
BULLETIN

OF THE
NEW YORK CITY BOARD OF STANDARDS
AND APPEALS

Published weekly by The Board of Standards and Appeals at its office at:
40 Rector Street, 9th Floor, New York, N.Y. 10006.

Volume 86, No. 47

November 29, 2001

DIRECTORY

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Tuesday, November 27, 2001**

Morning Calendar670

Affecting Calendar Numbers:

279-01-BZ

DOCKET

New Case Filed Up to November 20, 2001

360-01-BZ B.BK. 2228 Gerritsen Avenue, southwest corner of Avenue "U", Block 7370, Lots 10 and 15, Borough of Brooklyn. Applic.#301239513. Proposed enlargement in lot area to an existing automotive service station with accessory uses, Use Group 16, previously before the Board under Cal. Number 249-29-BZ, and the construction of a new one story accessory convenience store and a new metal canopy above a new fuel dispensing area, is contrary to Z.R. §32-00.

COMMUNITY BOARD #18BK

361-01-BZ B.BK. 1761 East 29th Street, east side, 305, north of Avenue "R", Block 6812, Lot 67, Borough of Brooklyn. Applic.#301247238. Proposed enlargement to an existing one family dwelling, Use Group 1, located in an R3-2 zoning district, which does not comply with the zoning requirements for floor area, perimeter wall, open space, lot coverage and side and rear yards, is contrary to Z.R. §§23-141(a) and (b), §23-631(b), §23-47 and §23-48.

COMMUNITY BOARD #15BK

362-01-BZ B.M. 1255 /57 Amsterdam Avenue and 130 Morningside Drive, northwest corner of the block bounded by Amsterdam Avenue, 121st Street and Morningside Drive, Block 1963, Lot 56 and Part of Lot 60, Borough of Manhattan. Applic.#103030328. Proposed construction of a eleven story building, Use Groups 2, 3 and 6, located in a C1-4 overlay within an R8 zoning district, which does not comply with the zoning requirements for height and setback regulations, and minimum distance between buildings, is contrary to Z.R. §§ 33-431 and 23-711.

COMMUNITY BOARD #9M

363-01-BZ B.BX. 3304 Rombouts Avenue, east side, 50' south of Givan Avenue, Block 5245, Tentative Lot 39, Borough of The Bronx. Applic.#200623780. Proposed construction of a three family dwelling, Use Group 2, located in an M1-1 zoning district, is contrary to Z.R. §42-00.

COMMUNITY BOARD #2BX

364-01-BZ B.BX. 3306 Rombouts Avenue, eastside, 50' south of Givan Avenue, Block 5245, Tentative Lot 40, Borough of The Bronx. Applic.#200623799. Proposed construction of a three family dwelling, Use Group 2, located in an M1-1 zoning district, is contrary to Z.R. §42-00.

COMMUNITY BOARD #2BX

365-01-BZ B.BX. 3308 Rombouts Avenue, eastside, 50' south of Givan Avenue, Block 5245, Tentative Lot 41, Borough of The Bronx. Applic.#200623806. Proposed construction of a three family dwelling, Use Group 2, located in an M1-1 zoning district, is contrary to Z.R. §42-00.

COMMUNITY BOARD #2BX

366-01-BZ B.BK. 500 Driggs Avenue, aka 482/504 Driggs Avenue, through lot fronting North 9th and 10th Streets, Block 2305, Lot 18, Borough of Brooklyn. Applic.#302116716. Proposed conversion of a six story manufacturing building, into residential dwellings, Use Group 2, located in an M1-2 zoning district, is contrary to Z.R. §42-00.

COMMUNITY BOARD #1BK

367-01-BZ B.M. 226 East 53rd Street, south side, between Second and Third Avenues, Block 1326, Lot 37, Borough of Manhattan. Applic.#102963615. The legalization of the change in occupancy of a portion of the first floor, in an existing six story mixed use building, from residential to commercial use, is contrary to Z.R. §32-15.

COMMUNITY BOARD #6M

368-01-BZ B.M. 88/102 Ninth Avenue, east side, between West 16th and 17th Streets, Block 740, Lot 1, Borough of Manhattan. Alt.#103044180. Proposed change in use from a community facility, Use Group 3, to transient hotel, Use Group 5, also the addition of a small penthouse on the roof, and a bar and restaurant facility at the first story level, which does not comply with the zoning requirements for floor area ratio, is contrary to Z.R. §33-121.

