

NEW YORK CITY BOARD OF STANDARDS AND APPEALS

REGULAR MEETING

TUESDAY MORNING, SEPTEMBER 25, 2012

10:00 A.M.

<i>SOC – DECISIONS</i>		
1.	739-76-BZ	<p>Eric Palatnik, P.C. 212-95 26th Avenue, Queens Extension of Term of a Special Permit (§73-35) for the continued operation of an amusement arcade (<i>Peter Pan Games</i>) which expired on April 10, 2012; Waiver of the Rules. C4-1 zoning district. Community Board #7Q Examiner: Henry Segovia (212) 788-8757 Status: Granted – 9/25/12</p>
2.	365-79-BZ	<p>Phillips Nizer LLP 90-02 Queens Boulevard, Queens Amendment of a variance (§72-21) which allowed a hospital to be built contrary to bulk regulations. The amendment would convert the hospital building to commercial, community facility and residential uses. R6/C1-2 zoning district. Community Board #4Q Examiner: Ronald Rizzotti (212) 788-8781 Status: Granted – 9/25/12</p>
3.	25-89-BZ	<p>Phillips Nizer LLP 58-04 Hoffman Drive, Queens Amendment of a variance (§72-21) which allowed for an accessory parking garage to be built for a hospital. The amendment seeks to permit the accessory parking to be used for community facility, commercial and residential uses. R6B zoning district. Community Board #4Q Examiner: Ronald Rizzotti (212) 788-8781 Status: Granted – 9/25/12</p>
4.	72-04-BZ	<p>Eric Palatnik, P.C. 141-54 Northern Boulevard, Queens Extension of Term (§11-411) of a previously granted variance which permitted the construction and maintenance of an automotive service station (UG 16B) with accessory uses which expired on June 3, 2010; Waiver of the Rules. R6/C1-2 zoning district Community Board #7Q Examiner: Carlo Costanza (212) 788-8739 Status: Granted – 9/25/12</p>

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<i>SOC – CONTINUED HEARINGS</i>		
5.	39-65-BZ	<p>Eric Palatnik, P.C. 2701-2711 Knapp Street and 3124-3146 Voochries Avenue, Brooklyn Amendment of a previously-approved variance (§72-01) to convert repair bays to an accessory convenience store at a gasoline service station (<i>Sunoco</i>); Extension of Time to obtain a Certificate of Occupancy, which expired on January 11, 2000; and Waiver of the Rules. C3 zoning district. Community Board #15BK</p> <p style="color: green;">Examiner: Henry Segovia (212) 788-8757</p> <p style="color: red;">Status: Adjourned, Continued Hearing – 10/30/12</p>
6.	548-69-BZ	<p>Eric Palatnik, P.C. 107-10 Astoria Boulevard, Queens Extension of Term for a previously granted variance for the continued operation of a gasoline service station (<i>BP North America</i>) which expired on May 25, 2011; Waiver of the Rules. R3-2 zoning district Community Board #3Q</p> <p style="color: green;">Examiner: Henry Segovia (212) 788-8757</p> <p style="color: red;">Status: Adjourned, Continued Hearing – 10/30/12</p>
7.	311-71-BZ	<p>Eric Palatnik, P.C. 1907 Cropsey Avenue, Brooklyn Amendment (§11-412) to permit the conversion of automotive service bays to an accessory convenience store of an existing automotive service station (<i>Sunoco</i>); Extension of Time to obtain a Certificate of Occupancy which expired July 13, 2000; waiver of the rules. R-5 zoning district. Community Board #11BK</p> <p style="color: green;">Examiner: Henry Segovia (212) 788-8757</p> <p style="color: red;">Status: Continued Hearing – 10/30/12</p>
8.	302-01-BZ	<p>Greenberg Traurig 2519-2525 Creston Avenue, Bronx Extension of Term of a previously granted variance (§72-21) for the continued operation of a parking facility accessory to commercial use which expired on April 23, 2012; Extension of Time to obtain a Certificate of Occupancy which expired on July 10, 2012. R8 zoning district. Community Board #7BX</p> <p style="color: green;">Examiner: Henry Segovia (212) 788-8757</p> <p style="color: red;">Status: Adjourned, Continued Hearing – 10/16/12</p>

