

NEW YORK CITY BOARD OF STANDARDS AND APPEALS

REGULAR MEETING
TUESDAY MORNING, MAY 20, 2014
10:00 A.M.

<i>SOC – DECISIONS</i>		
1.	142-92-BZ	<p>Kramer Levin Naftalis & Frankel 473-541 6th Street Brooklyn Amendment of a previously approved special permit (§73-48) for a community facility (<i>New York Methodist Hospital</i>). The application seeks to amend the approved plans to accommodate required accessory parking in a new ambulatory care facility (BSA Cal #142-92-BZ).</p> <p>Examiner: Josh Saal (212) 386-0081</p> <p>Status: Deferred Decision – 6/17/14</p>

<i>SOC – CONTINUED HEARINGS</i>		
2.	427-70-BZ	<p>Carl A. Sulfaro, Esq. 38-01 & 38-05 Beach Channel Drive, Queens Amendment of a previously approved Variance (§72-21) which permitted the operation of an Automotive Service Station (UG 16B). Amendment seeks to legalize a one-story accessory convenience store. C2-2/R4 zoning district. Community Board #14Q</p> <p>Examiner: Carlo Costanza (212) 386-0068</p> <p>Status: Continued Hearing – 7/15/14</p>
3.	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</p> <p>Examiner: Henry Segovia (212) 386-0074</p> <p>Status: Closed, Decision – 6/17/14</p>

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4.	775-85-BZ	<p>Sheldon Lobel, P.C. 133-33 Brookville Boulevard, Queens Extension of Term of a previously approved Variance (§72-21) which permitted the construction of a three-story office building, contrary to permitted height and use regulations, which expired on February 24, 2012; Amendment to modify the parking layout, eliminate buffering and eliminate the term; Waiver of the Rules. C1-3/R2 and R2 zoning district. Community Board #13Q</p> <p style="color: green;">Examiner: Carlo Costanza (212) 386-0068</p> <p style="color: red;">Status: Continued Hearing – 6/17/14</p>
5.	245-03-BZ	<p>Jeffrey A. Chester, Esq 160-11 Willets Point Boulevard, Queens Extension of Term of a previously granted special permit (§72-243) for an accessory drive-thru to an existing eating and drinking establishment (<i>McDonald's</i>), which expired on December 12, 2013. C1-2/R3-2 zoning district. Community Board #7Q</p> <p style="color: green;">Examiner: Carlo Costanza (212) 386-0068</p> <p style="color: red;">Status: Continued Hearing – 6/17/14</p>
6.	326-09-BZ	<p>Bryan Cave LLP 37-10 Union Street aka 38-15 138th Street, Queens Extension of Time to Complete Construction of a previously approved special permit (§73-66) for the development of four mixed use buildings (<i>Flushing Commons</i>), which expires on July 27th 2014. C4-4 zoning district. Community Board #7Q</p> <p style="color: green;">Examiner: Henry Segovia (212) 386-0074</p> <p style="color: red;">Status: Closed, Decision – 6/17/14</p>
7.	49-11-BZ	<p>Warshaw Burstein, LLP 135 West 20th Street, Manhattan Amendment of a previously approved Special Permit (§73-36) to allow the extension of physical culture establishment. C6-3A zoning district. Community Board #4M</p> <p style="color: green;">Examiner: Carlo Costanza (212) 386-0068</p> <p style="color: red;">Status: Closed, Decision – 6/17/14</p>

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<i>APPEALS – DECISIONS</i>		
8.	164-13-A	<p>Slater & Beckerman 307 West 79th Street, Manhattan</p> <p>Appeal seeking to reverse Department of Buildings’ determination not to issue a Letter of No Objection that would have stated that the use of the premises as Class A single room occupancy for periods of no less than one week is permitted by the existing Certificate of Occupancy. R10A zoning district.</p> <p>Community Board #7M</p> <p>Examiner: Toni Matias (212) 386-0085</p> <p>Status: Deferred Decision – 6/10/14</p>

<i>APPEALS – CONTINUED HEARINGS</i>		
9.	296-13-A	<p>Jack Lester, Esq. 280 Bond Street, Brooklyn</p> <p>An appeal to Department of Buildings’ determination to permit an eating and drinking establishment. Appellant argues that the non-conforming use has been discontinued and the use is contrary to open space regulations (§52-332). R6B zoning district.</p> <p>Community Board #6BK</p> <p>Examiner: Toni Matias (212) 386-0085</p> <p>Status: Adjourned, Continued Hearing – 6/17/14</p>
10.	33-14-A	<p>Rothkrug Rothkrug & Spector LLP 902 Quentin Road, Brooklyn</p> <p>Appeal challenging the Department of Building's determination regarded permitted community facility FAR, per §113-11 (Special Bulk Regulations for Community Facilities) C4-2 zoning district, C8-2 (OP). C4-2 (OP) zoning district.</p> <p>Community Board #15BK</p> <p>Examiner: Toni Matias (212) 386-0085</p> <p>Status: Closed, Decision – 6/24/14</p>

