

# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

REGULAR MEETING  
TUESDAY MORNING, JULY 24, 2012  
10:00 A.M.

<b><i>SOC – DECISIONS</i></b>		
1.	<b>319-53-BZ</b>	<p>Ficara &amp; Associates, P.C. <b>1135 East 222<sup>nd</sup> Street, Bronx</b> Extension of Term (§11-411) for the continued operation of an automotive repair shop with no body work which expired on January 31, 2011; Waiver of the Rules. R5 zoning district. <b>Community Board #12BX</b></p> <p><b>Examiner: Henry Segovia (212) 788-8757</b></p> <p><b>Status: Granted – 7/24/12</b></p>
2.	<b>120-02-BZ</b>	<p>Stuart Klein, Esq. <b>42-46 Avenue A, Manhattan</b> Extension of Term of previously granted special permit (§73-36) for the continued operation of a physical culture establishment (<i>Iron &amp; Silk Fitness Center</i>) which expired on February 1, 2012; an Amendment for the change in ownership; waiver of the rules. R7A zoning district. <b>Community Board #3M</b></p> <p><b>Examiner: Henry Segovia (212) 788-8757</b></p> <p><b>Status: Granted – 7/24/12</b></p>
3.	<b>238-07-BZ</b>	<p>Goldman Harris, LLC <b>5-11 47<sup>th</sup> Avenue, Queens</b> Extension of Time to Complete Construction of a previously granted Variance (§72-21) to construct a 13-story residential and community facility building which expires on September 28, 2012. M1-4/R6A(LIC) &amp; M1-4 zoning district. <b>Community Board #2Q</b></p> <p><b>Examiner: Henry Segovia (212) 788-8757</b></p> <p><b>Status: Granted – 7/24/12</b></p>

\*\*\*\*\*DISCLAIMER\*\*\*\*\*

This information is provided in draft form and is a public service courtesy only. Although the BSA endeavors to ensure that the information is as current and accurate as possible, errors do occasionally occur, and the schedule may change due to withdrawals and adjournments. Therefore, the BSA cannot guarantee the accuracy of the information. Readers should, where possible, verify the information before acting on it.

\*\*\*\*\*

# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

REGULAR MEETING

TUESDAY MORNING, JULY 24, 2012

10:00 A.M.

<b><i>SOC – CONTINUED HEARINGS</i></b>		
<b>4.</b>	<b>311-71-BZ</b>	Eric Palatnik, P.C. <b>1907 Crospey Avenue, Brooklyn</b> Amendment (§11-412) to permit the conversion of automotive service bays to an accessory convenience store of an existing automotive service station (Sunoco); Extension of Time to obtain a Certificate of Occupancy which expired July 13, 2000; waiver of the rules. R-5 zoning district. <b>Community Board #11BK</b>
		<b>Examiner: Henry Segovia (212) 788-8757</b>
		<b>Status: Adjourned, Continued Hearing – 8/21/12</b>

\*\*\*\*\*DISCLAIMER\*\*\*\*\*

**This information is provided in draft form and is a public service courtesy only. Although the BSA endeavors to ensure that the information is as current and accurate as possible, errors do occasionally occur, and the schedule may change due to withdrawals and adjournments. Therefore, the BSA cannot guarantee the accuracy of the information. Readers should, where possible, verify the information before acting on it.**

\*\*\*\*\*

# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

REGULAR MEETING  
TUESDAY MORNING, JULY 24, 2012  
10:00 A.M.

