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# BULLETIN

OF THE  
NEW YORK CITY BOARD OF STANDARDS  
AND APPEALS

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Volume 86, Nos. 22

May 31, 2001

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## DIRECTORY

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*Commissioners*

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**Trevis Bethea**, *Deputy Director*

**Juan D. Reyes, III**, *Counsel*

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7-01-BZ	2040 Arthur Avenue, Bronx
15-01-BZ &	337-347 Kent Avenue, Brooklyn
22-01-A	

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# DOCKET

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New Case Filed Up to May 22, 2001

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**196-01-BZ**                      B.BK.                      211/21 Emmons Avenue,  
between Dooley and East 21<sup>st</sup> Streets, Block 8779, Lots 158, 1001 and 1002,  
Borough of Brooklyn. Applic. #301161613. Proposed use of the ground  
floor community facility space for commercial use, in an existing four story  
assisted- living residential facility, located in an R5/C2-2 zoning district,  
which does not comply with the zoning requirements for lot area, Special  
Sheepshead Bay District, also the number of parking spaces and loading  
berths, is contrary to Z.R. §35-411, §36-21, §36-62 and §94-062.

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**DESIGNATIONS: D-Department of Buildings; B.BK.-Department of  
Buildings, Brooklyn; B.M.-Department of Buildings, Manhattan; B.Q.-  
Department of Buildings, Queens; B.S.I.-Department of Buildings,  
Staten Island; B.BX.-Department of Building, The Bronx; H.D.-Health  
Department; F.D.-Fire Department.**

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# CALENDAR

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**JUNE 26, 2001, 10:00 A.M.**

**NOTICE IS HEREBY GIVEN** of a public hearing, *Tuesday morning*, June 26, 2001, at 10 A.M., at 40 Rector Street, 6<sup>th</sup> Floor, New York, N.Y. 10006, on the following matters:

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**SPECIAL ORDER CALENDAR**

**30-58-BZ**

APPLICANT -Vassalotti Associates, Architects, for the Benenson Capital Company, owner.

SUBJECT - Application September 25, 2000 - reopening for an amendment to the resolution.

PREMISES AFFECTED - 184-17 Horace Harding Expressway, northwest corner of 185th Street, Block 7067, Lot 50, Borough of Queens

**COMMUNITY BOARD #11Q**

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**137-85-BZ**

APPLICANT - The Agusta Group, for Lund Fire Products, Inc., owner.

SUBJECT - Application March 6, 2001 - reopening for an amendment to the resolution.

PREMISES AFFECTED - 40-27/33 215 Place and 40-30/36 216th Street, Block 6303, Lot 20, Borough of Queens.

**COMMUNITY BOARD #11Q**

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**942-87-BZ**

APPLICANT -Philip P. Agusta, for Camastro Corp., owner, FCZ Restaurant Inc., lessee.

SUBJECT - Application January 11, 2001 - reopening for an extension of term of the special permit which expired January 13, 2001.

PREMISES AFFECTED 23-70 Steinway Street, west side of Steinway Street, 17.5' north of Astoria Boulevard, Block 803, Lot 75 Borough of Queens.

**COMMUNITY BOARD #1Q**

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**65-90-BZ**

APPLICANT -Sheldon Lobel, P.C., for Street Retail Inc., owner, Meadows Spa, Inc., lessee.

SUBJECT - Application January 9, 2001 - reopening for an extension of term of special permit which expired January 29, 2001.

PREMISES AFFECTED 61-19 190th Street, northeast corner of 64th Avenue, 190th Street, Block 7117, Lot 4 Borough of Queens.

**COMMUNITY BOARD #8Q**

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**192-92-BZ**

APPLICANT -Anthony M. Salvati, for Paul Rose, owner.

SUBJECT - Application January 4, 2001 - reopening for an extension of term of variance which expires July 23, 2001.

PREMISES AFFECTED 900 Southern Blvd., Northeast corner formed by Southern Boulevard and Barreto Street, Block 2735, Lot 1 Borough of The Bronx.

**COMMUNITY BOARD #2BX**

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**JUNE 26, 2001, 11:00 A.M.**

**NOTICE IS HEREBY GIVEN** of a public hearing, *Tuesday morning*, June 26, 2001, at 11 A.M., at 40 Rector Street, 6<sup>th</sup> Floor, New York, N.Y. 10006, on the following matters:

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**APPEALS CALENDAR**

**163-01-A**

APPLICANT - Fredrick A. Becker, Esq., for William Keefe and Dominic Gatto, owner.

SUBJECT - Application April 26, 2001 - proposed mixed use building, must comply with Sections 26.5(d)(1), 26.7 and 30.3 of the Multiple Dwelling Law, relating to court and rear yard equivalent dimensions.

PREMISES AFFECTED - 501 Broadway and 72 Mercer Street, west side of Broadway, east side of Mercer Street, 120' north of Broome Street, Block 484, Lot 22, Borough of Manhattan.

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# CALENDAR

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**JUNE 26, 2001, 2:00 P.M.**

**NOTICE IS HEREBY GIVEN** of a public hearing, *Tuesday afternoon*, June 26, 2001, at 2 P.M., at 40 Rector Street, 6<sup>th</sup> Floor, New York, N.Y. 10006, on the following matters:

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## ZONING CALENDAR

### **226-00-BZ**

APPLICANT - Agusta & Ross, for Simon Pollack, owner.  
SUBJECT - Application October 5, 2000 - under Z.R. §72-21, to permit the proposed erection of a six story, 35 units multiple dwelling, upon a vacant lot, located in an M1-2 zoning district, which is contrary to Z.R. §42-10.

PREMISES AFFECTED - 210 Middleton Street, southeast corner of Throop Avenue, Block 2242, Lot 28, Borough of Brooklyn.

### **COMMUNITY BOARD #1BK**

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### **313-00-BZ**

APPLICANT - Alfonso Duarte, for Rajesh Pushparajan, owner.  
SUBJECT - Application December 28, 2000 - under Z.R. §72-21, to permit the legalization of an existing auto repairs and sales establishment (Use Groups 16A and 16B); and a proposed extension into the side yard of the subject premises which is contrary to Z.R. §32-00 and §33-291 also, a previous variance granted under Cal. No. 107-34-BZ, which permitted a gasoline service station in a C2-2 within an R4 zoning district.

PREMISES AFFECTED - 248-55 Jamaica Avenue, northwest corner of 249th Street, Block 8664, Lot 45, Borough of Queens.

### **COMMUNITY BOARD #13Q**

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### **118-01-BZ**

APPLICANT - Land Planning & Engineering Consultants, P.C., Vito J. Fossella, P.E., for James Kinsella, owner.  
SUBJECT - Application March 13, 2001 - under Z.R. §72-21, to permit the proposed one story office building (Use Group 6) located in an R3-2 zoning district, which is contrary Z.R. §22-00.

PREMISES AFFECTED - 1845 Richmond Avenue, east side, 500.18' south of Eton Place, Block 2030, Lot 57, Borough of Staten Island.

### **COMMUNITY BOARD #1S.I.**

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### **132-01-BZ**

APPLICANT - Sheldon Lobel, P.C., for Mark Spiegel, owner.  
SUBJECT - Application April 2, 2001 - under Z.R. §73-622, to permit the proposed enlargement to an existing one family dwelling (Use Group 1) located in an R2 zoning district, which creates non-compliance with respect to floor area ratio, open space ratio, also side and rear yards, and is contrary to Z.R. §23-141, §23-461 and §23-47.

PREMISES AFFECTED - 1283 East 22nd Street, between Avenues "L" and "M", Block 7640, Lot 39, Borough of Brooklyn.

### **COMMUNITY BOARD #14BK**

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### **135-01-BZ**

APPLICANT - Rothkrug & Rothkrug, for Go-Go Car Wash, Inc., owner; Personal Touch Car Wash, lessee.

SUBJECT - Application April 9, 2001 - under Z.R. §11-411, to permit the reestablishment of an expired variance, previously granted under Cal. No. 318-56-BZ, which permitted a high speed auto laundry (Use Group 16) in a C1-2 within an R5 zoning district.

PREMISES AFFECTED - 1815/17 86th Street a/k/a 1815/17 New Utrecht Avenue, north side, 78.8' west of New Utrecht Avenue, Block 6344, Lot 69, Borough of Brooklyn.

### **COMMUNITY BOARD #11BK**

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### **149-01-BZ**

APPLICANT - Fischbein Badillo Wagner Harding, for Jane Street Realty LLC/William Devaney, owner.

SUBJECT - Application April 20, 2001 - under Z.R. §72-21, to permit the proposed inclusion of the first and cellar floor areas of an existing six story building for residential use, which does not comply with the zoning requirements floor area ratio, open space ratio, zoning rooms and bedrooms windows, which is contrary to Z.R. §23-14, §23-223, §23-553 and §23-861.