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<i>SOC – NEW CASES</i>		
9.	724-56-BZ	<p>Michael A. Cosentino 42-42 Francis Lewis Boulevard, Queens Extension of Term (§11-411) of an approved variance which permitted automotive repair (UG 16B), which expires on November 19, 2012. C2-2/R3X & R3-2 zoning district. Community Board #11Q Examiner: Carlo Costanza (212) 788-8739 Status: Continued Hearing – 10/23/12</p>
10.	30-58-BZ	<p>Vassalotti Associates Architects, LLP 184-17 Horace Harding Expressway, Queens Extension of Term (§11-411) of a variance permitting the operation of an automotive service station (UG 16B) which expired on March 12, 2004; Waiver of the Rules. C2-1/R3-1 zoning district. Community Board #11Q Examiner: Carlo Costanza (212) 788-8739 Status: Continued Hearing – 10/30/12</p>
11.	173-99-BZ	<p>Gerald J. Caliendo, R.A. 43-60 Ditmars Boulevard, Queens Extension of Term of a previously granted Special Permit (§73-36) for the continued operation of a Physical Culture Establishment (<i>Matrix Fitness Club</i>) which expired on March 6, 2011; Amendment for an increase in floor area at the cellar level; waiver of the Rules. M-1 zoning district. Community Board #1Q Examiner: Henry Segovia (212) 788-8757 Status: Continued Hearing – 10/23/12</p>
12.	134-06-BZ	<p>Akerman Senterfill, LLP 241-15 Northern Boulevard, Queens Extension of Time to Complete Construction of a previously granted Variance (§72-21) which permitted the construction of a five-story residential building containing 40 dwelling units and 63 accessory parking spaces which expires on September 9, 2012. R1-2 zoning district. Community Board #11Q Examiner: Henry Segovia (212) 788-8757 Status: Closed, Decision – 10/30/12</p>

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<i>APPEALS – DECISIONS</i>		
13.	149-05-A	<p>Eric Palatnik, P.C. 32-09 211th Street, Queens 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. Community Board #11Q</p> <p>Examiner: Toni Matias (212) 788-8752</p> <p>Status: Granted – 9/25/12</p>
14.	125-11-A	<p>Law Offices of Marvin B. Mitzner, LLC 514-516 East 6th 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. Community Board #3M</p> <p>Examiner: Toni Matias (212) 788-8752</p> <p>Status: Granted – 9/25/12</p>
15.	83-12-A & 84-12-A	<p>Fried Frank, LLP 653 Bruckner Boulevard, Bronx Appeal from Department of Buildings’ determination that a sign is not entitled to continued, non-conforming use status as an advertising sign. C8-3 zoning district. Community Board #2BX</p> <p>Examiner: Toni Matias (212) 788-8752</p> <p>Status: Denied – 9/25/12</p>

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<i>APPEALS – CONTINUED HEARINGS</i>		
16.	46-12-A	Eric Palatnik, P.C. 4215 Park Avenue, Bronx Application to permit a mixed use development located partially within the bed of a mapped but unbuilt street (East Tremont Avenue), contrary to General City Law Section 35. C4-5X/R7X zoning district Community Board #6BX
		Examiner: Toni Matias (212) 788-8752
		Status: Closed, Decision – 10/16/12
17.	164-12-A	Joseph A. Sherry 210 Oceanside Avenue, Queens Proposed construction not fronting on a mapped street and within the bed of a mapped street, contrary to Sections 35 and 36 of the General City Law. R4 zoning district Community Board #14Q
		Examiner: Toni Matias (212) 788-8752
		Status: Granted – 9/25/12

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<i>APPEAL – NEW CASES</i>		
18.	45-03-A thru 62-03-A & 64-03-A	<p>Joseph Loccisano, P.C. Hall Avenue, Staten Island Proposed construction of a single-family dwelling which is not fronting on a legally mapped street and is located within the bed of a mapped street, contrary to Sections 35 and 36 of the General City Law. R3-1 zoning district. Community Board #2SI Examiner: Toni Matias (212) 788-8752 Status: Continued Hearing – 11/20/12</p>
19.	89-07-A 92-07-A thru 95-07-A	<p>Eric Palatnik, P.C. 460, 472, 476, 480 Thornycroft Avenue and 281 Oakland Street, Staten Island Proposal to build three two-family and one one-family homes located within the bed of a mapped street (Thornycroft Avenue), contrary to Section 35 of the General City Law. R3-2 Zoning district. Community Board #3SI Examiner: Toni Matias (212) 788-8752 Status: Continued Hearing – 10/30/12</p>
20.	144-12-A & 145-12-A	<p>Law Offices of Marvin Mitzner LLC 339 West 29th Street, Manhattan Appeal of the Multiple Dwelling Law pursuant to §310 to allow the enlargement to a five-story building, contrary to §171(2)(f). Appeal challenging the determination of the Department of Buildings requiring the owner to obtain approval from the Landmarks Preservation Commission, prior to reinstatement and amendments of the permits. R8B zoning district. Community Board #4M Examiner: Toni Matias (212) 788-8752 Status: Continued Hearing – 11/20/12</p>

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1:30 P.M.