<b><i>SOC – NEW CASES</i></b>		
5.	<b>301-85-BZ</b>	<p>Francis R. Angelino, Esq. <b>58 East 86<sup>th</sup> Street, Manhattan</b> Amendment of a variance (§72-21) which permitted limited retail use in the ground floor and cellar retail within a five story and penthouse residential building. The amendment seeks to expand the uses conditioned by the Board to include other retail (UG 6) uses. R10 (PI) zoning district. <b>Community Board #8M</b> <b>Examiner: Carlo Costanza (212) 788-8739</b> <b>Status: Continued Hearing – 8/21/12</b></p>
6.	<b>71-93-BZ</b>	<p>Paul F. Bonfilio <b>153-01 Bayside Avenue, Queens</b> Amendment of a variance (§72-21) to allow a 243 sq. ft. addition to an existing house, contrary to front yard (§23-45(a)); floor area and lot coverage (§23-141(b)) requirements. R2A zoning district. <b>Community Board #7Q</b> <b>Examiner: Henry Segovia (212) 788-8757</b> <b>Status: Closed, Decision – 8/21/12</b></p>
7.	<b>336-98-BZ &amp; 337-98-BZ</b>	<p>Rothkrug, Rothkrug &amp; Spector LLP <b>312/18 &amp; 324/34 Flatbush Avenue, Brooklyn</b> Extension of Time to obtain a certification of occupancy for a special permit (§73-36) for a physical culture establishment (<i>Crunch Fitness</i>), which expired on June 8, 2011. C2-4 zoning district. <b>Community Board # 6BK</b> <b>Examiner: Henry Segovia (212) 788-8757</b> <b>Status: Continued Hearing – 8/21/12</b></p>
8.	<b>238-08-BZ</b>	<p>Sheldon Lobel, P.C. <b>876 Kent Avenue, Brooklyn</b> Request for rehearing pursuant to Section 1-10(e) of the Board's Rules of Practice and Procedure for a variance application to allow a new residential building, contrary to use regulations (§42-00). M1-1/R2 zoning district. <b>Community Board #3BK</b> <b>Examiner: Rory Levy (212) 788-8749</b> <b>Status: Allowed To Re-file</b></p>

\*\*\*\*\*DISCLAIMER\*\*\*\*\*

**This information is provided in draft form and is a public service courtesy only. Although the BSA endeavors to ensure that the information is as current and accurate as possible, errors do occasionally occur, and the schedule may change due to withdrawals and adjournments. Therefore, the BSA cannot guarantee the accuracy of the information. Readers should, where possible, verify the information before acting on it.**

\*\*\*\*\*

# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

REGULAR MEETING  
TUESDAY MORNING, JULY 24, 2012  
10:00 A.M.

<b><i>APPEALS – DECISIONS</i></b>		
9.	125-11-A	<p>Law Offices of Marvin B. Mitzner, LLC <b>514-516 East 6<sup>th</sup> Street, Manhattan</b> 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: Deferred Decision – 8/21/12</b></p>
10.	155-11-A	<p>Sheldon Lobel, P.C. <b>480 Stratford Road, Brooklyn</b> Appeal seeking a common law vested right to continue construction commenced under the prior R6 zoning district regulations. R3X zoning district. <b>Community Board #14BK</b></p> <p><b>Examiner: Toni Matias (212) 788-8752</b></p> <p><b>Status: Deferred Decision – 8/21/12</b></p>
11.	17-12-A	<p>Joseph A. Sherry <b>409 Seabreeze Walk, Queens</b> Proposed building is not fronting a mapped street, contrary to § 36 General City Law and in the bed of a mapped street, contrary to Art. §35 of the General City Law. Private disposal system in the bed of a mapped street contrary to Department of Buildings’ policy. R4 zoning district. <b>Community Board #14Q</b></p> <p><b>Examiner: Toni Matias (212) 788-8752</b></p> <p><b>Status: Granted – 7/24/12</b></p>
12.	18-12-A	<p>Joseph A. Sherry <b>377 Bayside Avenue, Queens</b> Proposed building is not fronting a mapped street, contrary to §36 General City Law. R4 zoning district. <b>Community Board #14Q</b></p> <p><b>Examiner: Toni Matias (212) 788-8752</b></p> <p><b>Status: Granted – 7/24/12</b></p>

\*\*\*\*\*DISCLAIMER\*\*\*\*\*

**This information is provided in draft form and is a public service courtesy only. Although the BSA endeavors to ensure that the information is as current and accurate as possible, errors do occasionally occur, and the schedule may change due to withdrawals and adjournments. Therefore, the BSA cannot guarantee the accuracy of the information. Readers should, where possible, verify the information before acting on it.**

\*\*\*\*\*

# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

REGULAR MEETING  
TUESDAY MORNING, JULY 24, 2012  
10:00 A.M.

