

# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

REGULAR MEETING

TUESDAY MORNING, NOVEMBER 18, 2014

10:00 A.M.

<b><i>SOC – DECISIONS</i></b>		
1.	724-56-BZ	<p>Eric Palatnik, P.C.  <b>42-42 Francis Lewis Boulevard, Queens</b>                      Amendment of a previously approved variance which permitted automotive repair (UG 16B). Application is to amend the length of an extension of term that was granted the Board from five years to ten years which expired November 20, 2012. R3-2 zoning district.  <b>Community Board #11Q</b></p> <p><b>Examiner: Carlo Costanza (212) 386-0068</b></p> <p><b>Status: Granted – 11/18/14</b></p>
2.	162-95-BZ & 163-95-BZ	<p>Warshaw Burstein, LLP  <b>3060 &amp; 3074 Westchester Avenue, Bronx</b>                      Extension of Term of a previously approved Special Permit (§73-36) on the first and mezzanine floor of the existing building to allow for its continued operation. C2-4 zoning district.  <b>Community Board #10BX</b></p> <p><b>Examiner: Carlo Costanza (212) 386-0068</b></p> <p><b>Status: Granted – 11/18/14</b></p>
3.	178-03-BZ	<p>Eric Palatnik, P.C.  <b>114-02 Van Wyck Expressway, Queens</b>                      Extension of Term of a Special Permit (§73-211) permitting the operation of an automotive service station (UG 16B) which expired on April 28, 2014. C2-2/R3-2 zoning district.  <b>Community Board #10Q</b></p> <p><b>Examiner: Carlo Costanza (212) 386-0068</b></p> <p><b>Status: Granted – 11/18/14</b></p>
4.	42-08-BZ	<p>Eric Palatnik, P.C.  <b>182 Girard Street, Brooklyn</b>                      Extension of Time to Complete Construction of a previously granted Special Permit (73-622) for the enlargement of an existing two family home to be converted into a single family home which expired on January 27, 2013; Waiver of the Rules. R3-1 zoning district.  <b>Community Board #15BK</b></p> <p><b>Examiner: Henry Segovia (212) 386-0074</b></p> <p><b>Status: Deferred Decision – 1/13/15</b></p>

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<b><i>SOC – CONTINUED HEARINGS</i></b>		
5.	698-59-BZ	<p>Eric Palatnik, P.C. <b>2773 Nostrand Avenue, Brooklyn</b> Amendment of a previously approved variance to permit the conversion of the convenience store to a relocate and re-size curb cuts and to legalize the existing remediation equipment and location of the tanks and permit additional trees on the site. C2-2 zoning district. <b>Community Board #18BK</b></p> <p><b>Examiner: Carlo Costanza (212) 386-0068</b></p> <p><b>Status: Closed, Decision – 12/9/14</b></p>
6.	822-59-BZ	<p>Eric Palatnik, P.C. <b>1774 Victory Boulevard, Staten Island</b> Amendment (§11-412) to convert existing automotive service bays into an accessory convenience store and enlarge the accessory building at an existing gasoline service station. C2-1/R3-2 zoning district. <b>Community Board #1SI</b></p> <p><b>Examiner: Carlo Costanza (212) 386-0068</b></p> <p><b>Status: Closed, Decision – 12/9/14</b></p>
7.	902-79-BZ 1096-79-BZ 1097-79-BZ 148-03-BZ	<p>Goldman Harris LLC <b>111/113 West 28<sup>th</sup> Street and 116-118 &amp; 120 &amp; 114 West 29<sup>th</sup> Street, Manhattan</b> Amendment of a previously approved Variance (§72-21) the conversion of a three-story and four-story and a twelve-story existing manufacturing buildings to residential use above the ground floor and now to proposed the unused development rights for incorporation into a new as-of-right hotel. M1-6 zoning district. <b>Community Board #5M</b></p> <p><b>Examiner: Carlo Costanza (212) 386-0068</b></p> <p><b>Status: Closed, Decision – 12/16/14</b></p>
8.	964-87-BZ	<p>Eric Palatnik, P.C. <b>786 Burke Avenue, aka 780-798 Burke Avenue, Bronx</b> Amendment to a previously approved Variance for the operation of an Automotive Service Station (UG 16B), with accessory uses. The Amendment seeks to convert a portion of a service bay to an accessory convenience store; Extension of Time to obtain a Certificate of Occupancy which expired on May 10, 2012; Waiver of the Rules. C1-3/R6 zoning district. <b>Community Board #12BX</b></p> <p><b>Examiner: Henry Segovia (212) 386-0074</b></p> <p><b>Status: Closed, Decision – 12/16/14</b></p>