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<i>APPEAL – NEW CASES</i>		
11.	51-13-A	<p>Carl A. Sulfaro, Esq. 10 Woodward Avenue, Queens Proposed construction of a one-story warehouse located partially within the bed of mapped street (<i>Metropolitan Avenue</i>), contrary to General City Law Section 35. M3-1 zoning district. Community Board #5Q</p> <p style="color: green;">Examiner: Toni Matias (212) 386-0085</p> <p style="color: red;">Status: Closed, Decision – 6/17/14</p>
12.	59-13-A	<p>Carl A. Sulfaro, Esq. 11-30 143rd Place, Queens Proposed construction of a new one family residence located in the bed of a mapped street, contrary to General City Law Section 35. R1-2 zoning district. Community Board #7Q</p> <p style="color: green;">Examiner: Toni Matias (212) 386-0085</p> <p style="color: red;">Status: Closed, Decision – 6/17/14</p>

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<i>BZ – DECISIONS</i>		
13.	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</p> <p style="text-align: center;">Examiner: Josh Saal (212) 386-0081</p> <p style="text-align: center;">Status: Closed, Decision – 6/17/14</p>
14.	228-13-BZ	<p>Herrick, Feinstein LLP 157 Columbus Avenue, Manhattan Special Permit (§73-36) to allow a physical culture establishment (<i>Cross Fit</i>) located in the cellar level of an existing 31-story building. C4-7 zoning district. Community Board #7M</p> <p style="text-align: center;">Examiner: Rory Levy (212) 386-0082</p> <p style="text-align: center;">Status: Granted – 5/20/14</p>
15.	275-13-BZ	<p>Warshaw Burstein, LLP 404-406 Broadway, Manhattan Special Permit (§73-36) to allow a physical culture establishment (<i>Bikram Yoga Sobo</i>). M1-5 zoning district. Community Board #1M</p> <p style="text-align: center;">Examiner: Rory Levy (212) 386-0082</p> <p style="text-align: center;">Status: Granted – 5/20/14</p>
16.	289-13-BZ	<p>Kramer Levin Naftalis & Frankel LLP 473-541 6th Street Brooklyn Variance (§72-21) to allow the development of a new, 304,000 s.f. ambulatory care facility on the campus of New York Methodist Hospital, contrary to floor area (§§24-11, 24-17 and 77-02), lot coverage (§24-11), rear yard (§24-382), height and setback (§24-522), rear yard setback (§24-552), and sign (§22-321) regulations. R6, C1-3/R6, and R6B zoning district. Community Board #6BK</p> <p style="text-align: center;">Examiner: Josh Saal (212) 386-0081</p> <p style="text-align: center;">Status: Deferred Decision – 6/17/14</p>

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17.	1-14-BZ	Law Office of Fredrick A Becker 525 West 42nd Street, Manhattan Special Permit (§73-36) to allow the operation of a physical culture establishment (<i>Massage Envy</i>). C6-4 zoning district. Community Board #4M
		Examiner: Rory Levy (212) 386-0082
		Status: Granted – 5/20/14
18.	2-14-BZ	Law Office of Fredrick A. Becker 555 6th Avenue, Manhattan Special Permit (§73-36) to allow the operation of a physical culture establishment (<i>BFX Studio</i>). C6-2A/R8B zoning district. Community Board #4M
		Examiner: Rory Levy (212) 386-0082
		Status: Granted – 5/20/14
19.	4-14-BZ	Rothkrug Rothkrug & Spector, LLP 1065 Avenue of The Americas, aka 111 West 40th Street, Manhattan Special Permit (§73-36) to allow a physical culture establishment (<i>Blink Fitness</i>) within portions of an existing commercial building. C5-3(mid)(T) zoning district. Community Board #5M
		Examiner: Rory Levy (212) 386-0082
		Status: Granted – 5/20/14

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<i>BZ – CONTINUED HEARINGS</i>		
20.	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</p> <p>Examiner: Toni Matias (212) 386-0085</p> <p>Status: Adjourned, Continued Hearing – 7/22/14</p>
21.	54-12-BZ	<p>Gerald J. Caliendo, R.A., AIA 65-39 102nd Street, Queens Variance (§72-21) to permit for the construction of a community facility and residential building, contrary to lot coverage (§23-141), lot area (§§23-32, 23-33), front yard (§§23-45, 24-34), side yard (§§23-46, 24-35) and side yard setback (§24-55) regulations. R5 zoning district. Community Board #6Q</p> <p>Examiner: Josh Saal (212) 386-0081</p> <p>Status: Closed, Decision – 6/17/14</p>
22.	124-13-BZ	<p>Rothkrug, Rothkrug & Spector LLP 95 Grattan Street, Brooklyn Variance (§72-21) to allow for a new seven-family residential development, contrary to use regulations (§42-00). M1-1 zoning district. Community Board #1BK</p> <p>Examiner: Josh Saal (212) 386-0081</p> <p>Status: Closed, Decision – 6/24/14</p>
23.	125-13-BZ	<p>Rothkrug, Rothkrug & Spector LLP 97 Grattan Street, Brooklyn Variance (§72-21) to allow for a new seven-family residential development, contrary to use regulations (§42-00). M1-1 zoning district. Community Board #1BK</p> <p>Examiner: Josh Saal (212) 386-0081</p> <p>Status: Closed, Decision – 6/24/14</p>