PREMISES AFFECTED - 88/90 Jane Street a/k/a 357-359 West 12th Street, between Washington and Greenwich Street, Block 641, Lots 1001-1006, Borough of Manhattan.

### **COMMUNITY BOARD #2M**

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# CALENDAR

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**150-01-A**

APPLICANT - Fischbein Badillo Wagner Harding, for Jane Street Realty LLC/William Devaney, owner.

SUBJECT - Application April 20, 2001 - proposed residential use must comply with Section 310 of the Multiple Dwelling Law regarding light, air and rear yard equivalent.

PREMISES AFFECTED - 88/90 Jane Street a/k/a 357-359 West 12th Street, between Washington and Greenwich Street, Block 641, Lots 1001-1006, Borough of Manhattan.

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*Pasquale Pacifico, Executive Director*

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# MINUTES

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## REGULAR MEETING

TUESDAY MORNING, MAY 22, 2001

10:00 A.M.

**Present:** Chairman Chin, Commissioner Korbey and Commissioner Caliendo.

**Absent:** Vice-Chair Bonfilio.

The minutes of the regular meetings of the Board held on Tuesday morning and afternoon, May 1, 2001, were approved as printed in the Bulletin of May 10, 2001, Volume 86, No. 19.

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## SPECIAL ORDER CALENDAR

### 300-64-BZ

APPLICANT - New York City Board of Standards and Appeals.

OWNER: Pathmark Stores Inc.

SUBJECT - to dismiss the application for lack of prosecution.

PREMISES AFFECTED -1038-64 Leland Avenue, east side, 100' south of Watson Avenue, Block 3731, Lots 26 and 36, Borough of The Bronx.

### COMMUNITY BOARD # 9BX

APPEARANCES - None.

**ACTION OF THE BOARD** - Application withdrawn.

THE VOTE TO WITHDRAW -

Affirmative: Chairman Chin, Commissioner Korbey and Commissioner Caliendo.....3

Negative: .....0

Absent: Vice-Chair Bonfilio.....1

Adopted by the Board of Standards and Appeals, May 22, 2001.

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### 554-54-BZ

APPLICANT - Sheldon Lobel, P.C., for B.P. Amoco Corporation, owner.

SUBJECT - Application March 2, 2001 - reopening for an amendment to the resolution.

PREMISES AFFECTED - 6201 Avenue U, Avenue U and Mill Avenue, Block 8405, Lot 44, Borough of Brooklyn.

### COMMUNITY BOARD #18BK

APPEARANCES -

For Applicant: Eric Palatnik.

For Administration: Battalion Chief Phil Parr and John Scrofani, Fire Department.

**ACTION OF THE BOARD** - Laid over to June 12, 2001, at 10 A.M., for continued hearing.

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### 132-58-BZ

APPLICANT - Vassalotti Associates Architects.,for The Estate of Joseph P. Barone, owner.

SUBJECT - Application November 24, 1999 - reopening for an extension of term of the variance which expires June 18, 2000.

PREMISES AFFECTED - 17-45 and 17-55 Francis Lewis Boulevard, Block 4747, Lots 31 and 41, Borough of Queens.

### COMMUNITY BOARD #7Q

APPEARANCES -

For Applicant: Peter Hirshman.

For Administration: Battalion Chief Phil Parr and John Scrofani, Fire Department.

**ACTION OF THE BOARD** - Laid over to June 12, 2001, at 10 A.M., for continued hearing.

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### 318-70-BZ

APPLICANT - Rampulla Associates Architects, LLP, for 1725 Richmond Avenue Corp., owner; Scott Lizo, lessee.

SUBJECT - Application February 9, 2001 - reopening for an amendment to the resolution.

PREMISES AFFECTED - 1725 Richmond Avenue, south of Victory Boulevard, Block 2071, Lot 23, Borough of Staten Island.

### COMMUNITY BOARD #2SI

APPEARANCES -

For Administration: Battalion Chief Phil Parr and John Scrofani, Fire Department.

**ACTION OF THE BOARD** - Laid over to June 5, 2001, at 10 A.M. for postponed hearing.

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### 93-72-BZ

APPLICANT - Fischbein Badillo Wager Harding, for Sovereign Apartment, owner.

SUBJECT - Application January 8, 2001 - reopening for an amendment of the variance.

PREMISES AFFECTED -405,411 to 449 East 58th Street/ 408, 420 to 438 East 59th Street, 106.6' West of Sutton Place, Block 1370, Lot(s)102,6,7108, 8, 15, 16, 17, 117, 18, 19, 29, 30, 31, 121, 44.

### COMMUNITY BOARD #6M

APPEARANCES -

For Applicant: Barbara Hair.

For Opposition: Stephen Portroy.

For Administration: Battalion Chief Phil Parr and John

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# MINUTES

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Scrofani, Fire Department.

**ACTION OF THE BOARD** - Laid over to June 12, 2001, at 2 P.M., for continued hearing.

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**617-80-BZ**

APPLICANT -Sheldon Lobel, P.C., for Joseph Fekete, Pres J.S. Simcha Inc.

SUBJECT - Application September 29, 2000 - reopening for an extension of the term of variance which expired December 9, 2000 and for an amendment to legalize the changes.

PREMISES AFFECTED -770/780 Mc Donald Avenue, Block 5394, Lots 11,1 Borough of Brooklyn.

**COMMUNITY BOARD #12BK**

APPEARANCES -

For Applicant: Eric Palatnik.

For Administration: Battalion Chief Phil Parr and John Scrofani, Fire Department.

THE VOTE TO REOPEN HEARING -

Affirmative: Chairman Chin, Commissioner Korbey and Commissioner Caliendo.....3

Negative: .....0

Absent: Vice-Chair Bonfilio.....1

**ACTION OF THE BOARD** - Laid over to June 19, 2001, at 10 A.M., for continued hearing.

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**837-85-A**

APPLICANT - Philip P. Agusta, R.A., M.U.P., for Dr. Stephen Gari, D.M.D., F.A.G.D., owner.

SUBJECT - Application December 13, 2000 - reopening for an extension of term of the variance which expired December 17, 2000.

PREMISES AFFECTED - 166-18 73rd Avenue and 73-02 167th Street, southwest corner of 73rd Avenue and 167th Street, Block 6974, Lot 19, Borough of Queens.

**COMMUNITY BOARD #8Q**

APPEARANCES -

For Applicant: Philip P. Agusta.

For Opposition: Battalion Chief Phil Parr and John Scrofani, Fire Department.

**ACTION OF THE BOARD** - Laid over to July 10, 2001, at 10 A.M., for continued hearing.

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**539-87-BZ**

APPLICANT - Catapano Engineering, P.C., for Allan Stations, Inc., owner.

SUBJECT - Application July 7, 2000- request for a waiver of the Rules of Practice and Procedure, reopening for an extension of term of variance which expired on May 23, 1999 and for an amendment to the resolution.

PREMISES AFFECTED - 2451/59 Westchester Avenue, northeast corner of Rowland Street, Block 3974, Lot 1, Borough of The Bronx.

**COMMUNITY BOARD #9BX**

APPEARANCES -

For Applicant: Michelle Spallino.

For Administration: Battalion Chief Phil Parr and John Scrofani, Fire Department.

**ACTION OF THE BOARD** - Laid over to June 19, 2001, at 10 A.M., for continued hearing.

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**17-91-BZ**

APPLICANT - Joseph P. Morsellino, Esq., for Doyle Shaffer, Inc., owner.

SUBJECT - Application February 26, 2001 - reopening for an extension of term of the variance which expires February 25, 2002.

PREMISES AFFECTED - 45-32 Little Neck Parkway, south side of Little Neck Parkway, east of Northern Boulevard, Block 8229, Lot 30, Borough of Queens.

**COMMUNITY BOARD #11Q**

APPEARANCES -

For Applicant: Joseph P. Morsellino.

**ACTION OF THE BOARD** - Laid over to June 12, 2001, at 10 A.M., for continued hearing.

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**236-97-BZ**

APPLICANT -Omer Fenik Architect, for Leon Betsh, owner; Eastside Billiards, Lessee.

SUBJECT - Application January 19, 2001 - reopening for an extension of term of variance which expires August 4, 2001.

PREMISES AFFECTED -163-165 East 86th Street, north side of East 86th Street 153'-4" of Third Avenue, Block 1515, Lot 29, Borough of Manhattan.

**COMMUNITY BOARD #8M**

APPEARANCES -

For Applicant: Peter Hirshman.

For Administration: Battalion Chief Phil Parr and John Scrofani, Fire Department.