<b><i>APPEALS – CONTINUED HEARINGS</i></b>		
13.	162-11-A	<p>Akerman Senterfitt, LLP <b>179 Ludlow Street, Manhattan</b> Appeal seeking a common law vested right to continue construction commenced under prior C6-1 zoning district regulations. C4-4A zoning district. <b>Community Board #3M</b> <b>Examiner: Toni Matias (212) 788-8752</b> <b>Status: Adjourned, Continued Hearing – 9/11/12</b></p>
14.	103-12-A	<p>Sheldon Lobel, P.C. <b>74-76 Adelphi Street, Brooklyn</b> Appeal seeking a common law vested right to continue development commenced under the prior R6 zoning district. R5B zoning district. <b>Community Board #2BK</b> <b>Examiner: Toni Matias (212) 788-8752</b> <b>Status: Continued Hearing – 9/11/12</b></p>

<b><i>APPEAL – NEW CASES</i></b>		
15.	149-05-A	<p>Eric Palatnik, P.C. <b>32-09 211<sup>th</sup> Street, Queens</b> Extension of time to complete construction and obtain a certificate of occupancy of a previously granted common law vested rights application which expired on May 12, 2007. R2A Zoning District. <b>Community Board #11Q</b> <b>Examiner: Toni Matias (212) 788-8752</b> <b>Status: Continued Hearing – 8/21/12</b></p>
16.	155-12-BZY	<p>Kramer Levin Naftalis &amp; Frankel, LLP <b>511 Ninth Avenue, Manhattan</b> Extension of time (§11-332) to complete construction of a minor development commenced prior to a zoning text amendment related to parking. C1-7(A) Special Hudson Zoning District. <b>Community Board #4M</b> <b>Examiner: Toni Matias (212) 788-8752</b> <b>Status: Closed, Decision – 8/21/12</b></p>

\*\*\*\*\*DISCLAIMER\*\*\*\*\*

**This information is provided in draft form and is a public service courtesy only. Although the BSA endeavors to ensure that the information is as current and accurate as possible, errors do occasionally occur, and the schedule may change due to withdrawals and adjournments. Therefore, the BSA cannot guarantee the accuracy of the information. Readers should, where possible, verify the information before acting on it.**

\*\*\*\*\*

# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

REGULAR MEETING

TUESDAY AFTERNOON, JULY 24, 2012

1:30 P.M.

<b><i>BZ – DECISIONS</i></b>		
<b>1.</b>	<b>21-11-BZ</b>	<p>Eric Palatnik, P.C.  <b>1810 Voorhies Avenue, Brooklyn</b>                      Special Permit (§73-44) to permit the reduction in required parking for an ambulatory or diagnostic treatment facility. C1-2/R4 zoning district.  <b>Community Board #15BK</b></p> <p><b>Examiner: Ronald Rizzotti (212) 788-8781</b></p> <p><b>Status: Withdrawn – 7/24/12</b></p>
<b>2.</b>	<b>58-12-BZ</b>	<p>Law Office of Fredrick A. Becker  <b>3960 Bedford Avenue, Brooklyn</b>                      Special Permit (§73-622) to permit the enlargement of an existing single family home contrary to floor area, lot coverage and opens space (23-141); side yards (§23-461); less than the required rear yard (23-47). R3-2 zoning district.  <b>Community Board #15BK</b></p> <p><b>Examiner: Henry Segovia (212) 788-8757</b></p> <p><b>Status: Granted – 7/24/12</b></p>
<b>3.</b>	<b>64-12-BZ</b>	<p>Rothkrug Rothkrug &amp; Spector, LLP  <b>163-02 Jamaica Avenue, Queens</b>                      Special Permit (§73-36) to allow the operation of a physical culture establishment (<i>Blink Fitness</i>) within portions of an existing building. C6-3(DP) zoning district.  <b>Community Board #12Q</b></p> <p><b>Examiner: Rory Levy (212) 788-8749</b></p> <p><b>Status: Granted – 7/24/12</b></p>

\*\*\*\*\*DISCLAIMER\*\*\*\*\*

This information is provided in draft form and is a public service courtesy only. Although the BSA endeavors to ensure that the information is as current and accurate as possible, errors do occasionally occur, and the schedule may change due to withdrawals and adjournments. Therefore, the BSA cannot guarantee the accuracy of the information. Readers should, where possible, verify the information before acting on it.

\*\*\*\*\*

# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

REGULAR MEETING

TUESDAY AFTERNOON, JULY 24, 2012

1:30 P.M.

