

NEW YORK CITY BOARD OF STANDARDS AND APPEALS

REGULAR MEETING
TUESDAY MORNING, FEBRUARY 25, 2014
10:00 A.M.

<i>SOC – DECISIONS</i>		
1.	16-93-BZ	<p>Carl A. Sulfaro 110 Christopher Street, Manhattan Extension of Term (§11-411) of a previously approved variance (§72-21) which permitted retail (UG 6) in the cellar of an existing five-story and multiple dwelling, which expires on February 23, 2014. R6 zoning district. Community Board #2M Examiner: Carlo Costanza (212) 386-0068 Status: Granted – 2/24/14</p>
2.	20-02-BZ	<p>Law office of Fredrick A. Becker 303 Park Avenue South, Manhattan Extension of term of a special permit (§73-36) to allow the operation of a physical culture establishment (<i>New York Sports Club</i>) in a five story mixed use loft building, which expired on August 21, 2013. C6-4 zoning district. Community Board #5M Examiner: Henry Segovia (212) 386-0074 Status: Granted – 2/24/14</p>
3.	238-07-BZ	<p>Goldman Harris LLC 5-11 47th Avenue, Queens Amendment of a previously approved Variance (§72-21) which permitted the construction of a 12-story mixed-use building and a 6-story community facility dormitory and faculty housing building (<i>CUNY Graduate Center</i>), contrary to use and bulk regulations. The amendment seeks the elimination of the cellar and other design changes to the Dormitory Building. M1-4/R6A (LIC) zoning district. Community Board #2Q Examiner: Henry Segovia (212) 386-0074 Status: Granted – 2/24/14</p>

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<i>SOC – CONTINUED HEARINGS</i>		
4.	331-04-BZ	<p>Sheldon Lobel, P.C. 26 Cortlandt Street, Manhattan Amendment of a previously approved Variance (§72-21) which permitted the expansion of floor area in an existing commercial structure (<i>Century 21</i>). The amendment seeks to permit a rooftop addition above the existing building which exceeds the maximum permitted floor area. C5-5 (LM) zoning district. Community Board #1M Examiner: Carlo Costanza (212) 386-0068 Status: Closed, Decision – 3/11/14</p>

<i>SOC – NEW CASES</i>		
5.	11-93-BZ	<p>Sheldon Lobel, P.C. 46-45 Kissena Boulevard aka 140-01 Laburnum Avenue, Queens Extension of Time to obtain a Certificate of Occupancy for a previously approved variance (§72-21), which expired on March 20, 2012; Waiver of the Rules. R3-2/C2-2 zoning district. Community Board #7Q Examiner: Henry Segovia (212) 386-0074 Status: Continued Hearing – 5/20/14</p>
6.	287-01-BZ	<p>Law Office of Fredrick A. Becker 2523-2525 Broadway, Manhattan Extension of Term of a previously approved special permit (§73-36) permitting the operation of a physical culture establishment, which expired on April 16, 2011; Waiver of the Rules. C4-6/R8 zoning district. Community Board #7M Examiner: Carlo Costanza (212) 386-0068 Status: Closed, Decision – 3/25/14</p>

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<i>APPEALS – DECISIONS</i>		
7.	127-13-A	Law Offices of Marvin B. Mitzner, LLC 332 West 87th Street, Manhattan Appeal under Section 310 of the Multiple Dwelling Law to vary MDL Sections 171-2(a) and 2(f) to allow for a vertical enlargement of a residential building. R8 zoning district. Community Board #7M
		Examiner: Toni Matias (212) 386-0085
		Status: Granted – 2/25/14
8.	214-13-A	Slater & Beckerman, P.C. 219-08 141st Avenue, Queens Appeal seeking a determination that the owner has acquired a common law vested right to complete construction under the prior R3-2 zoning district. R3-X zoning district. Community Board #13Q
		Examiner: Toni Matias (212) 386-0085
		Status: Granted – 2/25/14
9.	300-13-A	Goldman Harris LLC 112, 114 & 120 Fulton Street, Manhattan Proposed construction of a mixed-use development to be located partially within the bed of a mapped but unbuilt portion of Fulton Street, contrary to General City law Section 35 and the bulk regulations pursuant to §72-01-(g). C5-5/C6-4 zoning district. Community Board #1M
		Examiner: Toni Matias (212) 386-0085
		Status: Granted – 2/25/14