<i>BZ – DECISIONS</i>		
1.	178-11-BZ	<p>Eric Palatnik, P.C. 1944 East 12th Street, Brooklyn Special Permit (§73-622) for the enlargement of an existing two story, semi-detached single family home, contrary to floor area and open space (§23-141(b)); side yard (§23-461) and rear yard (§23-47) requirements. R5 zoning district. Community Board #15BK</p> <p>Examiner: Henry Segovia (212) 788-8757</p> <p>Status: Granted – 9/25/12</p>
2.	10-12-BZ	<p>Rothkrug Rothkrug & Spector, LLP 114-01 95th Avenue, Queens 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. R5 zoning district. Community Board #9Q</p> <p>Examiner: Henry Segovia (212) 788-8757</p> <p>Status: Granted – 9/25/12</p>
3.	13-12-BZ	<p>Georgios Georgopoulos 22-21 33rd Street, Queens 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. Community Board #1Q</p> <p>Examiner: Rory Levy (212) 788-8749</p> <p>Status: Granted – 9/25/12</p>
4.	43-12-BZ	<p>Wachtel & Masyr, LLP 25 Great Jones Street, Manhattan Variance (§72-21) to permit a residential building, contrary to use regulations (§42-00). M1-5B zoning district. Community Board #2M</p> <p>Examiner: Ronald Rizzotti (212) 788-8781</p> <p>Status: Deferred Decision – 11/27/12</p>

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<i>BZ – DECISIONS</i>		
5.	163-12-BZ	<p>Kramer Levin Naftalis & Frankel, LLP 435 East 30th Street, Manhattan Variance (§72-21) to permit the development of a new biomedical research facility on the main campus of the NYU Langone Medical Center, contrary to rear yard equivalent, height, lot coverage, and tower coverage (§§24-382, 24-522, 24-11, 24-54) regulations. R8 zoning district. Community Board #6M</p>
		Examiner: Ronald Rizzotti (212) 788-8781
		Status: Deferred Decision – 10/30/12

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<i>BZ – CONTINUED HEARINGS</i>		
6.	97-11-BZ	<p>Eric Palatnik, P.C. 1730 Cross Bronx Expressway, Bronx Variance (§72-21) to permit the expansion of an auto service station (UG 16B) and enlargement of an accessory convenience store use on a new zoning lot, contrary to use regulations. The existing use was permitted on a smaller zoning lot under a previous variance. R5 zoning district. Community Board #9BX Examiner: Carlo Costanza (212) 788-8739 Status: Closed, Decision – 10/30/12</p>
7.	104-11-BZ	<p>Eric Palatnik, P.C. 1936 East 26th Street, Brooklyn Special Permit (§73-622) for the legalization of an enlargement to an existing single family home, contrary to floor area, lot coverage and open space (§23-141(b)) and less than the required rear yard (§23-47). R3-2 zoning district. Community Board #15BK Examiner: Henry Segovia (212) 788-8757 Status: Closed, Decision – 10/23/12</p>
8.	192-11-BZ	<p>Eric Palatnik, P.C. 2977 Hylan Boulevard, Staten Island Variance (§72-21) to allow for the development of a Use Group 3 child care center, contrary to minimum lot width/area (§23-35), and required parking (§25-624). R2/LDGMA zoning district. Community Board #3S.I. Examiner: Ronald Rizzotti (212) 788-8781 Status: Closed, Decision – 10/23/12</p>
9.	9-12-BZ	<p>Eric Palatnik, P.C. 186 Girard Street, Brooklyn Special Permit (§73-622) for the enlargement of an existing single family home, contrary to floor area (§23-141). R3-1 zoning district. Community Board #15BK Examiner: Henry Segovia (212) 788-8757 Status: Continued Hearing – 10/30/12</p>