**ACTION OF THE BOARD** - Laid over to June 12, 2001, at 10 A.M., for continued hearing.

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**108-01-A**

APPLICANT - Joseph A. Sherry, for Breezy Point Cooperative, Inc., owner; Eddy and Geraldine Stansky, Lessees.

SUBJECT - Application February 28, 2001 - proposed enlargement of an existing one family dwelling, not fronting on a legally mapped street and located partially within the bed of a mapped street, is contrary to Sections 35 & 36

# MINUTES

Article 3 of the General City Law.

PREMISES AFFECTED - 56 Bedford Avenue, west side, 187.60' north of 12th Avenue, Block 16350, Lot 300, Borough of Queens.

APPEARANCES -

For Applicant: Loretta Papa.

For Administration: Battalion Chief Phil Parr and John Scrofani, Fire Department.

**ACTION OF THE BOARD** - Appeal granted on condition.

THE VOTE TO GRANT -

Affirmative: Chairman Chin, Commissioner Korbey and Commissioner Caliendo.....3

Negative: .....0

Absent: Vice-Chair Bonfilio.....1

THE RESOLUTION-

WHEREAS, the decision of the Queens Borough Commissioner, dated February 13, 2001, acting on Alteration Application No. 401075812, reads:

“A1 - The site is located partially in the bed of a mapped street therefore no permit or Certificate of Occupancy can be issued as per Art. 3 Sect. 35 of the General City Law”; and

“A2 - The site and building is not fronting on an official mapped street therefore; no permit or Certificate of Occupancy can be issued as per Art. 3, Sect. 36 of the General City Law; also no permit can be issued since proposed construction does not have at least 8% of the total perimeter of the building fronting directly upon a legally mapped street frontage and therefore contrary to Section C27-291 (C26-401.1) of the Administrative Code of the City of New York.”; and

WHEREAS, by the letter dated April 10, 2001, the Department of Environmental Protection has reviewed the above project and has no objections; and

WHEREAS, by the letter dated April 24, 2001, the Department of Transportation has reviewed the above project and has no objections; and

WHEREAS, by the letter dated March 13, 2001, the Fire Department has reviewed the above project and has no objections; and

WHEREAS, the applicant has submitted adequate evidence to warrant this approval under certain conditions.

*Resolved*, that the decision of the Queens Borough Commissioner, dated February 13, 2001, acting on Alteration Application No. 401075812, objections Numbers 1, and 2, is modified under the power vested in the Board by §§35 and 36 of the General City Law, and that this appeal is granted, limited to the decision noted above, on condition that construction shall substantially conform to the drawing filed with the application marked, “Received February 28, 2001”-(1) sheet; and on further condition that the proposal comply with all applicable R4 zoning district requirements;

that all applicable laws, rules, and regulations shall be complied with;

THAT the development, as approved, is subject to verification by the Department of Buildings for compliance with all other applicable provisions of the Zoning Resolution, the Administrative Code and any other relevant laws under the jurisdiction of the Department.

Adopted by the Board of Standards and Appeals, May 22, 2001.

## 110-01-A

APPLICANT - Gary Lenhart, R.A., for Breezy Point Cooperative Inc., owner.

SUBJECT - Application March 2, 2001 - proposed enlargement of an existing one family dwelling, not fronting on a legally mapped street, is contrary to Section 36, Article 3 of the General City Law.

PREMISES AFFECTED - 108 Beach 219th Street, west side, 120' south of Breezy Point Boulevard, Block 16350, Part of Lot 400, Borough of Queens.

APPEARANCES -

For Administration: Battalion Chief Phip Parr and John Scrofani, Fire Department.

**ACTION OF THE BOARD** - Appeal granted on condition.

THE VOTE TO GRANT -

Affirmative: Chairman Chin, Commissioner Korbey and Commissioner Caliendo.....3

Negative: .....0

Absent: Vice-Chair Bonfilio.....1

THE RESOLUTION-

WHEREAS, the decision of the Queens Borough Commissioner, dated February 6, 2001, acting on Alteration Application No. 401287317, reads:

“A-1 THE STREET GIVING ACCESS TO THE EXISTING BUILDING TO BE ALTERED IS NOT DULY PLACED ON THE OFFICIAL MAP OF THE CITY OF NEW YORK, THEREFORE

1. A CERTIFICATE OF OCCUPANCY MAY NOT BE ISSUED AS PER ARTICLE 3, SECTION 36 OF THE GENERAL CITY LAW.

2. EXISTING DWELLING TO BE ALTERED DOES NOT HAVE AT LEAST 8% OF TOTAL PERIMETER OF THE BUILDING FRONTING DIRECTLY ON A LEGALLY MAPPED STREET OR FRONTAGE SPACE IS CONTRARY TO SECTION 27-291 OF THE ADMINISTRATIVE CODE”; and

WHEREAS, by the letter dated March 13, 2001, the Fire Department has reviewed the above project and has no objections; and

# MINUTES

WHEREAS, the applicant has submitted adequate evidence to warrant this approval under certain conditions.

*Resolved*, that the decision of the Queens Borough Commissioner, dated February 6, 2001, acting on Alteration Application No. 401287317, is modified under the power vested in the Board by § 36 of the General City Law, and that this appeal is granted, limited to the decision noted above, on condition that construction shall substantially conform to the drawing filed with the application marked, "Received March 2, 2001"-(1) sheet; and on further condition that the proposal comply with all applicable R4 zoning district requirements; that all applicable laws, rules, and regulations shall be complied with;

THAT the development, as approved, is subject to verification by the Department of Buildings for compliance with all other applicable provisions of the Zoning Resolution, the Administrative Code and any other relevant laws under the jurisdiction of the Department.

Adopted by the Board of Standards and Appeals, May 22, 2001.

## 137-01-A

APPLICANT - Paul D. Selver, Esq./Jeremiah Candreva, Esq., for Intrepid Museum Foundation, owner; Intrepid Museum Foundation/Lt. General Martin Steele, President & CEO Intrepid Museum, lessee.

SUBJECT - Application April 12, 2001 - proposed renovation program consists of the demolition and reconfiguration of certain improvements located on the Main, Gallery, Forecastle, Second, Third and Fourth Decks of the existing USS Intrepid.

PREMISES AFFECTED - One Intrepid Square, Hudson River Pier 86, 12th Avenue and West 46th Street, Block 1107, Lot 30, Borough of Manhattan.

## COMMUNITY BOARD #4M

### APPEARANCES -

For Applicant: Jeremish H. Candreva, Lt. General Martin R. Steel and William Suk.

For Administration: Battalion Chief Phil Parr and John Scrofani, Fire Department.

**ACTION OF THE BOARD** - Appeal granted on condition..

### THE VOTE TO CLOSE HEARING -

Affirmative: Chairman Chin, Commissioner Korbey and Commissioner Caliendo.....3

Negative: .....0

Absent: Vice-Chair Bonfilio.....1

### THE VOTE TO GRANT -

Affirmative: Chairman Chin, Commissioner Korbey and Commissioner Caliendo.....3

Negative: .....0

Absent: Vice-Chair Bonfilio.....1

### THE RESOLUTION:

WHEREAS, the applicant has filed with New York City Department of Business Services two applications (DBS Application #2001039 and DBS Application #2001018), both of which pertain to the work to be performed at the U.S.S. Intrepid in respect of the Renovation Program; and

WHEREAS, the letter updated April 23, 2001 from the Commissioner of the New York City Department of Business Services, acting on DBS Application #2001039 and DBS Application #2001018, reads:

- “1. The proposed plans which affect the use and occupancy of portions of the Main, Second, Gallery, Focsle, Third and Fourth Decks do not conform with the plans approved by the New York City Board of Standards and Appeals and marked (i) received, June 2, 1982, 6 sheets and (ii) received, November 15, 1985, 3 sheets ((i) and (ii) collectively, the [“Approved Plans”]).
2. The proposed use and occupancy of interior sections of the Intrepid requires an amendment of the conditions (“BSA Conditions”) contained within the resolution of the Board of Standards and Appeals pursuant to Calendar No. 247-82A. The following BSA Conditions must be amended by the applicant.
  - Emergency exit stairways have four handrails.
  - Treads of the stairways in the emergency exits shall be coated with phosphorescent paint.
  - Loud speakers in the emergency exit stairways shall broadcast warnings, when the doors to the main deck are opened, to inform visitors to proceed with caution and to hold handrails.
  - Access below the Hangar Deck shall be limited to the rear portion of the structure where the sewage ejection pump and switchboard is located.
  - Access to designated areas below the Hangar Deck shall be used by maintenance personnel only and be equipped with smoke detectors that are connected to a central fire warden station on the pier.
  - All other hatches and doorways below the hangar deck shall be sealed and inaccessible to visitors and employees.
  - Signs shall be placed on sealed hatches and corridors leading to them, stating that these are restricted areas which are not to be used for storage or loitering.
  - Food preparation is limited to hot plates and microwave ovens.
  - All exhibits and displays shall be approved by the Department of Ports and Terminals in order to maintain aisles and access to exits.
  - DPT shall inspect the Museum every 5 years

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to verify that the Museum is in compliance with all of the above conditions.

