/12</b></p>

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<b>9.</b>	<b>327-04-BZ</b>	Sheldon Lobel, P.C. <b>66-35 108<sup>th</sup> Street, Queens</b> Amendment to a Variance (§72-21) to increase the size of an existing Synagogue and School ( <i>Beth Gavriel</i> ) and alter the facade. R1-2 zoning district. <b>Community Board #6Q</b>
		<b>Examiner: Carlo Costanza (212) 788-8739</b>
		<b>Status: Closed, Decision – 3/20/12</b>

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<b><i>SOC – NEW CASES</i></b>		
10.	820-67-BZ	<p>Willy C. Yuin, R.A. <b>41 Barker Street, Staten Island</b> Extension of Term of an approved Variance (§72-21) for the operation of a automotive repair shop (UG16) which expired on November 8, 2011. R-3A zoning district. <b>Community Board #1SI</b> <b>Examiner: Henry Segovia (212) 788-8757</b> <b>Status: Continued Hearing – 3/20/12</b></p>
11.	636-70-BZ	<p>Walter T. Gorman, P.E. <b>105-45 to 105-55 Horace Harding Expressway, Queens</b> Amendment to an approved Special Permit (§73-211) for the operation of an automotive service station (UG 16B) with accessory uses. C2-2/R6 zoning district. <b>Community Board #4Q</b> <b>Examiner: Carlo Costanza (212) 788-8739</b> <b>Status: Continued Hearing – 3/27/12</b></p>
12.	172-86-BZ	<p>Sheldon Lobel, P.C. <b>256-10 Union Turnpike, Queens</b> Extension of Term of an approved Variance (§72-21) which permitted the construction of a two-story UG6 professional office building which expires on March 31, 2012. R2 zoning district. <b>Community Board #13Q</b> <b>Examiner: Henry Segovia (212) 788-8757</b> <b>Status: Continued Hearing – 3/27/12</b></p>
13.	248-08-BZ	<p>New York City Board of Standards <b>3550 Eastchester Road, Bronx</b> Applicant - Eric Palatnik, P.C. Dismissal for Lack of Prosecution - Variance (§72-21) to permit the development of a religious-based school and church, contrary to floor area and floor area ratio (§24-11), rear yard (§24-36), and parking (§25-31). R5 zoning district. <b>Community Board #12BX</b> <b>Examiner: Rory Levy (212) 788-8749</b> <b>Status: Dismissal Calendar – 4/24/12</b></p>

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<b><i>APPEALS – DECISIONS</i></b>		
<b>14.</b>	<b>29-11-A thru 30-11-A</b>	<p>Gibson, Dunn &amp; Crutcher, LLP <b>318 Lafayette Street, Manhattan</b> An appeal challenging the Department of Building's revocation of sign permits. M1-5B Zoning District. <b>Community Board #2M</b></p> <hr/> <p><b>Examiner: Toni Matias (212) 788-8752</b></p> <hr/> <p><b>Status: Withdrawn – 2/28/12</b></p>
<b>15.</b>	<b>186-11-A</b>	<p>Kramer Levin Naftalis &amp; Frankel, LLP <b>170 Broadway, Manhattan</b> Application pursuant to Multiple Dwelling Law ("MDL") Section 310(2)(a) to waive the court and yard requirements of MDL Section 26 to facilitate the conversion of an existing office building to a transient hotel. C5-5/LM zoning district. <b>Community Board #1M</b></p> <hr/> <p><b>Examiner: Ronald Rizzotti (212) 788-8781</b></p> <hr/> <p><b>Status: Granted – 2/28/12</b></p>