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<b><i>SOC – CONTINUED HEARINGS</i></b>		
<b>9.</b>	<b>203-92-BZ</b>	<p>Jeffrey Chester, Esq.  <b>70-20 Austin Street, Queens</b>                      Extension of Term of a previously approved Special Permit (§73-36) for the continued operation of a Physical Culture Establishment (<i>Lucille Roberts Gym</i>), which expired on March 1, 2014. C2-3(in R5D) zoning district.  <b>Community Board #6Q</b>  <b>Examiner: Henry Segovia (212) 386-0074</b>  <b>Status: Closed, Decision – 12/9/14</b></p>

<b><i>SOC – NEW CASES</i></b>		
<b>10.</b>	<b>833-52-BZ</b>	<p>Vassalotti Associates Architects, LLP  <b>5916-30 Foster Avenue, Brooklyn</b>                      ZR (§11-411) Extension of Term for the continued operation of a gasoline service station (<i>Sunoco</i>) which expired on January 15, 2012; Amendment to convert the existing service bays to a convenience store; Waiver of the Rules. C1-2/R5 zoning district.  <b>Community Board #18BK</b>  <b>Examiner: Henry Segovia (212) 386-0074</b>  <b>Status: Closed, Decision – 12/16/14</b></p>
<b>11.</b>	<b>164-04-BZ</b>	<p>Warshaw Burstein, LLP  <b>2241 Westchester Avenue, Bronx</b>                      Extension of Term of a previously granted Special Permit (§73-36) for the continued operation of a physical culture establishment (<i>Planet Fitness Center</i>) occupying the entire second floor of a two story building which expired on July 15, 2014. R6/C2-4 zoning district.  <b>Community Board #10BX</b>  <b>Examiner: Henry Segovia (212) 386-0074</b>  <b>Status: Closed, Decision – 12/16/14</b></p>

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<b><i>APPEALS – CONTINUED HEARINGS</i></b>		
12.	300-08-A	<p>Law office of Marvin B. Mitzner LLC <b>39-35 27<sup>th</sup> Street, Queens</b> Extension of time to complete construction and obtain a Certificate of Occupancy for the construction of a hotel under common law vested rights. M1-2 /R5-B zoning district. <b>Community Board #1Q</b></p> <p><b>Examiner: Toni Matias (212) 386-0085</b></p> <p><b>Status: Continued Hearing – 12/16/14</b></p>
13.	95-14-A	<p>Bernard Marson <b>237 East 72<sup>nd</sup> Street, Manhattan</b> MDL 171 &amp;4.35 to allow for a partial one-story vertical enlargement (<i>Penthouse</i>) of the existing 3 story and basement building located on the site. Pursuant to the 310 MDL. R8 zoning district. <b>Community Board #8M</b></p> <p><b>Examiner: Toni Matias (212) 386-0085</b></p> <p><b>Status: Continued Hearing – 1/27/15</b></p>

<b><i>APPEAL – NEW CASES</i></b>		
14.	265-14-A 266-14-A 267-14-A	<p>NYC Housing Preservation &amp; Development <b>SEAGATE CLUSTER</b> <b>3740, 3742 and 3812 Atlantic Avenue, Brooklyn</b> Waiver of Section 36, Article 3 of the General City Law, for the replacement of homes damaged/destroyed by Hurricane Sandy, on properties not fronting a mapped street, which are registered in the NYC Build it Back Program property. R3-1 Zoning District. <b>Community Board #13BK</b></p> <p><b>Examiner: Toni Matias (212) 386-0085</b></p> <p><b>Status: Granted – 11/18/14</b></p>