<b><i>BZ – CONTINUED HEARINGS</i></b>		
<b>4.</b>	<b>165-11-BZ</b>	<p>Sheldon Lobel, P.C.  <b>1561 50<sup>th</sup> Street, Brooklyn</b>                      Variance (§72-21) to enlarge an existing Use Group 4A house of worship (<i>Agudath Israel Youth of Boro Park</i>) for an educational center on proposed third and fourth floors and to legalize two interior balconies, contrary to rear yard (§24-36) and lot coverage (§24-11) regulations. R6 zoning district.  <b>Community Board #12BK</b>  <b>Examiner: Rory Levy (212) 788-8749</b>  <b>Status: Continued Hearing – 8/14/12</b></p>
<b>5.</b>	<b>168-11-BZ</b>	<p>Sheldon Lobel, P.C.  <b>2085 Ocean Parkway, Brooklyn</b>                      Variance (§72-21) to permit the construction of a Use Group 4A house of worship (<i>Congregation Bet Yaakob, Inc.</i>), contrary to floor area (§§113-11, 503, 51, 77-02, 23-141, 24-11), open space and lot coverage (§§23-141, 24-11, 77-02, 113-11), front, side and rear yard (§§113-11, 503, 543, 77-02, 23-464, 47, 471), height and setback (§§113-11, 503, 55, 77-02, 23-631, 633, 24-593), planting and landscaping (§§113-12, 23-45, 23-451, 113-30) and parking (§§113-58, 25-31) regulations. R5, R6A, and R5 (Ocean Parkway Special District) zoning district.  <b>Community Board #15BK</b>  <b>Examiner: Rory Levy (212) 788-8749</b>  <b>Status: Continued Hearing – 8/21/12</b></p>
<b>6.</b>	<b>193-11-BZ</b>	<p>Eric Palatnik, P.C.  <b>215 Exeter Street, Brooklyn</b>                      Special Permit (§73-622) for an enlargement of an existing single family home, contrary to floor area, open space and lot coverage (§23-141(b)); side yard (§23-461) and rear yard (§23-47) regulations. R3-1 zoning district.  <b>Community Board #15BK</b>  <b>Examiner: Henry Segovia (212) 788-8757</b>  <b>Status: Closed, Decision – 8/14/12</b></p>

\*\*\*\*\*DISCLAIMER\*\*\*\*\*

This information is provided in draft form and is a public service courtesy only. Although the BSA endeavors to ensure that the information is as current and accurate as possible, errors do occasionally occur, and the schedule may change due to withdrawals and adjournments. Therefore, the BSA cannot guarantee the accuracy of the information. Readers should, where possible, verify the information before acting on it.

\*\*\*\*\*

# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

REGULAR MEETING

TUESDAY AFTERNOON, JULY 24, 2012

1:30 P.M.

<b><i>BZ – CONTINUED HEARINGS</i></b>		
7.	70-12-BZ	<p>Francis R. Angelino, Esq.  <b>78 Franklin Street, Manhattan</b>                      Special Permit (§73-36) for the operation of a physical culture establishment (<i>Aqua Studio NY LLC</i>). C6-2A zoning districts.  <b>Community Board #1M</b></p> <hr/> <p><b>Examiner: Rory Levy (212) 788-8749</b></p> <hr/> <p><b>Status: Closed, Decision – 8/14/12</b></p>
8.	76-12-BZ	<p>Sheldon Lobel, P.C  <b>148 Norfolk Street, Brooklyn</b>                      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 less than the minimum side yards (§23-461). R3-1 zoning district.  <b>Community Board #15BK</b></p> <hr/> <p><b>Examiner: Henry Segovia (212) 788-8757</b></p> <hr/> <p><b>Status: Adjourned, Continued Hearing – 9/11/12</b></p>

\*\*\*\*\*DISCLAIMER\*\*\*\*\*

This information is provided in draft form and is a public service courtesy only. Although the BSA endeavors to ensure that the information is as current and accurate as possible, errors do occasionally occur, and the schedule may change due to withdrawals and adjournments. Therefore, the BSA cannot guarantee the accuracy of the information. Readers should, where possible, verify the information before acting on it.

\*\*\*\*\*

# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

REGULAR MEETING

TUESDAY AFTERNOON, JULY 24, 2012

1:30 P.M.