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<i>APPEALS – CONTINUED HEARINGS</i>		
10.	143-11-A thru 146-11-A	<p>Philip L. Rampulla 20, 25, 35, 40 Harborlights Court, Staten Island Appeal challenging the Fire Department’s determination that the grade of the fire apparatus road shall not exceed 10 percent, per NYC Fire Code Section FC 503.2.7. R2 zoning district. Community Board #1SI</p> <hr/> <p>Examiner: Toni Matias (212) 386-0085</p> <hr/> <p>Status: Closed, Decision – 4/29/14</p>
11.	110-13-A	<p>Abrams Fensterman, LLP 120 President Street, Brooklyn Appeal challenging Department of Buildings’ interpretation of the Building Code regarding required walkway around a below-grade pool. R6B zoning district. Community Board #6BK</p> <hr/> <p>Examiner: Toni Matias (212) 386-0085</p> <hr/> <p>Status: Continued Hearing – 3/25/14</p>

<i>APPEAL – NEW CASES</i>		
12.	307-13-A & 308-13-A	<p>Joseph M. Morace, R.A. 96 & 100 Bell Street, Staten Island Proposed construction of two detached, two-family residences not fronting on a mapped street, contrary to Section 36 of the General City Law. R3A zoning district. Community Board #1SI</p> <hr/> <p>Examiner: Toni Matias (212) 386-0085</p> <hr/> <p>Status: Continued Hearing – 3/25/14</p>

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<i>BZ – DECISIONS</i>		
1.	6-12-BZ	<p>Syeda Laila 39-06 52nd Street aka 51-24 39th Avenue, Queens Variance (§72-21) to permit a four-story residential building, contrary to floor area, (§103-211), dwelling unit (§23-22), front yard (§23-46), side yard (§23-46) and height (§23-631) regulations. R4 zoning district. Community Board #2Q</p> <p>Examiner: Josh Saal (212) 386-0081</p> <p>Status: Withdrawn – 2/25/14</p>
2.	94-13-BZ	<p>Vinod Tewari 11-11 40th Avenue aka 38-78 12th Street, Queens Special Permit (§73-19) to allow a school, contrary to use regulation (§42-00). M1-3 zoning district. Community Board #1Q</p> <p>Examiner: Josh Saal (212) 386-0081</p> <p>Status: Closed, Decision – 4/1/14</p>
3.	95-13-BZ	<p>Eric Palatnik, PC 3120 Corlear Avenue, Bronx Variance (§72-21) to permit the enlargement of an existing school (UG 3) at the second floor, contrary to §24-162. R6/C1-3 and R6 zoning districts. Community Board #8BX</p> <p>Examiner: Josh Saal (212) 386-0081</p> <p>Status: Granted – 2/25/14</p>
4.	153-13-BZ	<p>Eric Palatnik, P.C. 107 South 6th Street, Brooklyn Special Permit (§73-36) to permit the legalization of a physical culture establishment (<i>Soma Health Club</i>) contrary to §32-10. C4-3 zoning district. Community Board #1BK</p> <p>Examiner: Rory Levy (212) 386-0082</p> <p>Status: Granted – 2/25/14</p>

