

# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

REGULAR MEETING  
TUESDAY MORNING, APRIL 23, 2013  
10:00 A.M.

<b><i>SOC – DECISIONS</i></b>		
<b>1.</b>	<b>62-99-BZ</b>	<p>Akerman Senterfitt LLP <b>541 Lexington Avenue, Manhattan</b> Extension of Term of a previously-approved Special Permit (§73-36) for the continued operation of a physical cultural establishment (<i>Bliss</i>) which expired on January 31, 2009; Extension of Time to obtain a Certificate of Occupancy which expired on February 1, 2004; Waiver of Rules. C6-6 zoning district. <b>Community Board #6M</b> <b>Examiner: Henry Segovia (212) 386-0074</b> <b>Status: Granted – 4/23/13</b></p>
<b>2.</b>	<b>211-00-BZ</b>	<p>Sheldon Lobel, P.C. <b>252 Norman Avenue, Brooklyn</b> Extension of Time to complete construction of a previously approved variance (§72-21) which permitted the legalization of residential units on the second through fourth floors of a mixed use (UG 17 &amp; 2) four-story building, which expired on April 17, 2005; Amendment for minor modification to the approved plans; Waiver of the Rules. M1-2 zoning district. <b>Community Board #1BK</b> <b>Examiner: Henry Segovia (212) 386-0074</b> <b>Status: Granted – 4/23/13</b></p>

<b><i>SOC – CONTINUED HEARINGS</i></b>		
<b>3.</b>	<b>410-68-BZ</b>	<p>Eric Palatnik, P.C. <b>85-05 Astoria Boulevard, Queens</b> Extension of Term (§11-411) of approved variance which permitted the operation of (UG16B) automotive service station (<i>Citgo</i>) with accessory uses, which expired on November 26, 2008; Extension of Time to obtain a Certificate of Occupancy which expired on January 11, 2008; Waiver of the Rules. R3-2 zoning district. <b>Community Board #3Q</b> <b>Examiner: Henry Segovia (212) 386-0074</b> <b>Status: Continued Hearing – 5/21/13</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, APRIL 23, 2013  
10:00 A.M.

<b><i>SOC – CONTINUED HEARINGS</i></b>		
4.	<b>103-91-BZ</b>	<p>Davidoff Hutcher &amp; Citron, LLP <b>248-18 Sunrise Highway, Queens</b> Extension of term of approved variance permitting an auto laundry use (UG 16B); Amendment to permit changes to the layout and extend hours of operation. C2-1/R3-2 zoning district. <b>Community Board #13Q</b></p> <p><b>Examiner: Carlo Costanza (212) 386-0068</b></p> <p><b>Status: Continued Hearing – 5/14/13</b></p>
5.	<b>543-91-BZ</b>	<p>Eric Palatnik P.C. <b>576-80 86th Street, Brooklyn</b> Extension of Term of a previously approved variance (§72-21) permitting a one-story household appliance store (<i>P.C. Richards</i>) which expired on July 28, 2012; Waiver of the Rules. C4-2A/R4-1 zoning district. <b>Community Board #10BK</b></p> <p><b>Examiner: Henry Segovia (212) 386-0074</b></p> <p><b>Status: Withdrawn – 4/23/13</b></p>
6.	<b>239-02-BZ</b>	<p>Greenberg Traurig, LLP <b>110 Waverly Place, Manhattan</b> Extension of Term of a previously-granted Variance (§72-21) for the continued operation of a Use Group 6A eating and drinking establishment (<i>Babbo</i>) located at the cellar level, ground floor, and second floor of the subject premises, which expired on December 17, 2012. R7-2 zoning district. <b>Community Board #2M</b></p> <p><b>Examiner: Henry Segovia (212) 386-0074</b></p> <p><b>Status: Continued Hearing – 6/11/13</b></p>
7.	<b>197-08-BZ</b>	<p>Stuart Klein, Esq. <b>341-349 Troy Avenue aka 1515 Carroll Street, Brooklyn</b> Amendment to an approved variance (§72-21) to permit a four-story and penthouse residential building, contrary to floor area and open space (§23-141), units (§23-22), front yard (§23-45), side yard (§23-462), and height (§23-631). Amendment seeks to reduce the number of units and parking and increase the size of the rooftop mechanical equipment. R4 zoning district. <b>Community Board #9BK</b></p> <p><b>Examiner: Rory Levy (212) 386-0082</b></p> <p><b>Status: Adjourned, Continued Hearing – 6/4/13</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, APRIL 23, 2013  
10:00 A.M.