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<i>BZ – CONTINUED HEARINGS</i>		
10.	61-12-BZ	<p>Sheldon Lobel, P.C 216 Lafayette Street, Manhattan Variance (§72-21) to permit a UG 6 restaurant in a portion of the cellar and first floor, contrary to use regulations (§42-10). M1-5B zoning district. Community Board #2M Examiner: Ronald Rizzotti (212) 788-8781 Status: Continued Hearing – 11/20/12</p>
11.	66-12-BZ	<p>Bryan Cave LLP 223-237 St. Nicholas Avenue, aka 305 W. 121st Street and W. 122nd Street, Manhattan Variance (§72-21) to permit a new mixed-use building containing a FRESH Program food store, a preschool and 164 residential units, contrary to use (§22-10), lot coverage (§24-11) and parking (§25-23) regulations. R7A, R8A/C2-4 zoning districts. Community Board #10M Examiner: Ronald Rizzotti (212) 788-8781 Status: Closed, Decision – 10/23/12</p>
12.	73-12-BZ	<p>Jeffrey Chester, Esq. 41-19 Bell Boulevard, Queens Application for a special permit to legalize an existing physical culture establishment (<i>Lucille Roberts</i>). C2-2 zoning district. Community Board #11Q Examiner: Rory Levy (212) 788-8749 Status: Adjourned, Continued Hearing – 10/23/12</p>
13.	104-12-BZ	<p>Sheldon Lobel, P.C. 178-21 & 179-19 Hillside Avenue, Queens Re-instatement (§11-411) of a previously approved variance which expired on May 20, 2000 which permitted accessory retail parking on the R5 portion of a zoning lot; Extension of Time to obtain a Certificate of Occupancy which expired on April 11, 1994; Waiver of the Rules. C2-4/R6A and R5 zoning district. Community Board #8Q Examiner: Carlo Costanza (212) 788-8739 Status: Continued Hearing – 10/30/12</p>

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<i>BZ – NEW CASES</i>		
14.	190-11-BZ	<p>Sheldon Lobel, P.C. 1197 Bryant Avenue, Bronx Variance (§72-21) to legalize Use Group 6 retail stores, contrary to use regulations (§22-10). R7-1 zoning district. Community Board #3BX</p> <p style="text-align: center;">Examiner: Ronald Rizzotti (212) 788-8781</p> <p style="text-align: center;">Status: Continued Hearing – 10/30/12</p>
15.	137-12-BZ	<p>Fried Frank Harris Shriver & Jacobson, LLP 515-523 East 73rd Street, Manhattan Variance (§72-21) to allow for an ambulatory diagnostic and treatment health care facility (<i>Hospital for Special Surgery</i>), contrary to rear yard equivalent, use, height and setback, floor area, and parking spaces (§§42-12, 43-122, 43-23, 43-28, 43-44, and 13-133) regulations. M1-4/M3-2 zoning districts. Community Board #8M</p> <p style="text-align: center;">Examiner: Ronald Rizzotti (212) 788-8781</p> <p style="text-align: center;">Status: Closed, Decision – 10/30/12</p>
16.	152-12-BZ	<p>Rothkrug Rothkrug & Spector, LLP 146-61 105th Avenue, Queens Variance (§72-21) to permit construction of a four-story mixed use commercial and residential building, contrary to side yard (§23-462) requirements. C2-4/R6A zoning district. Community Board #12Q</p> <p style="text-align: center;">Examiner: Ronald Rizzotti (212) 788-8781</p> <p style="text-align: center;">Status: Continued Hearing – 10/23/12</p>
17.	193-12-BZ	<p>Rothkrug Rothkrug & Spector LLP 384 Lafayette Street (a/k/a 692 Broadway, 2/20 East 4th Street) Manhattan Special Permit (§73-36) to allow a physical culture establishment (<i>Soul Cycle</i>) within a portion of an existing building. M1-5B zoning district. Community Board #4BK</p> <p style="text-align: center;">Examiner: Rory Levy (212) 788-8749</p> <p style="text-align: center;">Status: Closed, Decision – 10/23/12</p>

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<i>BZ – NEW CASES</i>		
18.	202-12-BZ	Rothkrug Rothkrug & Spector LLP 1030 Southern Boulevard, Bronx Special Permit (§73-36) to allow a physical culture establishment (<i>Blink Fitness</i>) within an existing commercial building and special permit (§73-52) to permit the 25'-0" extension of the physical culture establishment use into a residential zoning district. C4-4/R7-1 zoning district. Community Board #4BK
		Examiner: Rory Levy (212) 788-8749
		Status: Continued Hearing – 10/23/12

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