- DPT provide to the BSA a statement evidencing the Museum's compliance with the above conditions.
- To use a portion of the second deck as a Naval Reserve Center and a portion of the third deck as a Naval Recruitment Office.

Obtain approval from the New York City Board of Standards and Appeals for an amendment of the Approved Plans and the BSA Conditions"; and

WHEREAS, by resolution adopted June 12, 1982, under Calendar No. 247-82-A, the Board granted an appeal, subject to certain conditions, in respect of the Intrepid Sea, Air & Space Museum's ("Museum") occupancy and operation aboard the U.S.S. Intrepid; and

WHEREAS, the terms and conditions of the appeal granted under Calendar No. 247-82-A were subsequently amended on January 14, 1984 and November 19, 1985; and

WHEREAS, the applicant proposes to undertake a program for the renovation and improvement of certain interior portions of the U.S.S. Intrepid ("Renovation Program"); and

WHEREAS, the Museum seeks to renovate the U.S.S. Intrepid to provide: (a) a new ADA compliant passenger elevator that will provide unimpeded access for people with disabilities, including persons using wheelchairs, from the Flight Deck to the Third Deck; (b) a means of direct access/egress to the ship from Pier 86; (c) a new, modern lunchroom/restaurant facility on the third deck; (d) seating within the on-board accessory use theater; (e) executive office space on the Gallery and Focsle Decks; (f) additional exhibits of key ship compartments including, the Focsle Deck and Engine Room; (g) additional ADA compliant restroom facilities; and (h) designated storage areas; and

WHEREAS, the applicant represents that specific work needed to achieve the Renovation Program aboard the U.S.S. Intrepid consists of: (i) the demolition and reconfiguration of certain improvements located on the Main, Gallery, Focsle, Second, Third and Fourth Decks; (ii) the alteration, removal and replacement of certain exhibit and ancillary space on the Main Deck; (iii) the use of new exhibit space on the Main, Focsle, Second, Third and Fourth Decks; (iv) the use of portions of the Gallery and Focsle Decks for executive offices; (v) the use of a portion of the Focsle Deck for conference room facilities; (vi) the use of a portion of the Fourth Deck for an engine room exhibit; (vii) the construction of a new state-of-the-art 245 seat accessory use theater on the Main Deck; (viii) the installation of new rest rooms, accessible to people with disabilities, on the Main and Third Decks; (ix) the installation of a new ADA compliant passenger elevator that will provide unimpeded access from the Flight Deck to the Second and Third Decks,

for people with disabilities; (x) the construction of a new restaurant/lunch room facility on the Third Deck; (xi) the use of a direct means of access/egress to the restaurant from Pier 86; (xii) the use of the former naval reserve and recruitment center for educational space; (xiii) the alteration of the approved circulation plan for pedestrian movements; (xiv) the installation of sprinklers and smoke detectors in areas to be opened to the public; (xv) the replacement of the six internal stairs with standard rise and run stairways; and (xvi) the storage of both non-combustible and combustible materials on board the ship and in a manner which meets with the approval of the New York City Fire Department; and

WHEREAS, a site examination of the U.S.S. Intrepid was made by a committee of the Board, consisting of Chairman James Chin, Commissioner Peter Caliendo and Commissioner Mitchell Korbey; and

WHEREAS, on April 25, 2001 and May 3, 2001, the New York City Fire Department performed a physical inspection of the U.S.S. Intrepid's fire safety measures and the interior portions of the ship which are the subject of this appeal; and

WHEREAS, the New York City Fire Department has no objections to the Board's approval of this appeal under certain conditions; and

WHEREAS, the applicant has submitted adequate evidence to warrant this approval under certain conditions;

Resolved, that the updated letter of the Commissioner of the New York City Department of Business Services dated April 23, 2001 with respect of the work needed to effectuate the Renovation Program, DBS Application #2001039 and DBS and Application #2001018, Objections No. 1 and No. 2, be and is hereby modified, and the appeal is hereby granted, limited to the objections noted, on condition that the Museum undertake the Renovation Program in a manner which is consistent with the following conditions:

THAT the Museum shall comply with the following fire safety measures, all of which are contained within the New York City Fire Department letter of May 14, 2001;

THAT the a Class E Fire Alarm System shall be maintained and be equipped with an annunciation system which is audible within all areas of the ship which is open to the public;

THAT all areas of the ship which are to be occupied by the public shall be fitted with standpipe, automatic sprinklers and smoke detection equipment connected to the a Class E Fire Alarm System and connected to a Fire Department Approved Central Station;

THAT all areas normally occupied by Intrepid personnel shall be fitted with standpipe, automatic sprinklers and smoke detection equipment connected to the Class E Fire Alarm System;

THAT the Museum shall implement a procedure to

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account for all staff and work personnel accessing all hatches located below the hangar deck. The museum will maintain an active list of individuals authorized to use hatches at its Fire Command Station;

THAT a combination of signs and security personnel shall be used to prevent unauthorized access to areas of the ship which are closed to the public;

THAT all cooking and heating of food will be performed using electricity;

THAT range hoods which vent to the outside air will be installed on board the ship;

THAT all ranges to be installed shall be protected by an approved fire extinguishing system pursuant to the requirements of the Building Code;

THAT a smoke removal system shall be installed in the kitchen and lunchroom/restaurant area;

THAT a direct means of access/egress to the restaurant from Pier 86 shall be provided;

THAT all existing and proposed storage areas and workshops shall be equipped with standpipe, sprinklers and smoke detection systems connected to the Class E Fire Alarm System;

THAT the area indicated as storage on the fourth deck (see drawing A-154) shall be divided in two sections, each protected by 2-hour fire rated walls and 1½-hour fire proof self closing doors; that one section shall be for the storage of non-combustibles, and the other shall be for the storage of combustibles; that the combustible and non-combustible storage areas shall be designated with signage; that the non-combustible storage area shall contain non-combustible materials only and as an extinguishing system shall use a suppression system acceptable to the Fire Department and smoke detectors connected to the existing Class E fire Alarm System;

THAT the combustible storage area may not contain flammable materials and shall be equipped with standpipe, an approved automatic sprinkler and smoke detection system connected to the Class E Fire Alarm System;

THAT access to these storage areas will be made via a stair equipped with a standard rise and run;

THAT no materials, non-combustible or otherwise, shall be stored in the vestibule leading to either of the two storage areas; and

THAT the standpipe system shall be extended to serve all storage areas as well as to the areas to which the public has access;

THAT all elevators shall be equipped with Fireman's Service;

THAT no public access shall be permitted to the Focsle Deck (Chain Room Exhibit) Gallery Deck (Bridge Exhibit) unless and until those areas are (a) equipped with sprinklers and smoke detection system connected to the Class E Fire Alarm System and (b) provided with direct access to the

Flight Deck;

THAT a Fire Safety or Deputy Fire Safety Director with a Certificate of Fitness from the Fire Department shall be on duty at all times that the museum is open to the public.

THAT a building evacuation supervisor is to be on duty at all other times;

THAT all stair, standpipe locations and elevators are to be readily identified and marked as per Fire Department specifications;

THAT the Museum will maintain a list of drawings which illustrate the location of stairs, standpipe, elevators and Fire Warden telephones at its Fire Command Station;

THAT all existing office space and corridors located on the Focsle and Gallery Decks shall be equipped with sprinklers and smoke detection connected to the Class E Fire Alarm System; except, (a) rooms where the furthest wall is not more than 20' from a sprinklered corridor or (b) rooms that have at least two means of egress;

THAT all future improvements on the Focsle and Gallery Decks that will result in occupancy by either the public or Museum staff shall be equipped with sprinklers and smoke detection connected to the Class E Fire Alarm System;

THAT a manual shut-off for the air handling system shall be located at the Fire Command Station;

THAT all hatchways on the Gallery Deck used for office access shall have their raised bottom removed so as to be level with the floor;

THAT a copy of this complete resolution shall be conspicuously posted within the Museum's Fire Command Station; and

THAT construction shall substantially conform to drawings filed with the application marked "Received May 15, 2001"-(10) sheets.

THAT the above conditions appear on the Certificate of Completion;

THAT this application, as approved, is subject to verification by the Department of Buildings and the Department of Business Services for compliance with all other applicable provisions of the Zoning Resolution, the Administrative Code and any other relevant laws.