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<b><i>APPEALS – CONTINUED HEARINGS</i></b>		
16.	206-10-A thru 210-10-A	<p>Philip L. Rampulla 3399, 3403, Richmond Road, 14, 15, 17 Tupelo Court, Staten Island Proposed construction of a single family home located within the bed of a mapped street, contrary to General City Law Section 35 and §72-01-(g). R1-2 zoning district. <b>Community Board #2SI</b></p> <p><b>Examiner: Toni Matias (212) 788-8752</b></p> <p><b>Status: Continued Hearing – 3/27/12</b></p>
17.	233-10-A	<p>Rothkrug Rothkrug &amp; Spector, LLP 90-22 176<sup>th</sup> Street, Queens Appeal seeking a common law vested right to continue development commenced under the prior R6 Zoning District. R4-1 zoning district. <b>Community Board #12Q</b></p> <p><b>Examiner: Toni Matias (212) 788-8752</b></p> <p><b>Status: Continued Hearing – 3/20/12</b></p>
18.	86-11-A	<p>Cozen O'Connor 663-673 Second Avenue, Manhattan Appeal of the Department of Buildings' revocation of an approval to permit a non-conforming sign. C1-9 zoning district. <b>Community Board #6M</b></p> <p><b>Examiner: Toni Matias (212) 788-8752</b></p> <p><b>Status: Closed, Decision – 4/24/12</b></p>
19.	125-11-A	<p>Law Offices of Marvin B. Mitzner, LLC 514-516 East 6<sup>th</sup> Street, Manhattan Appeal challenging the Department of Buildings' determination to deny the reinstatement of permits that allowed an enlargement to an existing residential building. R7B zoning district. <b>Community Board #3M</b></p> <p><b>Examiner: Toni Matias (212) 788-8752</b></p> <p><b>Status: Continued Hearing – 3/27/12</b></p>

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<b>APPEALS – NEW CASES</b>		
20.	659-76-A	Walter T. Gorman, P.E. <b>253 Beach 116<sup>th</sup> Street, Queens</b> Amendment to an approved Appeal to the Building Code to continue a UG 4 second floor occupancy in a wood frame structure which expired on November 9, 2011. C1-3 /R5B zoning district. <b>Community Board #14Q</b>
		<b>Examiner: Toni Matias (212) 788-8752</b>
		<b>Status: Closed, Decision – 3/20/12</b>
21.	243-09-BZY	Mirza M. Rahman <b>87-12 175<sup>th</sup> Street, Queens</b> Extension of Time (§11-332) to complete construction of a minor development and obtain a Certificate of Occupancy 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 – 3/20/12</b>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

REGULAR MEETING

TUESDAY AFTERNOON, FEBRUARY 28, 2012

1:30 P.M.

<b><i>BZ – DECISIONS</i></b>		
1.	47-11-BZ	<p>Law Office of Fredrick A. Becker  <b>1213 Bay 25<sup>th</sup> Street, Queens</b>                      Variance (§72-21) to allow a three-story yeshiva (<i>Yeshiva Zichron Aryeh</i>) with dormitories, contrary to use (§22-13), floor area (§§23-141 and 24-111), side setback (§24-551) and parking regulations (§25-31). R2 zoning district.  <b>Community Board #14Q</b>  <b>Examiner: Rory Levy (212) 788-8749</b>  <b>Status: Granted – 2/28/12</b></p>
2.	66-11-BZ	<p>Wachtel &amp; Masyr, LLP  <b>172-220 Third Street, Brooklyn</b>                      Variance (§72-21) to permit a UG6 food store (<i>Whole Foods</i>) larger than 10,000 square feet, contrary to use regulations (§42-12). M2-1 zoning district.  <b>Community Board #6BK</b>  <b>Examiner: Ronald Rizzotti (212) 788-8781</b>  <b>Status: Granted – 2/28/12</b></p>
3.	137-11-BZ	<p>Slater &amp; Beckerman, LLP  <b>455 Carroll Street, Brooklyn</b>                      Variance (§72-21) to allow the conversion of the second floor and second floor mezzanine from manufacturing and commercial uses to residential use, contrary to §42-10. M1-2 zoning district.  <b>Community Board #6BK</b>  <b>Examiner: Ronald Rizzotti (212) 788-8781</b>  <b>Status: Granted – 2/28/12</b></p>
4.	175-11-BZ	<p>Wachtel &amp; Masyr, LLP  <b>550 West 54<sup>th</sup> Street, aka 770 11<sup>th</sup> Avenue, Manhattan</b>                      Special Permit (§73-36) to permit a physical culture establishment (<i>Mercedes House</i>). C6-3X (Clinton Special District).  <b>Community Board #4M</b>  <b>Examiner: Rory Levy (212) 788-8749</b>  <b>Status: Granted – 2/28/12</b></p>