<b><i>SOC – NEW CASES</i></b>		
<b>8.</b>	<b>853-53-BZ</b>	<p>Carl A. Sulfaro, Esq. <b>2402/16 Knapp Street, Brooklyn</b> Amendment (§11-412) to a previously-granted Automotive Service Station (<i>Mobil</i>) (UG 16B), with accessory uses, to enlarge the use and convert service bays to an accessory convenience store. C2-2/R3-2 zoning district. <b>Community Board# 15BK</b></p> <p><b>Examiner: Henry Segovia (212) 386-0074</b></p> <p><b>Status: Continued Hearing – 5/21/13</b></p>
<b>9.</b>	<b>718-68-BZ</b>	<p>Sheldon Lobel, P.C. <b>71-08 Northern Boulevard, Queens</b> Amendment to a previously-granted Special Permit (§73-211) for an automotive service station. The amendment proposes additional fuel dispensing islands and conversion of existing service bays to an accessory convenience store. C2-2/R5 zoning district. <b>Community Board #3Q</b></p> <p><b>Examiner: Carlo Costanza (212) 386-0068</b></p> <p><b>Status: Closed, Decision – 5/21/13</b></p>
<b>10.</b>	<b>292-01-BZ</b>	<p>Law Office of Fredrick A. Becker <b>69/71 MacDougal Street, Manhattan</b> Extension of Term of a previously-granted Variance (§72-21) which permitted the legalization of a new dining room and accessory storage for a UG6 eating and drinking establishment (<i>Villa Mosconi</i>), which expired on January 7, 2013. R7-2 zoning district. <b>Community Board #2M</b></p> <p><b>Examiner: Henry Segovia (212) 386-0074</b></p> <p><b>Status: Continued Hearing – 5/21/13</b></p>
<b>11.</b>	<b>58-10-BZ</b>	<p>Sheldon Lobel, P.C. <b>16 Eckford Street, Brooklyn</b> Extension of Time to obtain a Certificate of Occupancy for a previously-granted Special Permit (§73-36) for a physical culture establishment (<i>Quick Fitness</i>), which expired on February 14, 2013. M1-2/R6A zoning district. <b>Community Board #1BK</b></p> <p><b>Examiner: Henry Segovia (212) 386-0074</b></p> <p><b>Status: Closed, Decision – 5/21/13</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, APRIL 23, 2013  
10:00 A.M.

<b><i>APPEAL – DECISIONS</i></b>		
12.	144-12-A	<p>Law Offices of Marvin Mitzner LLC <b>339 West 29<sup>th</sup> Street, Manhattan</b> Appeal of the Multiple Dwelling Law pursuant to §310 to allow the enlargement to a five-story building, contrary to §171(2)(f). R8B zoning district. <b>Community Board #4M</b></p> <p><b>Examiner: Toni Matias (212) 386-0085</b></p> <p><b>Status: Off Calendar – 4/23/13</b></p>
13.	297-12-A	<p>Law Office of Fredrick A. Becker <b>28-18/20 Astoria Boulevard, Queens</b> Appeal seeking a determination that the owner of the premises has acquired a common law vested right to complete construction commenced under the prior R6 zoning district. R6-A/C1-1 zoning district. <b>Community Board #1Q</b></p> <p><b>Examiner: Toni Matias (212) 386-0085</b></p> <p><b>Status: Granted – 4/23/13</b></p>
14.	326-12-A thru 337-12-A	<p>Gibson Dunn Appeals challenging the Department of Buildings determination to revoke 12 permits previously issued permitting business accessory signs on the basis that they appear to be advertising signs. <b><u>Borough of Manhattan</u></b> <b>52 Canal Street, C6-2 zoning district (CB 3)</b> <b>1560 Second Avenue, C1-9 zoning district (CB 8)</b> <b>2061 Second Avenue, R8A zoning district (CB 11)</b> <b>2240 First Avenue, R7X zoning district (CB 11)</b> <b>160 East 25th Street, C2-8 zoning district (CB 6)</b> <b>289 Hudson Street, C6-2A zoning district (CB 9)</b> <b>127 Ludlow Street, C4-4A zoning district (CB 3)</b> <b>1786 Third Avenue, R8A zoning district (CB 11)</b> <b>17 Avenue B, R7A zoning district (CB 3)</b> <b>173 Bowery, C6-1 zoning district (CB 3)</b> <b>240 Sullivan Street, R7-2 zoning district (CB 2)</b> <b>361 Third Avenue, C1-6A zoning district (CB 3)</b></p> <p><b>Examiner: Toni Matias (212) 386-0085</b></p> <p><b>Status: Denied – 4/23/13</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, APRIL 23, 2013**