<b><i>BZ – NEW CASES</i></b>		
<b>9.</b>	<b>10-12-BZ</b>	<p>Rothkrug Rothkrug &amp; Spector, LLP  <b>114-01 95<sup>th</sup> Avenue, Queens</b>                      Variance (§72-21) to permit the legalization of an existing cellar and two story, two-family detached dwelling, contrary to front yard (§23-45) and side yard (§23-461) regulations. R-5 zoning district.  <b>Community Board #9Q</b></p> <p><b>Examiner: Henry Segovia (212) 788-8757</b>  <b>Status: Continued Hearing – 8/14/12</b></p>
<b>10.</b>	<b>13-12-BZ</b>	<p>Georgios Georgopoulos  <b>22-21 33<sup>rd</sup> Street, Queens</b>                      Variance (§72-21) to permit the legalization and enlargement of a mosque (<i>Astoria Islamic Center</i>), contrary to front yard (§24-34), side yard (§24-35), and parking (§25-31) regulations. R5B zoning district.  <b>Community Board #1Q</b></p> <p><b>Examiner: Rory Levy (212) 788-8749</b>  <b>Status: Closed, Decision – 9/25/12</b></p>
<b>11.</b>	<b>65-12-BZ</b>	<p>Lewis E. Garfinkel  <b>1140 East 28<sup>th</sup> Street, Brooklyn</b>                      Special Permit (§73-622) for the enlargement of existing single family home, contrary to floor area and open space (§23-141(a)); side yard (§23-461(a)) and less than the required rear yard (§23-47). R2 zoning district.  <b>Community Board #14BK</b></p> <p><b>Examiner: Henry Segovia (212) 788-8757</b>  <b>Status: Continued Hearing – 8/14/12</b></p>
<b>12.</b>	<b>105-12-BZ</b>	<p>Zaskorski &amp; Notaro  <b>450 Castle Hill Avenue, Bronx</b>                      Variance (§72-21) to permit the installation of a new elevator within an existing school (<i>Katharine Dodge Brownell Preschool</i>), contrary to front yard (§24-33) and lot coverage (§24-11) regulations. R5 zoning district.  <b>Community Board #9BX</b></p> <p><b>Examiner: Ronald Rizzotti (212) 788-8781</b>  <b>Status: Closed, Decision – 8/21/12</b></p>

\*\*\*\*\*DISCLAIMER\*\*\*\*\*

This information is provided in draft form and is a public service courtesy only. Although the BSA endeavors to ensure that the information is as current and accurate as possible, errors do occasionally occur, and the schedule may change due to withdrawals and adjournments. Therefore, the BSA cannot guarantee the accuracy of the information. Readers should, where possible, verify the information before acting on it.

\*\*\*\*\*

# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

REGULAR MEETING

TUESDAY AFTERNOON, JULY 24, 2012

1:30 P.M.

<b><i>BZ – NEW CASES</i></b>		
<b>13.</b>	<b>107-12-BZ</b>	<p>Rothkrug Rothkrug &amp; Spector, LLP  <b>600/18 Third Avenue, aka 159/65 E. 39<sup>th</sup> Street, aka 150/2 East 40<sup>th</sup> Street, Manhattan</b>                      Special Permit (§73-36) to allow a physical culture establishment (<i>Blink Fitness</i>). C5-3, C2.5 and R8B (MiD) zoning district.  <b>Community Board #6M</b></p> <p style="color: green;"><b>Examiner: Rory Levy (212) 788-8749</b></p> <p style="color: red;"><b>Status: Closed, Decision – 8/21/12</b></p>
<b>14.</b>	<b>116-12-BZ</b>	<p>Francis R. Angelino, Esq.  <b>1477 Third Avenue, Manhattan</b>                      Special Permit (§73-36) to allow a physical culture establishment (<i>Exceed Fitness</i>). C1-9 zoning district.  <b>Community Board #8M</b></p> <p style="color: green;"><b>Examiner: Rory Levy (212) 788-8749</b></p> <p style="color: red;"><b>Status: Closed, Decision – 8/21/12</b></p>

\*\*\*\*\*DISCLAIMER\*\*\*\*\*

This information is provided in draft form and is a public service courtesy only. Although the BSA endeavors to ensure that the information is as current and accurate as possible, errors do occasionally occur, and the schedule may change due to withdrawals and adjournments. Therefore, the BSA cannot guarantee the accuracy of the information. Readers should, where possible, verify the information before acting on it.

\*\*\*\*\*