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24.	193-13-BZ	<p>Eric Palatnik, P.C. 4770 White Plains Road, Bronx Special Permit (§73-44) for the reduction in parking from 190 to 95 spaces to facilitate the conversion of an existing building to UG 6 office and retail use. C2-2/R6A & R-5 zoning districts. Community Board #12BX</p> <p>Examiner: Josh Saal (212) 386-0081</p> <p>Status: Adjourned, Continued Hearing – 8/19/14</p>
25.	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</p> <p>Status: Closed, Decision – 6/17/14</p>
26.	310-13-BZ	<p>Eric Palatnik, P.C. 459 East 149th Street, Bronx Variance (§72-21) to allow a UG3 college (<i>Metropolitan College of New York</i>) within a proposed mixed use building, contrary to use regulations (§44-00). M1-1/C4-4 zoning district. Community Board #1BX</p> <p>Examiner: Rory Levy (212) 386-0082</p> <p>Status: Continued Hearing – 6/10/14</p>
27.	319-13-BZ	<p>Herrick, Feinstein LLP 1800 Park Avenue, Manhattan Variance (§72-21) to waive the minimum parking requirements (§25-23) to permit the construction of a new, 682 unit, 32-story mixed used building. 123 parking spaces are proposed. C4-7 zoning district. Community Board #11M</p> <p>Examiner: Josh Saal (212) 386-0081</p> <p>Status: Closed, Decision – 6/10/14</p>

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28.	325-13-BZ	<p>Eric Palatnik, P.C. 3170 Webster Avenue, Bronx Special Permit (§73-36) to permit the operation of Physical Cultural Establishment (<i>Crunch Fitness</i>) within a portions of a commercial building. C2-4/R7D zoning district. Community Board #7BX</p> <hr/> <p>Examiner: Rory Levy (212) 386-0082</p> <hr/> <p>Status: Closed, Decision – 6/24/14</p>

<i>BZ – NEW CASES</i>		
29.	266-13-BZ	<p>Law Offices of Marvin B. Mitzner 515 East 5th Street, Manhattan Variance (§72-21) to legalize the enlargement of a six-story, multi-unit residential building, contrary to maximum floor area (§23-145). R7B zoning district. Community Board #3M</p> <hr/> <p>Examiner: Toni Matias (212) 386-0085</p> <hr/> <p>Status: Continued Hearing – 7/15/14</p>
30.	326-13-BZ	<p>Rothkrug Rothkrug & Spector, LLP 16-16 Whitestone Expressway, Queens Special Permit (§73-44) to reduce the required number of accessory parking space from 192 to 138 spaces for an office building (UG 6). M1-1 (CP) zoning district. Community Board #7Q0.</p> <hr/> <p>Examiner: Carlo Costanza (212) 386-0068</p> <hr/> <p>Status: Closed, Decision – 6/17/14</p>

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31.	327-13-BZ	<p>Goldman Harris LLC 1504 Coney Island Avenue Brooklyn Special Permit (§73-44) to reduce the required number of accessory parking spaces from 346 to 272 spaces for a mixed use building containing UG4 health care and UG 6 office uses. C8-2, C2-3/R5 zoning district. Community Board #12BK</p> <p>Examiner: Carlo Costanza (212) 386-0068</p> <p>Status: Postponed Hearing – 7/15/14</p>
32.	9-14-BZ	<p>Warshaw Burstein, LLP 4168 Broadway, Manhattan Special Permits (§§73-36, 73-52) to allow the operation of a physical culture establishment (<i>Planet Fitness</i>) within the existing building and to permit the fitness center use to extend 25 feet into the R7-2 zoning district. C8-3 and R7-2 zoning district. Community Board #12M</p> <p>Examiner: Rory Levy (212) 386-0082</p> <p>Status: Closed, Decision – 6/24/14</p>
33.	17-14-BZ	<p>Moshe M. Friedman, PE 600 McDonald Avenue, Brooklyn Variance (§72-21) to add a third and fourth floor to an existing school building, contrary to floor area and lot coverage (§24-11), maximum wall height (§24-521), side yard (§24-35), front yard (§24-34) and rear yard (§24-361) regulations. R5 zoning district. Community Board #12BK</p> <p>Examiner: Rory Levy (212) 386-0082</p> <p>Status: Continued Hearing – 6/24/14</p>
34.	18-14-BZ	<p>Warshaw Burstein, LLP 1245 Fulton Street, Brooklyn Special Permit (§73-36) to allow the operation of a physical culture establishment (<i>Planet Fitness</i>) within an existing building. C4-5 zoning district. Community Board #3BK</p> <p>Examiner: Rory Levy (212) 386-0082</p> <p>Status: Closed, Decision – 6/24/14</p>

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