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<b><i>BZ – DECISIONS</i></b>		
15.	<b>323-13-BZ</b>	<p>Eric Palatnik, P.C.  <b>127 East 71<sup>st</sup> Street, Manhattan</b>                      Special Permit (§73-621) to permit the proposed alteration, which will enlarge the footprint and include a vertical enlargement at the rear portion of the existing four story, plus cellar and basement contrary to lot coverage §23-145. R8B (LH-1A) zoning district.  <b>Community Board #8M</b>  <b>Examiner: Henry Segovia (212) 386-0074</b>  <b>Status: Deferred Decision – 12/9/14</b></p>
16.	<b>93-14-BZ</b>	<p>Eric Palatnik, P.C.  <b>455 West 37<sup>th</sup> Street, Manhattan</b>                      Special Permit (§73-36) to legalize a physical culture establishment (<i>Title Boxing Club</i>). R8A/C2-5 zoning district.  <b>Community Board #4M</b>  <b>Examiner: Rory Levy (212) 386-0082</b>  <b>Status: Granted – 11/18/14</b></p>
17.	<b>97-14-BZ</b>	<p>Warshaw Burstein, LLP  <b>22-26 East 14<sup>th</sup> Street, Manhattan</b>                      Special Permit (§73-36) to allow the operation of a physical culture establishment (<i>Planet Fitness</i>) on portions of the ground and cellar levels of the existing building. C6-1 zoning district.  <b>Community Board #2M</b>  <b>Examiner: Toni Matias (212) 386-0085</b>  <b>Status: Granted – 11/18/14</b></p>
18.	<b>100-14-BZ</b>	<p>Rothkrug Rothkrug &amp; Spector LLP  <b>1490 Macombs Road, Bronx</b>                      Special Permit (§73-36) to allow for a physical culture establishment (PCE) (<i>Blink Fitness</i>) within a portions of a new two-story commercial building (currently under construction). C8-3 zoning district.  <b>Community Board #4BX</b>  <b>Examiner: Rory Levy (212) 386-0082</b>  <b>Status: Granted – 11/18/14</b></p>

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<b>19.</b>	<b>104-14-BZ</b>	<p>Warshaw Burnstein, LLP  <b>282 South 5<sup>th</sup> Street, aka 287 Broadway, Brooklyn</b>                      Special Permit (§73-36) to allow the operation of a physical culture establishment (<i>Planet Fitness</i>) on a portion of the ground and second floors of a new building, contrary to (§32-31). C4-3 zoning district.  <b>Community Board #1BK</b></p> <p><b>Examiner: Rory Levy (212) 386-0082</b></p> <p><b>Status: Granted – 11/18/14</b></p>
<b>20.</b>	<b>150-14-BZ</b>	<p>Law Office of Fredrick A. Becker  <b>30 Broad Street, Manhattan</b>                      Special Permit (§73-36) to allow the operation of a physical culture establishment (<i>BFX Studio</i>) in portions of the second floor and second floor mezzanine with an entrance at the ground level. C5-5 zoning district.  <b>Community Board #1M</b></p> <p><b>Examiner: Rory Levy (212) 386-0082</b></p> <p><b>Status: Granted – 11/18/14</b></p>

<b><i>BZ – CONTINUED HEARINGS</i></b>		
<b>21.</b>	<b>153-11-BZ</b>	<p>Eric Palatnik, P.C.  <b>27-11 30<sup>th</sup> Avenue, Queens</b>                      Re-instatement (§§11-411 &amp; 11-412) to permit the continued operation of an automotive repair use (UG 16B); amendment to enlarge the existing one story building; Waiver of the Board's Rules. C1-3 zoning district.  <b>Community Board #4Q</b></p> <p><b>Examiner: Carlo Costanza (212) 386-0068</b></p> <p><b>Status: Adjourned, Continued Hearing – 1/6/15</b></p>
<b>22.</b>	<b>2-13-BZ</b>	<p>Alfonso Duarte  <b>438 Targee Street, Staten Island</b>                      Variance (§72-21) to legalize the extension of a retail building, contrary to use regulations (§23-00). R3A zoning district.  <b>Community Board #1SI</b></p> <p><b>Examiner: Joshua Saal (212) 386-0081</b></p> <p><b>Status: Closed, Decision – 12/6/14</b></p>