COMMUNITY BOARD #4M

DOCKET

New Case Filed Up to November 20, 2001

369-01-BZ B.BK. 303 Seigel Street, northwest corner of Bogart Street, Block 3092, Lot 27, Borough of Brooklyn. Applic.#301118332. The legalization of an existing three story residential building, Use Group 2, located in an M1-2 zoning district, is contrary to Z.R.§42-00.

COMMUNITY BOARD #1BK

370-01-BZ B.BK. 1041 East 24th Street, between Avenues "J" and "K", Block 7606, Lot 28, Borough of Brooklyn. Applic.#301223423. 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, and side and rear yards, is contrary to Z.R. §23-141, §23-47 and §23-461.

COMMUNITY BOARD #14BK

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.

CALENDAR

DECEMBER 11, 2001, 2:00 P.M.

NOTICE IS HEREBY GIVEN of a public hearing, *Tuesday afternoon*, December 11, 2001, at 2 P.M., at 40 Rector Street, 6th Floor, New York, N.Y. 10006, on the following matters:

ZONING CALENDAR

242-01-BZ

APPLICANT - Rosenman & Colin, LLP for DPSW West 14 LLC, owner, Clay, LLC, lessee.

SUBJECT - Application July 20, 2001 - under Z.R. §73-36 to permit the proposed use of the second floor of a two story commercial building as a physical culture establishment, located in a C6-2M zoning district.

PREMISES AFFECTED - 25 West 14th Street, north midblock of 14th Street, between Fifth and Sixth Avenues, Block 816, Lot 23, Borough of Manhattan.

COMMUNITY BOARD #5M

243-01-BZ

APPLICANT - Edward Lauria, P.E., for American Parkinson Disease Association, Inc., owner.

SUBJECT - Application June 14, 2001 - under Z.R. §73-44 to permit proposed reduction in the number of required parking spaces, for not-for-profit offices, which requires a special permit.

PREMISES AFFECTED - 135 Parkinson Avenue, aka 1217 Hylan Boulevard, northeast corner, Block 3208, Lot 1, Borough of Staten Island.

COMMUNITY BOARD #2S.I.

245-01-BZ

APPLICANT - Francis R. Angelino, Esq., for 601 West Associates, L.P., owner; Stretch LLC, lessee.

SUBJECT - Application July 24, 2001 - under Z.R. §73-36 to permit the proposed physical culture establishment, to be located within a portion of the 16th floor of the subject premises, located in an M2-3 zoning district.

PREMISES AFFECTED - 601 West 26th Street, entire block, between 11th and 12th Street Avenues, Block 672, Lot 1, Borough of Manhattan.

COMMUNITY BOARD #4M

280-01-BZ

APPLICANT - Howard Z. Zipser, Esq., and Howard Hornstein, Esq., for Metropolitan Transportation Authority and S & M Enterprises, LLC, owners.

SUBJECT - Application August 10, 2001 - under Z.R. §72-21 to permit the proposed erection of a 34 story mixed-use building, (Use Groups 2 and 6 respectively), located in a C1-9 zoning district, which does not comply with the zoning requirements for commercial use above the 2nd floor ceiling, rear yard equivalent, residential tower, street wall, accessory parking and curb cuts for accessory berths, and is contrary to Z.R. §32-421, §33-283, §35-63-(a), §23-652, §37-017, §13-134, §26-05 and §36-682.

PREMISES AFFECTED - 663/73 Second Avenue and 241/49 East 36th Street, west side, between East 36th and 37th Streets, Block 917, Lots 21, 24/30, 32 and 34, (Tentative Lot 21), Borough of Manhattan.

COMMUNITY BOARD #6M

294-01-BZ

APPLICANT - Sheldon Lobel, P.C., for 125 Green Street Realty Corp., owner.

SUBJECT - Application October 22, 2001 - under Z.R. §72-21 to permit the legalization of the fourth floor of an existing four story building for residential use and to permit the remaining three floors to be utilized for residential purposes (Use Group 2) located in an M1-1 zoning district, which is contrary to §42-10.

PREMISES AFFECTED - 125 Green Street, between Franklin Street and Manhattan Avenue, Block 2512, Lot 60, Borough of Brooklyn.