**10:00 A.M.**

<b><i>APPEAL – CONTINUED HEARINGS</i></b>		
<b>15.</b>	<b>89-07-A 92-07-A thru 95-07-A</b>	<b>Eric Palatnik, P.C. 460, 472, 476, 480Thornycroft Avenue and 281 Oakland Street, Staten Island</b> 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. <b>Community Board #3SI</b>
		<b>Examiner: Toni Matias (212) 386-0085</b>
		<b>Status: Adjourned, Continued Hearing – 6/4/13</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, APRIL 23, 2013  
10:00 A.M.

<b><i>BZ – DECISIONS</i></b>		
<b>1.</b>	<b>153-12-BZ</b>	Harold Weinberg, P.E. <b>24/34 Cobek Court, Brooklyn</b> Special Permit (§73-36) to legalize a physical culture establishment ( <i>Fight Factory Gym</i> ). M1-1/OP zoning district. <b>Community Board #13BK</b>
		<b>Examiner: Rory Levy (212) 386-0082</b>
		<b>Status: Granted – 4/23/13</b>
<b>2.</b>	<b>295-12-BZ</b>	Sheldon Lobel, P.C. <b>49-33 Little Neck Parkway, Queens</b> Variance (§72-21) to permit the expansion of a non-conforming Use Group 4 dentist's office, contrary to §52-22. R1-2 zoning district. <b>Community Board #11Q</b>
		<b>Examiner: Ronald Rizzotti (212) 386-0081</b>
		<b>Status: Granted – 4/23/13</b>
<b>3.</b>	<b>323-12-BZ</b>	Sheldon Lobel, P.C. <b>25 Broadway, Manhattan</b> Special Permit (§73-36) to allow a proposed physical culture establishment ( <i>Planet Fitness</i> ). C5-5LM zoning district. <b>Community Board #1M</b>
		<b>Examiner: Rory Levy (212) 386-0082</b>
		<b>Status: Granted – 4/23/13</b>
<b>4.</b>	<b>1-13-BZ</b>	Sheldon Lobel, P.C. <b>420 Fifth Avenue, aka 408 Fifth Avenue, Manhattan</b> Special Permit (§73-36) to allow the operation of a physical culture establishment ( <i>Reebok Crossfit</i> ) at the cellar of an existing building. C5-3 zoning district. <b>Community Board #5M</b>
		<b>Examiner: Rory Levy (212) 386-0082</b>
		<b>Status: Granted – 4/23/13</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, APRIL 23, 2013  
10:00 A.M.