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<b><i>BZ – CONTINUED HEARINGS</i></b>		
5.	35-11-BZ	<p>The Law Office of Fredrick A. Becker  <b>226-10 Francis Lewis Boulevard, Queens</b>                      Variance (§72-21) to allow for the enlargement of an existing synagogue (<i>Congregation Obel</i>), contrary to floor area, lot coverage (§24-11), front yard (§24-34), side yard (§24-35), rear yard (§24-36) and parking (§25-31). R2A zoning district.  <b>Community Board #13Q</b>  <b>Examiner: Ronald Rizzotti (212) 788-8781</b>  <b>Status: Continued Hearing – 4/24/12</b></p>
6.	108-11-BZ thru 111-11-BZ	<p>Rothkrug Rothkrug &amp; Spector, LLP  <b>10, 12, 14, 16 Hett Avenue, Staten Island</b>                      Variance (§72-21) to permit the construction of four semi-detached one-family dwellings that do not provide ground floor commercial use, contrary to §32-433. C1-1/R3-1 zoning district.  <b>Community Board #2SI</b>  <b>Examiner: Ronald Rizzotti (212) 788-8781</b>  <b>Status: Closed, Decision – 3/20/12</b></p>
7.	120-11-BZ	<p>Goldman Harris LLC  <b>52-11 29<sup>th</sup> Street, Queens</b>                      Special Permit (§73-44) to reduce the parking requirement for office use and catering use (parking requirement category B1) in a new commercial building. M1-3 zoning district.  <b>Community Board #2Q</b>  <b>Examiner: Ronald Rizzotti (212) 788-8781</b>  <b>Status: Continued Hearing – 3/27/12</b></p>
8.	129-11-BZ	<p>Jeffrey Chester, Esq.  <b>465 Carroll Street, Brooklyn</b>                      Variance (§72-21) to allow for the construction of a residential building, contrary to use regulations (§42-00). M1-2 zoning district.  <b>Community Board #6BK</b>  <b>Examiner: Ronald Rizzotti (212) 788-8781</b>  <b>Status: Closed, Decision – 4/3/12</b></p>

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<b><i>BZ – CONTINUED HEARINGS</i></b>		
<b>9.</b>	<b>158-11-BZ</b>	Rothkrug Rothkrug & Spector LLP <b>2166 Nostrand Avenue, Brooklyn</b> Special Permit (§73-36) to allow a physical culture establishment ( <i>Blink</i> ). C4-4A zoning district. <b>Community Board #14BK</b>
		<b>Examiner: Rory Levy (212) 788-8749</b>
		<b>Status: Closed, Decision – 3/20/12</b>

<b><i>BZ – NEW CASES</i></b>		
<b>10.</b>	<b>167-11-BZ</b>	Eric Palatnik, P.C. <b>1677 Bruckner Boulevard, Bronx</b> Special Permit (§73-243) to allow for an eating and drinking establishment (UG 6) with an accessory drive-through facility. C1-2/R5 zoning district. <b>Community Board #9BX</b>
		<b>Examiner: Ronald Rizzotti (212) 788-8781</b>
		<b>Status: Continued Hearing – 3/27/12</b>
<b>11.</b>	<b>169-11-BZ</b>	Eric Palatnik, P.C. <b>2257 East 14<sup>th</sup> Street, Brooklyn</b> Special Permit (§73-622) to allow the enlargement of an existing single family home, contrary to floor area, lot coverage and open space (§23- 141(b)); side yards (§23-461(a)) and less than the required rear yard (§23- 47). R-4 zoning district. <b>Community Board #15BK</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Continued Hearing – 4/3/12</b>
<b>12.</b>	<b>197-11-BZ</b>	Sheldon Lobel, P.C. <b>329 Wyckoff Avenue, Queens</b> Special Permit (§73-36) to permit the operation of a physical culture establishment ( <i>Planet Fitness</i> ) on a portion of the first and second floors of an existing two-story building. C4-3 zoning districts. <b>Community Board #5Q</b>
		<b>Examiner: Rory Levy (212) 788-8749</b>
		<b>Status: Continued Hearing – 3/20/12</b>

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