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23.	174-13-BZ	<p>Jeffrey A. Chester, Esq./GSHLLP  <b>2449 Morris Avenue, aka 58-66 East Fordham Road, Bronx</b>                      Special Permit (§73-36) to allow the reestablishment of an expired physical culture establishment (<i>Lucille Roberts</i>) on the second floor, contrary to (§32-31). C4-4 zoning district.  <b>Community Board #7BX</b></p> <p><b>Examiner: Rory Levy (212) 386-0082</b></p> <p><b>Status: Continued Hearing – 12/9/14</b></p>
24.	193-13-BZ	<p>Eric Palatnik, P.C.  <b>4770 White Plains Road, Bronx</b>                      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 &amp; R-5 zoning districts.  <b>Community Board #12BX</b></p> <p><b>Examiner: Joshua Saal (212) 386-0081</b></p> <p><b>Status: Off-Calendar – 11/18/14</b></p>
25.	222-13-BZ	<p>Eric Palatnik, P.C.  <b>2472 Coney Island Avenue, Brooklyn</b>                      Special Permit (§73-44) to allow the reduction of required parking for the use group 4 ambulatory diagnostic treatment healthcare facility. C8-1/R5 zoning district.  <b>Community Board #15BK</b></p> <p><b>Examiner: Joshua Saal (212) 386-0081</b></p> <p><b>Status: Continued Hearing – 1/27/15</b></p>
26.	254-13-BZ	<p>Law Office of Marvin B. Mitzner  <b>2881 Nostrand Avenue, Brooklyn</b>                      Variance (§72-21) to permit a residential development, contrary to floor area (§23-141(a)), dwelling units (§23-22), lot coverage (§23-141(a)), front yard (§23-45(a)), side yard (§23-462(a)), and building height (§23-631(b)) regulations. R3-2 zoning district.  <b>Community Board #18BK</b></p> <p><b>Examiner: Joshua Saal (212) 386-0081</b></p> <p><b>Status: Continued Hearing – 12/16/14</b></p>

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<b><i>BZ – CONTINUED HEARINGS</i></b>		
27.	<b>264-13-BZ</b>	<p>Francis R. Angelino, Esq.  <b>257 West 17<sup>th</sup> Street, Manhattan</b>                      Special Permit (§73-36) to legalize a physical culture establishment (<i>Brick CrossFit</i>) on the ground floor and cellar of an existing 10-story building. C6-2A zoning district.  <b>Community Board #4M</b>  <b>Examiner: Rory Levy (212) 386-0082</b>  <b>Status: Continued Hearing – 12/9/14</b></p>
28.	<b>271-13-BZ</b>	<p>Eric Palatnik, P.C.  <b>129 Norfolk Street, Brooklyn</b>                      Special Permit (§73-622) for the enlargement of an existing single family home, contrary to floor area and lot coverage (§23-141); side yard (§23-461) and rear yard (§23-47) regulations. R3-1 zoning district.  <b>Community Board #15BK</b>  <b>Examiner: Henry Segovia (212) 386-0074</b>  <b>Status: Continued Hearing – 1/6/15</b></p>
29.	<b>5-14-BZ</b>	<p>Law Office of Lyra J. Altman  <b>1807 East 22<sup>nd</sup> Street, Brooklyn</b>                      Special Permit (§73-622) for the enlargement of an existing single family home, contrary to floor area, lot coverage and open space (§23-141); side yards (§23-461) and rear yard (§23-47) regulations. R3-2 zoning district.  <b>Community Board #15BK</b>  <b>Examiner: Henry Segovia (212) 386-0074</b>  <b>Status: Continued Hearing – 1/27/15</b></p>
30.	<b>25-14-BZ</b>	<p>Law Office of Lyra J. Altman  <b>1601-1623 Avenue J, aka 985-995 East 16<sup>th</sup> Street &amp; 990-1026 East 17<sup>th</sup> Street, Brooklyn</b>                      Variance (§72-21) to permit the enlargement of an existing four story Yeshiva (<i>Yeshiva of Flatbush</i>). R2 &amp; R5 zoning districts.  <b>Community Board #14BK</b>  <b>Examiner: Rory Levy (212) 386-0082</b>  <b>Status: Continued Hearing – 12/9/14</b></p>

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<b><i>BZ – CONTINUED HEARINGS</i></b>		
<b>31.</b>	<b>38-14-BZ</b>	<p>Eric Palatnik, P.C  <b>116 Oxford Street, Brooklyn</b>                      Special Permit (§73-622) for the enlargement of single family home, contrary to floor area, lot coverage and open space (§23-141), side yard (§23-461) and less than the required rear yard (§23-47). R3-1 zoning district.  <b>Community Board #15BK</b>  <b>Examiner: Henry Segovia (212) 386-0074</b>  <b>Status: Continued Hearing – 11/25/14</b></p>
<b>32.</b>	<b>96-14-BZ</b>	<p>Kramer Levin Naftalis &amp; Frankel LLP  <b>290 Dyckman Street, Manhattan</b>                      Variance (§72-21) to allow the conversion of an existing two-story building that has historically been occupied by manufacturing and industrial/commercial uses to be converted to a self-storage facility. C8-3/R7-2 district.  <b>Community Board #12M</b>  <b>Examiner: Carlo Costanza (212) 386-0068</b>  <b>Status: Closed, Decision – 12/9/14</b></p>
<b>33.</b>	<b>132-14-BZ</b>	<p>Warshaw Burstein, LLP  <b>441 Rockaway Avenue, Brooklyn</b>                      Special Permit (§73-36) to allow the operation of a physical culture establishment (<i>Planet Fitness</i>) on the cellar and first floor of the existing building, located within a C4-3 zoning district.  <b>Community Board #16BK</b>  <b>Examiner: Rory Levy (212) 386-0082</b>  <b>Status: Closed, Decision – 12/9/14</b></p>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

REGULAR MEETING

TUESDAY AFTERNOON, NOVEMBER 18, 2014

1:00 P.M.