Adopted by the Board of Standards and Appeals, May 22, 2001.

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## 213-00-A

APPLICANT - Klein and O'Brien, LLP, for Congregation Tomchei Torah, owner.

SUBJECT - Application September 8, 2000 - an appeal from a Buildings Department Administrative decision dated August 30, 2000, denying a permit to remove and replace a wall at subject premises.

PREMISES AFFECTED - 1966 Ocean Avenue, west side, 146.3' north of Avenue O, Block 6757, Lot 45, Borough of Brooklyn.

### COMMUNITY BOARD #15BK

APPEARANCES -

For Applicant: Stuart A. Klein.

For Administration: Lisa Orrantia, Department of Buildings.

**ACTION OF THE BOARD** - Laid over to July 24, 2001, at 11 A.M., for continued hearing.

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## 310-00-A

APPLICANT - Helena Rosenwasser.

OWNER OF PREMISES: Michael Koegel.

SUBJECT - Application December 22, 2000 - an appeal challenging the Department of Buildings' determination dated November 28, 2000, in which the Department refused to revoke the approval and permit for Applic. No. 300936192, regarding side yards at subject premises, on the basis that it finds no substantial reason(s) at the present time.

PREMISES AFFECTED - 1911 Avenue L, between Ocean Avenue and East 19th Street, Block 6730, Lot 7, Borough of Brooklyn.

### COMMUNITY BOARD #14BK

APPEARANCES -

For Applicant: Helena Rosenwasser and Irving E. Minkin.

For Opposition: Stuart A. Klein and Neil Dennis.

For Administration: Lisa Orrantia, Department of Buildings, Battalion Chief Phil Parr and John Scrofani, Fire Department.

THE VOTE TO CLOSE HEARING -

Affirmative: Chairman Chin, Commissioner Korbey and Commissioner Caliendo: .....3

Negative: .....0

Absent: Vice-Chair Bonfilio.....1

**ACTION OF THE BOARD** - Laid over to June 12, 2001, at 10 A.M., for decision, hearing closed.

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## 37-01-A thru 41-01-A

APPLICANT - Rothkrug & Rothkrug, for Dolphin Associates, LLC, owner.

SUBJECT - Application February 6, 2001 - proposed construction within the bed of a mapped street, is contrary to Article 3, Section 35 of the General City Law.

PREMISES AFFECTED - 481B Father Capodanno Boulevard, west side, 1877.86' south of Sand Lane, Block 3500, Lot 27, Borough of Staten Island.

481C Father Capodanno Boulevard, west side, 1877.86' south of Sand Lane, Block 3500, Lot 26, Borough of Staten Island.

481D Father Capodanno Boulevard, west side, 1877.86' south of Sand Lane, Block 3500, Lot 25, Borough of Staten Island.

481E Father Capodanno Boulevard, west side, 1877.86' south of Sand Lane, Block 3500, Lot 24, Borough of Staten Island.

481F Father Capodanno Boulevard, west side, 1877.86' south of Sand Lane, Block 3500, Lot 23, Borough of Staten Island.

### COMMUNITY BOARD #2SI

APPEARANCES -

For Administration: Battalion Chief Phil Parr and John Scrofani, Fire Department.

**ACTION OF THE BOARD** - Laid over to June 12, 2001, at 11 A.M., for continued hearing.

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## 109-01-A

APPLICANT - Joseph A. Sherry, for Breezy Point Cooperative Inc., owner; Mr. and Mrs. Michael Sammon, Lessees.

SUBJECT - Application February 28, 2001 - proposed enlargement of an existing one family dwelling, not fronting on a legally mapped street and located partially within the bed of a mapped street, which is contrary to Sections 35 & 36, Article 3 of the General City Law.

PREMISES AFFECTED - 69 Reid Avenue, north side, 343.78' west of Rockaway Point Boulevard, Block 16350, Lot 300, Borough of Queens.

APPEARANCES -

For Applicant: Loretta Papa.

For Administration: Battalion Chief Phil Parr and John Scrofani, Fire Department.

THE VOTE TO CLOSE HEARING -

Affirmative: Chairman Chin, Commissioner Korbey and Commissioner Caliendo: .....3

Negative: .....0

Absent: Vice-Chair Bonfilio.....1

**ACTION OF THE BOARD** - Laid over to June 19, 2001, at 10 A.M., for decision, hearing closed.

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*Pasquale Pacifico, Executive Director.*

Adjourned: 12:30 P.M.

**REGULAR MEETING  
TUESDAY AFTERNOON, MAY 22, 2001  
2:00 P.M.**

**Present:** Chairman Chin, Commissioner Korbey and Commissioner Caliendo.

**Absent:** Vice-Chair Bonfilio.

**ZONING CALENDAR**

**21-01-BZ**

**CEQR #BSA-01-BSA-097Q**

APPLICANT - Fischbein Badillo Wagner Harding, for Mattone Group Jamaica Co., LLC, Ground Lessee; Jack Lalannes Fitness Centers, Inc., Lessee.

SUBJECT - Application January 18, 2001 - under Z.R. §73-36, to permit the proposed physical culture establishment, to be located within a portion of the first and second floors of a three story theater/retail center building, located in a C6-1A zoning district, which requires a special permit as per Z.R. §32-00.

PREMISES AFFECTED - 159-02 Jamaica Avenue, corner of 160th Street, Block 10100, Lot 1, Borough of Queens.

**COMMUNITY BOARD #12Q**

APPEARANCES -

For Applicant: Barbara Hair.

For Administration: Battalion Chief Philip Parr and John Scrofani, Fire Department.

**ACTION OF THE BOARD** - Application granted on condition.

THE VOTE TO GRANT -

Affirmative: Chairman Chin, Commissioner Korbey and Commissioner Caliendo.....3

Negative: .....0

Absent: Vice-Chair Bonfilio.....1

THE RESOLUTION -

WHEREAS, the decision of the Borough Commissioner dated January 12, 2001, acting on Alt. application number 400910065 reads;

“Proposed to amend new building to include physical culture establishment in new building in zone C6-1A.”;

and

WHEREAS, a public hearing was held on this application on May 1, 2001 after due notice by publication in *The City Record*, and laid over to May 22, 2001, for decision; and

WHEREAS, the premises and surrounding area had a

site and neighborhood examination by a committee of the Board consisting of Chairman James Chin, Vice-Chair Paul Bonfilio, R.A., Commissioner Mitchell Korbey, and Commissioner Peter Caliendo; and

WHEREAS, Community Board 12, Queens, has recommended approval of this application; and

WHEREAS, this is an application under Z.R. §73-03 and §73-36 to permit the proposed physical culture establishment, to be located within a portion of the first and second floors of a three story theater/ retail center building, currently under construction, located in a C6-1A zoning district which requires a special permit as per Z.R. §32-00; and

WHEREAS, the subject physical culture establishment will occupy 24,014 square feet, housing 23,504 square feet on the second floor and 510 square feet on the first; and

WHEREAS, the facility will provide separate locker rooms for men and women; and

WHEREAS, the subject site is located in a mixed-use area of Queens, characterized by retail commercial and residential uses; and

WHEREAS, the physical culture establishment will be completely enclosed within an existing building; and

WHEREAS, the applicant has agreed to comply with the Fire Department’s requirements; and

WHEREAS, the record indicates that the proposed use will not contain any potential hazards that impact on the privacy, quiet, light, and air to residential uses; and

WHEREAS, the Department of Investigation has performed a background check on the corporate owner and operator of the establishment and the principals of the owner and operator of such facility and issued a report which the Board has determined to be satisfactory; and

WHEREAS, the Board has determined that the evidence in the record supports the findings required to be made under Z.R. §§ 73-03 and 73-36; and

WHEREAS, the Board has conducted an environmental review of the proposed action and has carefully considered all relevant areas of environmental concern; and

WHEREAS, the evidence demonstrates no foreseeable significant environmental impacts that would require the preparation of an Environmental Impact Statement; and

WHEREAS, therefore, the Board has determined that the proposed action will not result in any significant environmental effects.

*Resolved* that the Board of Standards and Appeals issues a Negative Declaration under 6 NYCRR Part 617 and §6-07(b) of the Rules of Procedure for City Environmental quality Review and makes the required findings under Z.R. §§ 73-03 and 73-36 and grants a special permit, *on condition* that all work shall substantially conform to drawings as they apply to the objections above-noted, filed with this application marked “Received January 18, 2001”-(2) sheets

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and "February 26, 2001"-(5) sheets; and on further condition;

THAT there shall be no change in ownership or operating control of the physical culture establishment without prior application to and approval from the Board;

THAT fire protection measures, including an automatic wet sprinkler system, fire alarm system and a smoke detection system with all three systems connected to a Fire Department-approved central station, shall be provided and maintained in accordance with the BSA-approved plans;

THAT this special permit shall be limited to a term of ten years, to expire on May 22, 2011;

THAT the above conditions shall appear on the Certificate of Occupancy;

THAT the development, as approved, is subject to verification by the Department of Buildings for compliance with all other applicable provisions of the Zoning Resolution, the Administrative Code and any other relevant laws under the jurisdiction of the Department; and

THAT substantial construction shall be completed in accordance with Z.R. §73-70.