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<i>BZ – DECISIONS</i>		
5.	207-13-BZ	<p>Harold Weinberg, P.E. 177 Hastings Street, 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 less than the required rear yard (§23-47). R3-1 zoning district. Community Board #15BK</p> <p>Examiner: Henry Segovia (212) 386-0074</p> <p>Status: Deferred Decision – 3/25/14</p>
6.	220-13-BZ	<p>Law Office of Jay Goldstein, PLLC 2115 Avenue J, Brooklyn Special Permit (§73-622) for the enlargement of an existing single family home contrary to floor area and open space (§23-141(a)); side yard (§23-461) and less than the required rear yard (§23-47). R-2 zoning district. Community Board #14BK</p> <p>Examiner: Henry Segovia (212) 386-0074</p> <p>Status: Granted – 2/25/14</p>
7.	272-13-BZ	<p>Rothkrug, Rothkrug & Spector, LLP 78-02/14 Roosevelt Avenue aka 40-41 78th Street and 40-02 79th Street, Queens Special Permit (§73-36) to permit a physical culture establishment (<i>Blink Fitness</i>) within a portions of an existing commercial building. C2-3/R6 & R5 zoning district. Community Board #4Q</p> <p>Examiner: Rory Levy (212) 386-0082</p> <p>Status: Granted – 2/25/14</p>

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<i>BZ – CONTINUED HEARINGS</i>		
8.	78-11-BZ & 33-12-A thru 37-12-A	<p>Sheldon Lobel, P.C. 78-70 Winchester Boulevard, Queens Variance (§72-21) to allow for the construction of two assisted living residential buildings, contrary to use regulations (§32-10). Proposed construction of two mixed use buildings that do not have frontage on a legally mapped street, contrary to General City Law Section 36. C8-1 Zoning District. Community Board #13Q Examiner: Toni Matias (212) 386-0085 Status: Continued Hearing – 5/20/14</p>
9.	69-12-BZ	<p>Eric Palatnik, P.C. 1 Maspeth Avenue, Brooklyn Variance (§72-21) to allow for the construction of residential building, contrary to use regulations (§32-00). C8-2 zoning district. Community Board #1BK Examiner: Josh Saal (212) 386-0081 Status: Withdrawn – 2/25/14</p>
10.	77-12-BZ	<p>Moshe M. Friedman, P.E. 91 Franklin Ave, Brooklyn Variance (§72-21) to permit a new residential building, contrary to use regulations (§42-00). M1-1 zoning district. Community Board #3BK Examiner: Josh Saal (212) 386-0081 Status: Continued Hearing – 3/25/14</p>
11.	263-12-BZ & 264-12-A	<p>Sheldon Lobel, P.C. 232 & 222 City Island Avenue, Bronx Variance (§72-21) to permit senior housing (UG 2), contrary to use regulations (§42-00). Variance (Appendix G, Section BC G107, NYC Administrative Code) to permit construction in a flood hazard area which does not comply with Appendix G, Section G304.1.2 of the Building Code. M1-1 zoning district. Community Board #10BX Examiner: Josh Saal (212) 386-0081 Status: Closed, Decision – 5/13/14</p>

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<i>BZ – CONTINUED HEARINGS</i>		
12.	65-13-BZ	<p>Eric Palatnik, Esq. 123 Franklin Avenue, Brooklyn Variance (§72-21) to permit a residential development, contrary to use regulations (§42-00). M1-1 zoning district. Community Board #3BK</p> <p>Examiner: Josh Saal (212) 386-0081 Status: Continued Hearing – 4/29/14</p>
13.	76-13-BZ	<p>Eric Palatnik, P.C. 176 Oxford Street, Brooklyn Special Permit (§73-622) for the enlargement of an existing single family home, contrary to lot coverage and floor area (§23-141), side yards (§23-461), and less than the minimum required rear yard (§23-47). R3-1 zoning district. Community Board #15BK</p> <p>Examiner: Henry Segovia (212) 386-0074 Status: Closed, Decision – 3/25/14</p>
14.	213-13-BZ	<p>Rothkrug Rothkrug & Spector LLP 3858-60 Victory Boulevard, Staten Island Special Permit (§73-126) to allow a medical office, contrary to bulk regulations (§22-14). R3A zoning district. Community Board #2SI</p> <p>Examiner: Josh Saal (212) 386-0081 Status: Continued Hearing – 3/25/14</p>
15.	236-13-BZ	<p>Warshaw Burstein, LLP 423 West 55th Street, Manhattan Special Permit (§73-36) to permit the operation of a physical culture establishment (<i>Planet Fitness</i>) on the first and mezzanine floors of the existing building, and Special Permit (§73-52) to allow the fitness center use to extend 25'-0" into the R8 portion of the zoning lot. C6-2 & R8 zoning district. Community Board #4M</p> <p>Examiner: Rory Levy (212) 386-0082 Status: Closed, Decision – 3/11/14</p>