<b><i>BZ – DECISIONS</i></b>		
<b>5.</b>	<b>7-13-BZ</b>	<p>Law Office of Fredrick A. Becker <b>1644 Madison Place, Brooklyn</b> Special Permit (§73-621) for the enlargement of a single-family home, contrary to floor area, open space and lot coverage (§23-141). R3-2 zoning district. <b>Community Board #18BK</b></p> <p><b>Examiner: Henry Segovia (212) 386-0074</b></p> <p><b>Status: Granted – 4/23/13</b></p>

<b><i>BZ – CONTINUED HEARINGS</i></b>		
<b>6.</b>	<b>35-11-BZ</b>	<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 Oheh</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></p> <p><b>Examiner: Ronald Rizzotti (212) 386-0081</b></p> <p><b>Status: Adjourned, Continued Hearing – 6/4/13</b></p>
<b>7.</b>	<b>16-12-BZ</b>	<p>Eric Palatnik, P.C. <b>184 Nostrand Avenue, Brooklyn</b> Special Permit (§73-19) to allow for a school (<i>Congregation Adas Yereim</i>) contrary to use regulations (§42-00). M1-2 zoning district. <b>Community Board #4BK</b></p> <p><b>Examiner: Ronald Rizzotti (212) 386-0081</b></p> <p><b>Status: Closed, Decision – 6/4/13</b></p>
<b>8.</b>	<b>199-12-BZ</b>	<p>Sheldon Lobel, P.C. <b>1517 Bushwick Avenue, Brooklyn</b> Variance (§72-21) to construct a self-storage facility, contrary to maximum permitted floor area regulations. C8-1 and R6 zoning districts. <b>Community Board #4BK</b></p> <p><b>Examiner: Ronald Rizzotti (212) 386-0081</b></p> <p><b>Status: Continued Hearing – 5/14/13</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, APRIL 23, 2013

1:30 P.M.

<b><i>BZ – CONTINUED HEARINGS</i></b>		
9.	238-12-BZ	Harold Weinberg, P.E. <b>1713 East 23<sup>rd</sup> Street, Brooklyn</b> Special Permit (§73-622) for the enlargement of single family home contrary floor area and lot coverage (§23-141); side yards (§23-461) and less than the required rear yard (§23-47). R3-2 zoning district. <b>Community Board #15BK</b>
		<b>Examiner: Henry Segovia (212) 386-0074</b>
		<b>Status: Closed, Decision – 5/21/13</b>
10.	315-12-BZ	Akerman Senterfitt, LLP <b>23-25 31<sup>st</sup> Street, Queens</b> Special Permit (§73-50) to allow for a community facility building, contrary to rear yard requirements (§33-29). C4-3 zoning district. <b>Community Board #1Q</b>
		<b>Examiner: Ronald Rizzotti (212) 386-0081</b>
		<b>Status: Closed, Decision – 5/21/13</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, APRIL 23, 2013  
10:00 A.M.

<b><i>BZ – NEW CASES</i></b>		
11.	8-13-BZ	<p>Lewis E. Garfinkel <b>2523 Avenue N, Brooklyn</b> Special Permit (§73-622) for the enlargement of an existing single family residence, contrary to floor area and open space (§23-141(a)); and side yard (§23-461) regulations. R2 zoning district. <b>Community Board #14BK</b></p> <p><b>Examiner: Henry Segovia (212) 386-0074</b></p> <p><b>Status: Closed, Decision – 5/21/13</b></p>
12.	10-13-BZ & 11-13-BZ	<p>Friedman &amp; Gotbaum LLP, <b>175 West 89<sup>th</sup> Street (South Building) and 144-148 West 90<sup>th</sup> Street (North Building) Manhattan</b> Variance (§72-21) to permit an enlargement to an existing school (<i>Stephen Gaynor School</i>), contrary to lot coverage (§24-11), rear yard (§24-36/§33-26), and height and setback (§24-522) regulations. C1-9 &amp; R7-2 zoning districts. <b>Community Board #7M</b></p> <p><b>Examiner: Ronald Rizzotti (212) 386-0081</b></p> <p><b>Status: Closed, Decision – 5/21/13</b></p>
13.	53-13-BZ	<p>Sheldon Lobel, P.C. <b>116-118 East 169<sup>th</sup> Street, Bronx</b> Variance (§72-21) to permit the enlargement of an existing UG 3 school (<i>Grand Concourse Academy Charter School</i>), contrary to rear yard regulations §§24-36 and 24-33(b). R8 zoning district. <b>Community Board #4BX</b></p> <p><b>Examiner: Rory Levy (212) 386-0082</b></p> <p><b>Status: Closed, Decision – 5/21/13</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.

\*\*\*\*\*