Adopted by the Board of Standards and Appeals, May 22, 2001.

## 73-99-BZ

APPLICANT - Burger King Corporation, by Walter Rumsey, for Phyllis Crawford and Henderson Crawford, owners; Consumer Food Services, L.L.C., lessee.

SUBJECT - Application April 12, 1999 - under Z.R. §73-243, to permit the proposed drive-thru, accessory to an eating and drinking establishment, located in an C1-1 zoning district, requires a special permit as per Z.R. §73-243.

PREMISES AFFECTED - 3901 Richmond Avenue, corner of Amboy Road and Richmond Avenue, Block 5236, Lot 1, Borough of Staten Island.

### COMMUNITY BOARD #3SI

APPEARANCES -

For Applicant: John Lafemina.

For Administration: Battalion Chief Phil Parr and John Scrofani, Fire Department.

**ACTION OF THE BOARD** - Laid over to July 10, 2001, at 2 P.M., for continued hearing.

## 37-00-BZ

APPLICANT - Leo Weinberger, Esq., for Pappco Holding Co., Ltd., owner; Harbans Singh Dhillon, lessee.

SUBJECT - Application February 28, 2000 - under Z.R. §§11-411 and 11-412, to permit the reestablishment of an expired variance previously granted under Cal. #613-56-BZ, which permitted an automotive service station Use Group 16 in a C2-2 within an R3-2 zoning district.

PREMISES AFFECTED - 111-05/18 Van Wyck Expressway and 111-05/11 Lincoln Street, southwest corner, southwest corner, Block 11639, Lot 12, Borough of Queens.

### COMMUNITY BOARD #10Q

APPEARANCES -

For Opposition: Battalion Chief Phil Parr and John Scrofani, Fire Department.

**ACTION OF THE BOARD** - Laid over to June 12, 2001, at 2 P.M., for continued hearing.

## 193-00-BZ

APPLICANT - H. Irving Sigman, for Louhal Properties, Inc., owner.

SUBJECT - Application July 24, 2000 - under Z.R. §72-21, to permit the proposed use of a parking lot for 19 cars, located within an R3-1 zoning district in conjunction with a proposed new laundromat, which is contrary to Z.R. §22-00. PREMISES AFFECTED - 87-26 Lefferts Boulevard, west side, 210.17' south of Jamaica Avenue and 680' north of 89th Avenue, Block 9328, Lot 16, Borough of Queens.

### COMMUNITY BOARD #9Q

APPEARANCES - None.

**ACTION OF THE BOARD** - Laid over to July 17, 2001, at 2 P.M., for deferred decision.

## 229-00-BZ

APPLICANT - Sheldon Lobel, P.C., for Barry & Helen Webster, owners.

SUBJECT - Application October 12, 2000 - under Z.R. §73-622, to permit the proposed enlargement of a single family dwelling, located in an R5 zoning district, which creates non-compliance with respect to the rear yard requirement, is contrary to Z.R. §23-47.

PREMISES AFFECTED - 1840 58th Street, between 18th and 19th Avenues, Block 5505, Lot 23, Borough of Brooklyn.

### COMMUNITY BOARD #12BK

APPEARANCES -

For Applicant: Sheldon Lobel.

THE VOTE TO CLOSE HEARING -

Affirmative: Chairman Chin, Commissioner Korbey and Commissioner Caliendo.....3

Negative: .....0

Absent: Vice-Chair Bonfilio.....1

**ACTION OF THE BOARD** - Laid over to June 12, 2001, at 2 P.M., for decision, hearing closed.

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**275-00-BZ**

APPLICANT - Sheldon Lobel, P.C., for VanLantic LLC, owner.

SUBJECT - Application November 20, 2000 - under Z.R. §72-21, to permit the proposed conversion of the three upper floors of a vacant four story manufacturing building, to residential use (Use Group 2) located in a M1-1 zoning district, is contrary to Z.R. §42-10.

PREMISES AFFECTED - 860 Atlantic Avenue, between Vanderbilt and Underhill Avenues, Block 1122, Lot 12, Borough of Brooklyn.

**COMMUNITY BOARD #8BK**

APPEARANCES -

For Applicant: Eric Palatnik.

For Administration: Battalion Chief Phil Parr and John Scrofani, Fire Department.

**ACTION OF THE BOARD** - Laid over to June 19, 2001, at 2 P.M., for continued hearing.

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**288-00-BZ**

APPLICANT - The Agusta Group, for Dominick Terrasi, owner.

SUBJECT - Application November 29, 2000 - under Z.R. §72-21, to permit the proposed erection of a two family dwelling (Use Group 2) located in an R3-1 zoning district, which creates non-compliance with respect floor area, front yards, lot area, coverage and width, which is contrary to Z.R. §23-141, §23-45 and §23-32.

PREMISES AFFECTED - 3297 Griswold Avenue, northwest corner of Bayshore Avenue, Block 5417, Lot 117, Borough of The Bronx.

**COMMUNITY BOARD #10BX**

APPEARANCES -

For Applicant: Nelly Bravo.

THE VOTE TO CLOSE HEARING -

Affirmative: Chairman Chin, Commissioner Korbey and Commissioner Caliendo.....3

Negative: .....0

Absent: Vice-Chair Bonfilio.....1

**ACTION OF THE BOARD** - Laid over to June 12, 2001, at 2 P.M., for decision, hearing closed.

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**293-00-BZ**

APPLICANT - Gerald J. Caliendo, R.A., for NRPLLCII/Emmes Realty Services, owner; Steve Tallidis, lessee.

SUBJECT - Application December 8, 2000 - under §72-21, to permit the proposed physical culture establishment, to be located on the second floor of an existing two story building, in a C1-2 within an R5 zoning district, is contrary to Z.R. §32-00.

PREMISES AFFECTED - 22-11/27 31st Street, east side, 100' south of Ditmars Boulevard, Block 833, Lot 24, Borough of Queens.

**COMMUNITY BOARD #1Q**

APPEARANCES -

For Applicant: Gerard Caliendo and Tommy Demara.

For Administration: Battalion Chief Phil Parr and John Scrofani, Fire Department.

**ACTION OF THE BOARD** - Laid over to June 19, 2001, at 2 P.M., for continued hearing.

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**294-00-BZ**

APPLICANT - Fredrick A. Becker, Esq., for William Keefe and Dominic Gatto, owner.

SUBJECT - Application December 11, 2000 - under Z.R. §72-21, to permit the proposed construction of a mixed use building (Use Groups 6 and 17) which will contain commercial use on the ground floor and nine joint work living quarters for artists on the upper floors, located in an M1-5B zoning district, which does not conform with use requirements and fails to comply with bulk requirements relating to the sky exposure plane and setback, which is contrary to Z.R. §42-14(D)(1)(a), §42-14(D)(2)(b) and §43-43.

PREMISES AFFECTED - 501 Broadway a/k/a 72 Mercer Street, west side of Broadway and east side of Mercer Street, 120' north of Broome Street, Block 484, Lot 22, Borough of Manhattan.

**COMMUNITY BOARD #2M**

APPEARANCES -

For Applicant: Fredrick A. Becker.

For Opposition: Doris Diether, Community Board # 2M

For Administration: Battalion Chief Phil Parr and John Scrofani, Fire Department.

**ACTION OF THE BOARD** - Laid over to June 26, 2001, at 2 P.M., for continued hearing.

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**299-00-BZ**

APPLICANT - Law Office of Carole S. Slater, for Congregation Machzekei Hadath, owner.

SUBJECT - Application December 14, 2000 - under Z.R. §72-21, to permit the proposed enlargement of a community facility (Use Group 4) located in an R4 zoning district, which exceeds the permitted F.A.R. and lot coverage, and increases the degree of non-compliance with respect to front and side yards, is contrary to Z.R. §24-11, §24-34 and §24-35.

PREMISES AFFECTED - 144-53 75th Avenue, northwest corner of 147th Street, Block 6663, Lot 32, Borough of Queens.

**COMMUNITY BOARD #8Q**

APPEARANCES -

For Applicant: Stuart Beckerman, Carole S. Slater and Rabbi Honach Saritsky.

For Administration: John Scrofani, Fire Department.