<b><i>BZ – NEW CASES</i></b>		
<b>1.</b>	<b>321-13-BZ</b>	<p>Eric Palatnik, P.C.  <b>37-19 104<sup>th</sup> Street, Queens</b>                      Variance (§72-21) for the construction of a three family home on a vacant lot, contrary to side yard requirements (§23-462(a)) and the parking space requirements of (§25-32). R5 zoning district.  <b>Community Board #3Q</b>  <b>Examiner: Henry Segovia (212) 386-0074</b>  <b>Status: Continued Hearing – 1/27/15</b></p>
<b>2.</b>	<b>329-13-BZ</b>	<p>Alexander Levkovich  <b>145 Girard Street, Brooklyn</b>                      Special Permit (§73-622) for the enlargement of an existing single family home, contrary to floor area and open space (23-141). R3-1 zoning district.  <b>Community Board #15BK</b>  <b>Examiner: Henry Segovia (212) 386-0074</b>  <b>Status: Adjourned, Continued Hearing – 12/9/14</b></p>
<b>3.</b>	<b>94-14-BZ</b>	<p>Dennis D. Dell'Angelo  <b>1150 East 22<sup>nd</sup> Street, Brooklyn</b>                      Special Permit (§73-622) for the enlargement of an existing single family home contrary to floor area and open space (ZR 23-141) and less than the required rear yard (ZR 23-47). R2 zoning district.  <b>Community Board #3BK</b>  <b>Examiner: Henry Segovia (212) 386-0074</b>  <b>Status: Continued Hearing – 12/16/14</b></p>
<b>4.</b>	<b>119-14-BZ</b>	<p>Law Office of Jay Goldstein, PLLC  <b>1151 Third Avenue, aka 201 East 67<sup>th</sup> Street, Manhattan</b>                      Special Permit (§73-36) to allow the operation of a physical culture establishment (<i>Flywheel Sports</i>) of the second and third floor of the existing building. Located within a C1-9 zoning district.  <b>Community Board #8M</b>  <b>Examiner: Rory Levy (212) 386-0082</b>  <b>Status: Closed, Decision – 12/16/14</b></p>

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<b><i>BZ – NEW CASES</i></b>		
5.	<b>120-14-BZ</b>	<p>Law Office of Jay Goldstein, PLLC  <b>1151 Third Avenue, aka 201 East 67<sup>th</sup> Street, Manhattan</b>                      Special Permit (§73-36) to allow the operation of a physical culture establishment (<i>Fhitting Room</i>) on the fifth floor of the existing building. C1-9 zoning district.  <b>Community Board #8M</b></p> <p style="color: green;"><b>Examiner: Rory Levy (212) 386-0082</b></p> <p style="color: red;"><b>Status: Closed, Decision – 12/16/14</b></p>
6.	<b>121-14-BZ</b>	<p>Law Office of Jay Goldstein, PLLC  <b>1151 Third Avenue, aka 201 East 67<sup>th</sup> Street, Manhattan</b>                      Special Permit (§73-36) to allow for the operation of a physical culture establishment (<i>SLT</i>) on the 4th floor of the existing building. C1-9 zoning district.  <b>Community Board #8M</b></p> <p style="color: green;"><b>Examiner: Rory Levy (212) 386-0082</b></p> <p style="color: red;"><b>Status: Closed, Decision – 12/16/14</b></p>
7.	<b>151-14-BZ</b>	<p>Law Office of Fredrick A. Becker  <b>19 West 21<sup>st</sup> Street, Manhattan</b>                      Special Permit (§73-36) to legalize the operation of a physical culture establishment/ yoga studio (<i>Exhale Enterprises</i>) on a portion of the ground floor of the subject 12-story commercial building. C6-4A zoning district.  <b>Community Board #5M</b></p> <p style="color: green;"><b>Examiner: Rory Levy (212) 386-0082</b></p> <p style="color: red;"><b>Status: Closed, Decision – 12/16/14</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.

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