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16.	274-13-BZ	<p>Sheldon Lobel, P.C. 7914 Third Avenue, Brooklyn Variance (§72-21) to permit the operation of a physical culture establishment (<i>H.I.T. Factory Improved</i>) on the second floor of the existing building. C1-3/R6B zoning district. Community Board #10BK</p> <hr/> <p>Examiner: Rory Levy (212) 386-0082</p> <hr/> <p>Status: Closed, Decision – 3/11/14</p>

<i>BZ – NEW CASES</i>		
17.	160-13-BZ	<p>Law Office of Fredrick A. Becker 1171-1175 East 28th Street, Brooklyn Special Permit (§73-622) for the enlargement of an existing single home, contrary to floor area and open space (§23-141); side yard (§23-461) and rear yard (§23-47) regulations. R2 zoning district. Community Board #14BK</p> <hr/> <p>Examiner: Henry Segovia (212) 386-0074</p> <hr/> <p>Status: Continued Hearing – 3/25/14</p>
18.	177-13-BZ	<p>Eric Palatnik, P.C. 134 Langham Street, Brooklyn Special Permit (§73-622) for the enlargement of an existing single family home, to be converted to a two-family home, contrary to floor area, lot coverage and open space (§ZR 23-141) and less than the required rear yard (§ZR 23-47). R3-1 zoning district. Community Board #15BK</p> <hr/> <p>Examiner: Henry Segovia (212) 386-0074</p> <hr/> <p>Status: Continued Hearing – 3/25/14</p>
19.	216-13-BZ 217-13-A	<p>Rampulla Associates Architects 750 Barclay Avenue, Staten Island Variance (§72-21) to demolish an existing restaurant damaged by Hurricane Sandy and construct a new eating and drinking establishment with accessory parking for 25 cars, contrary to use (§23-00) regulations, and located in the bed of the mapped street, (<i>Boardwalk Avenue</i>), contrary to General City law Section 35. R3X (SRD) zoning district. Community Board #3SI</p> <hr/> <p>Examiner: Josh Saal (212) 386-0081</p> <hr/> <p>Status: Continued Hearing – 4/29/14</p>

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20.	268-13-BZ	<p>Belkin Burden Wenig & Goldman, LLP 2849 CROPSY AVENUE, BROOKLYN Special Permit (§73-621) to permit legalize an enlargement to a three-story mixed use building, contrary to lot coverage regulations (§23-141). R5 zoning district. Community Board #13BK Examiner: Josh Saal (212) 386-0081 Status: Continued Hearing – 3/25/14</p>
21.	282-13-BZ	<p>Flora Edwards, Esq. 556 COLUMBIA STREET aka 300 BAY STREET, BROOKLYN Special Permit (§73-19) to permit construction of a new 89,556 sq.ft. school (<i>The Basis Independent Schools</i>). M1-1 zoning district. Community Board #6BK Examiner: Rory Levy (212) 386-0082 Status: Closed, Decision – 3/25/14</p>
22.	293-13-BZ	<p>Slater & Beckerman, P.C. 78-04 CONDUIT AVENUE, BROOKLYN Special Permit (§73-36) to permit the operation of a physical culture establishment (<i>LA Fitness</i>). C2-2/R4 zoning district. Community Board #10BK Examiner: Rory Levy (212) 386-0082 Status: Closed, Decision – 3/25/14</p>

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