THE VOTE TO CLOSE HEARING -

Affirmative: Chairman Chin, Commissioner Korbey and Commissioner Caliendo.....3

Negative: .....0

Absent: Vice-Chair Bonfilio.....1

**ACTION OF THE BOARD** - Laid over to June 12, 2001, at 2 P.M., for decision, hearing closed.

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**300-00-BZ**

APPLICANT - Sheldon Lobel, P.C., for Kolel Zichron Yosef Dovid by Mayer Laufer, President, owner.

SUBJECT - Application December 14, 2000 - under Z.R. §72-21, to permit the proposed construction of a five story masonry residential building (Use Group 2) located in an M1-1 zoning district, which is contrary to Z.R. §42-00.

PREMISES AFFECTED - 5902/08 14th Avenue, between 59th and 60th Streets, Block 5712, Lots 69 thru 72, Borough of Queens.

**COMMUNITY BOARD #12BK**

APPEARANCES -

For Applicant: Lyra Altman, Rabbi Mayer Laufer and Sheldon Lobel.

For Opposition: T. Papalia.

For Administration: Battalion Chief Phil Parr and John Scrofani, Fire Department.

**ACTION OF THE BOARD** - Laid over to July 10, 2001, at 2 P.M., for continued hearing.

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**307-00-BZ**

APPLICANT - Sheldon Lobel, P.C., for Amerasia Bank, owner.

SUBJECT - Application December 21, 2000 - under Z.R. §72-21, to permit the proposed use of floors two through five of a five story mixed use building for office use (Use Group 6) located in a C1-2/R zoning district, which does not comply with the zoning requirements for commercial use of upper floors, and is contrary to Z.R. §32-421, §32-121 and §36-21.

PREMISES AFFECTED - 41-02 Main Street, southwest corner of 41st Avenue and Main Street, Block 5041, Lot 30, Borough of Queens.

**COMMUNITY BOARD #7Q**

APPEARANCES -

For Applicant: Eric Palatnik.

For Administration: Battalion Chief Phil Parr and John Scrofani, Fire Department.

**ACTION OF THE BOARD** - Laid over to June 19, 2001, at 2 P.M., for continued hearing.

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**9-01-BZ**

APPLICANT - Marcus Marino Architects, for C & M Development, owner.

SUBJECT - Application January 11, 2001 - under Z.R. § 72-21, to permit the proposed construction of a two family detached residence (Use Group 2) located in an R4 zoning district, with less than the minimum required front yard, which is contrary to Z.R. §23-45.

PREMISES AFFECTED - 4 Crittenden Place, between Hatfield Place and Charles Avenue, Block 1098, Lot 21, Borough of Staten Island.

**COMMUNITY BOARD #1SI**

APPEARANCES -

For Applicant: Marcus Marino.

For Administration: Battalion Chief Philip Parr and John Scrofani, Fire Department.

THE VOTE TO CLOSE HEARING -

Affirmative: Chairman Chin, Commissioner Korbey and Commissioner Caliendo.....3

Negative: .....0

Absent: Vice-Chair Bonfilio.....1

**ACTION OF THE BOARD** - Laid over to June 12, 2001, at 2 P.M., for decision, hearing closed.

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# MINUTES

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## 11-01-BZ

APPLICANT - Vassalotti Associates Architects, for P.J. Christy, Inc., owner.

SUBJECT - Application January 16, 2001 - Z.R. §11-411 to permit the reestablishment of an expired variance for an existing gasoline service station with accessory uses, and the conversion of the existing auto repair facility and offices into a convenience store, also the erection of a canopy over five new gasoline pump islands, which is contrary to Z.R. §11-411 and Cal. No. 535-60-BZ.

PREMISES AFFECTED - 586/606 Conduit Boulevard, southeast corner of Autumn Avenue, Block 4219, Lot 1, Borough of Brooklyn.

### COMMUNITY BOARD #5BK

APPEARANCES -

For Applicant: Hiram A. Rothkrug.

For Administration: Battalion Chief Phil Parr and John Scrofani, Fire Department.

**ACTION OF THE BOARD** - Laid over to July 10, 2001, at 2 P.M., for continued hearing.

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## 42-01-BZ

APPLICANT - Sheldon Lobel, P.C., for Eli Matalon, owner.

SUBJECT - Application February 6, 2001 - under Z.R. §73-622, to permit the proposed enlargement to an existing one family dwelling ( Use Group 1) located in an R-2 zoning district, which creates non-compliance with respect to side yard, F.A.R., O.S.R. and rear yard, which is contrary to Z.R. §23-461, §23-141 and §23-47.

PREMISES AFFECTED - 1145 East 22nd Street, 180' north of Avenue K, Block 7604, Lot 15, Borough of Brooklyn.

### COMMUNITY BOARD #14BK

APPEARANCES -

For Applicant: Lyra Altman and Sal Vincenti.

**ACTION OF THE BOARD** - Laid over to June 12, 2001, at 2 P.M., for continued hearing.

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## 119-01-BZ

APPLICANT - Agusta & Ross, for Elaine Mass, owner; Global Car Stereo and Security Corp., lessee.

SUBJECT - Application March 13, 2001 - under Z.R. §11-411, to permit the reestablishment of an expired variance, previously granted by the Board under Cal. No. 86-56-BZ, which permitted automotive repairs (light type), in a C4-2 zoning district.

PREMISES AFFECTED - 8818 Fourth Avenue, west side, 210' north of 89<sup>th</sup> Street, Block 6062, Lot 40, Borough of Brooklyn.

### COMMUNITY BOARD #10BK

APPEARANCES -

For Applicant: Mitchell Ross.

For Administration: Battalion Chief Phil Parr and John Scrofani, Fire Department.

THE VOTE TO CLOSE HEARING -

Affirmative: Chairman Chin, Commissioner Korbey and Commissioner Caliendo.....3

Negative: .....0

Absent: Vice-Chair Bonfilio.....1

**ACTION OF THE BOARD** - Laid over to June 12, 2001, at 2 P.M., for decision, hearing closed.

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*Pasquale Pacifico, Executive Director.*

Adjourned: 3:20 P.M.

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# MINUTES

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**DISMISSAL CALENDAR  
WEDNESDAY AFTERNOON, MAY 23, 2001  
2:00 P.M.**

**Present:** Chairman Chin, Vice-Chair Bonfilio,  
Commissioner Korbey and Commissioner Caliendo.

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**949-57-BZ**

APPLICANT - New York City Board of Standards and Appeals.

OWNER: Motive Enterprises.

SUBJECT - to dismiss the application for lack of prosecution.

PREMISES AFFECTED - 2100 Williamsbridge Road, corner of Williamsbridge Road and Lyding Avenue, Block 4310, Lot 30, Borough of the Bronx.

**COMMUNITY BOARD #11BX**

APPEARANCES - None.

**ACTION OF THE BOARD** - Application dismissed for lack of prosecution.

**THE VOTE TO DISMISS -**

Affirmative: Chairman Chin, Vice-Chair Bonfilio, Commissioner Korbey and Commissioner Caliendo.....4

Negative: .....0

**THE RESOLUTION -**

WHEREAS, the applicant has been given considerable opportunity to complete this application and no satisfactory progress has been made.

Resolved, the Board does hereby dismiss the application for lack of prosecution.

Adopted by the Board of Standards and Appeals, May 23, 2001.

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**351-98-BZ thru 370-98-BZ**

APPLICANT - New York City Board of Standards and Appeals.

OWNER: Bedford Park Homes, Inc.

SUBJECT - to dismiss the application for lack of prosecution.

PREMISES AFFECTED - 71, 75, 76, 80, 84, 88, 92, 96, 100, 101, 104, 105, 108 Skillman and 826, 830, 834, 840, 874 Bedford Avenue, Block 1899, Lot 156, Borough of Brooklyn.

**COMMUNITY BOARD # 3BK**

APPEARANCES -

In Favor: Eric Palatnik.

**ACTION OF THE BOARD** - Application dismissed for lack of prosecution.

**THE VOTE TO DISMISS -**

Affirmative: Chairman Chin, Vice-Chair Bonfilio, Commissioner Korbey and Commissioner Caliendo.....4

Negative: .....0

**THE RESOLUTION -**

WHEREAS, the applicant has been given considerable opportunity to complete this application and no satisfactory progress has been made.

Resolved, the Board does hereby dismiss the application for lack of prosecution.

Adopted by the Board of Standards and Appeals, May 23, 2001.

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**266-99-A**

APPLICANT - New York City Board of Standards and Appeals.

OWNER: Meadow Development LLC.

SUBJECT - to dismiss the application for lack of prosecution.

PREMISES AFFECTED - 37-10 114<sup>th</sup> Street, between 37<sup>th</sup> and 38<sup>th</sup> Avenue, Block 1782, Lot 19-40, Borough of the Queens.

**COMMUNITY BOARD #11BX**

APPEARANCES - None.

**ACTION OF THE BOARD** - Application dismissed for lack of prosecution.

**THE VOTE TO DISMISS -**

Affirmative: Chairman Chin, Vice-Chair Bonfilio, Commissioner Korbey and Commissioner Caliendo.....4

Negative: .....0

**THE RESOLUTION -**

WHEREAS, the applicant has been given considerable opportunity to complete this application and no satisfactory progress has been made.

Resolved, the Board does hereby dismiss the application for lack of prosecution.

Adopted by the Board of Standards and Appeals, May 23, 2001.

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# MINUTES

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**226-00-BZ**

APPLICANT - New York City Board of Standards and Appeals.

OWNER: Simon Pollack.

SUBJECT - to dismiss the application for lack of prosecution.

PREMISES AFFECTED - 210 Middleton Street, southern corner of Throop Avenue, Block 2242, Lot 28, Borough of the Brooklyn.

**COMMUNITY BOARD #11BX**

APPEARANCES - None.

**ACTION OF THE BOARD** - Applicant withdrawn.

THE VOTE TO WITHDRAW -

Affirmative: Chairman Chin, Vice-Chair Bonfilio, Commissioner Korbey and Commissioner Caliendo.....4

Negative: .....0

Adopted by the Board of Standards and Appeals, May 23, 2001.

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**291-00-BZ**

APPLICANT - New York City Board of Standards and Appeals.

CONTRACT VENDEE: Torah Academy High School of Brooklyn.

SUBJECT - to dismiss the application for lack of prosecution.

PREMISES AFFECTED - 2316-2324 Coney Island Avenue, a/k/a 920 Avenue T, southwest corner, Block 7112, Lot 9, Borough of the Brooklyn.

**COMMUNITY BOARD #15BK**

APPEARANCES -

In Opposition: Eric Palatnik.

**ACTION OF THE BOARD** - Application withdrawn.

THE VOTE TO WITHDRAW -

Affirmative: Chairman Chin, Vice-Chair Bonfilio, Commissioner Korbey and Commissioner Caliendo.....4

Negative: .....0

Adopted by the Board of Standards and Appeals, May 23, 2001.

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**296-00-BZ**

APPLICANT - New York City Board of Standards and Appeals.

OWNER: Akiva Teitz.

SUBJECT - to dismiss the application for lack of prosecution.

PREMISES AFFECTED - 69-69 Main Street, northeast corner of 70<sup>th</sup> Avenue, Block 6642, Lot 1, Borough of the Queens.

**COMMUNITY BOARD #8Q**

APPEARANCES -

In Opposition: Alfonso Duarte.

**ACTION OF THE BOARD** - Application withdrawn.

THE VOTE TO WITHDRAW -

Affirmative: Chairman Chin, Vice-Chair Bonfilio, Commissioner Korbey and Commissioner Caliendo.....4

Negative: .....0

Adopted by the Board of Standards and Appeals, May 23, 2001.

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**127-99-BZ**

APPLICANT - New York City Board of Standards and Appeals.

OWNER: Congregation Tiferes Yissochor Ber, Inc.

SUBJECT - to dismiss the application for lack of prosecution.

PREMISES AFFECTED - 118/20 South Fourth Street, a/k/a 364/68 Bedford Avenue, northern corner, Block 2443, Lot 23, Borough of the Brooklyn.

**COMMUNITY BOARD #1BK**

APPEARANCES -

In Opposition: Mitchell Ross.

**ACTION OF THE BOARD** - Laid over to August 15, 2001, at 10 A.M., for continued hearing on Dismissal Calendar.

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**214-00-BZ**

APPLICANT - New York City Board of Standards and Appeals.

OWNER: Bill Jordan.

SUBJECT - to dismiss the application for lack of prosecution.

PREMISES AFFECTED - 2761 Plumb 2<sup>nd</sup> Street, northwest corner of Harkness Avenue, Block 8841, Lot 500, Borough of the Brooklyn.

**COMMUNITY BOARD #15BK**

APPEARANCES -

In Opposition: Harold Weinberg.

**ACTION OF THE BOARD** - Laid over to August 15, 2001, at 10 A.M., for continued hearing on Dismissal Calendar.

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# MINUTES

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**217-00-BZ**

APPLICANT - New York City Board of Standards and Appeals.

OWNER: Double B Realty c/o Lab Plumbing.

SUBJECT - to dismiss the application for lack of prosecution.

PREMISES AFFECTED - 530 West 50<sup>th</sup> Street, south side, 375' west of 10<sup>th</sup> Avenue, Block 1078, Lot 48, Borough of the Manhattan.

**COMMUNITY BOARD #4M**

APPEARANCES -

In Opposition: Peter Hirshman.

**ACTION OF THE BOARD** - Laid over to August 15, 2001, at 10 A.M., for continued hearing on Dismissal Calendar.

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**251-00-BZ**

APPLICANT - New York City Board of Standards and Appeals.

OWNER: Chaim Kaninetzky.

SUBJECT - to dismiss the application for lack of prosecution.

PREMISES AFFECTED - 71-41 171<sup>st</sup> Street, east side, 140' north of 73<sup>rd</sup> Avenue, Block 6959, Lot 14, Borough of the Queens.

**COMMUNITY BOARD #8Q**

APPEARANCES -

In Opposition: Alfonso Duarte.

**ACTION OF THE BOARD** - Laid over to August 15, 2001, at 10 A.M., for continued hearing on Dismissal Calendar.

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**4-01-BZ**

APPLICANT - New York City Board of Standards and Appeals.

OWNER: 18 Richard Street Holding Corp. LLC.

SUBJECT - to dismiss the application for lack of prosecution.

PREMISES AFFECTED - 18 Richardson Street, south side, 175' east of Union Avenue, Block 2731, Lot 12, Borough of the Brooklyn.

**COMMUNITY BOARD #1BK**

APPEARANCES -

In Opposition: Fredrick A. Becker.

**ACTION OF THE BOARD** - Laid over to June 19, 2001, at 10 A.M., for continued hearing on SOC Calendar.

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**5-01-BZ**

APPLICANT - New York City Board of Standards and Appeals.

OWNER: Palmira Gonzalez.

SUBJECT - to dismiss the application for lack of prosecution.

PREMISES AFFECTED - 585 East 178<sup>th</sup> Street, a/k/a 1987 Arthur Avenue, northwest corner, Block 3068, Lot 44, Borough of the Bronx.

**COMMUNITY BOARD #6BX**

APPEARANCES -

In Opposition: Juan Morales.

**ACTION OF THE BOARD** - Laid over to August 15, 2001, at 10 A.M., for continued hearing on Dismissal Calendar.

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**6-01-BZ**

APPLICANT - New York City Board of Standards and Appeals.

OWNER: Daisy Velez.

SUBJECT - to dismiss the application for lack of prosecution.

PREMISES AFFECTED - 624 East 179<sup>th</sup> Street, south side, north of corner of East 179<sup>th</sup> Street and Hughs Avenue, Block 3068, Lot(s) 77-78, Borough of the Bronx.

**COMMUNITY BOARD #6BX**

APPEARANCES -

In Opposition: Juan Morales.

**ACTION OF THE BOARD** - Laid over to August 15, 2001, at 10 A.M., for continued hearing on Dismissal Calendar.

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**7-01-BZ**

APPLICANT - New York City Board of Standards and Appeals.

OWNER: Daisy Velez.

SUBJECT - to dismiss the application for lack of prosecution.

PREMISES AFFECTED - 2040 Arthur Avenue, northeast corner of East 179<sup>th</sup> Street, Block 3069, Lot 50, Borough of the Bronx.

**COMMUNITY BOARD #6BX**

APPEARANCES -

In Opposition: Juan Morales.

**ACTION OF THE BOARD** - Laid over to August 15, 2001, at 10 A.M., for continued hearing on Dismissal Calendar.

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# MINUTES

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**15-01-BZ and 22-01-A**

APPLICANT - New York City Board of Standards and Appeals.

OWNER: Mazel Equities, Inc.

SUBJECT - to dismiss the application for lack of prosecution.

PREMISES AFFECTED - 337-347 Kent Avenue, east side, 68' south of South Fourth Street, Block 2441, Lot(s) 4, 104 and 107, (Tentative Lot 4), Borough of Brooklyn.

**COMMUNITY BOARD #1BK**

APPEARANCES -

In Opposition: Mitchell Ross.

**ACTION OF THE BOARD** - Laid over to July 10, 2001, at 10 A.M., for continued hearing on SOC Calendar.

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*Pasquale Pacifico, Executive Director.*

Adjourned: 2:35 P.M.

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# MINUTES

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