COMMUNITY BOARD #1BK

Pasquale Pacifico, Executive Director

DECEMBER 12, 2001, 2:00 P.M.

NOTICE IS HEREBY GIVEN of a public hearing, *Tuesday afternoon*, December 12, 2001, at 2 P.M., at 40 Rector Street, 6th Floor, New York, N.Y. 10006, on the following matters:

ZONING CALENDAR

CALENDAR

36-01-BZ

APPLICANT - Sheldon Lobel, P.C., for Antonio Nino Vendome and Paul Raquel, LLC (OWNERS), owner.

SUBJECT - Application February 5, 2001 - under Z.R. §72-21, to permit the proposed construction of a twenty-six story, mixed-use residential structure, containing a community facility in an M2-4 zoning district, is contrary to Z.R. §42-00.

PREMISES AFFECTED - 328 Spring Street a.k.a. 489-495 Washington Street, southeast corner, Block 595, Lots 66 and 68*, Borough of Manhattan.

COMMUNITY BOARD #2M

192-01-BZ

APPLICANT - Sheldon Lobel, P.C., for Paul Stallings, owner; Bear Restaurant Group, LLC (D/B/A Veruka), lessee.

SUBJECT - Application May 8, 2001 - under Z.R. §73-24 to permit the legalization of the use of the cellar and first floor levels of the premises, as an eating and drinking establishment with entertainment, Use Group 6c, requires a special permit.

PREMISES AFFECTED - 525 Broome Street, between Thompson Street and Avenue of the Americas, Block 476, Lot 7501, Borough of Manhattan.

COMMUNITY BOARD #2M

223-01-BZ

APPLICANT - Marvin B. Mitzner, Esq., for Fischbein Badillo Wagner Harding for Lower East Side Service Center, Inc., owner.

SUBJECT - Application June 25, 2001 - under Z.R. §72-21, to permit the proposed construction of an 8-story building (community facility), which will connect on seven levels to an existing 7-story building, which does not comply with zoning requirements for F.A.R. and height of the front wall setback, which is contrary to Z.R. §33-123 and §33-432.

PREMISES AFFECTED - 33 Division Street a/k/a 46 East Broadway, block between Market and Catherine Streets, Block 281, Lot 21, Borough of Manhattan.

COMMUNITY BOARD #3M

Pasquale Pacifico, Executive Director

MINUTES

REGULAR MEETING

TUESDAY MORNING, NOVEMBER 20, 2001

10:00 A.M.

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

The minutes of the regular meetings of the Board held on Tuesday morning and afternoon, October 16, 2001, were approved as printed in the Bulletin of October 25, 2001. Volume 86, No. 35-37.

SPECIAL ORDER CALENDAR

529-69-A

APPLICANT - Elliott M. Glass & Glass Architect, for Tranel, Inc., owner.

SUBJECT - Application June 19, 2001- request for a waiver of the Rules of Practice and Procedure, reopening for an extension of term of variance which expired March 25, 2000.

PREMISES AFFECTED - 236-240 West 27th Street, S.S. 235'-3½ East 8th Avenue, Block 776, Lot 59, Borough of Manhattan.

COMMUNITY BOARD #4M

APPEARANCES -

For Applicant: Elliot Glass.

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

ACTION OF THE BOARD - Application reopened and term of variance extended.

THE VOTE TO GRANT -

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

N e g a t i v e :
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THE RESOLUTION -

WHEREAS, the applicant requested a reopening to extend the term of the variance; and

WHEREAS, a public hearing was held on this application on November 13, 2001, after due notice by publication in the *Bulletin* and laid over to November 20,

2001 for decision.

Resolved, that the Board of Standards and Appeals hereby *reopens and amends* the resolution adopted on January 6, 1970 as amended through July 11, 1990, expiring March 25, 2000, only as to the term of the variance, so that as amended this portion of the resolution shall read:

“granted for an extension of term *on the condition* that the term of the variance shall be limited to ten years from March 25, 2000 to expire March 25, 2010; that an approved agency be permitted to perform the service; and that the records and reports required by the Fire Department shall be maintained; that the service shall be maintained in accordance with the requirements of the general resolution adopted by the Board under Calendar Number 630-56-GR; that other than as herein amended, the above cited shall be complied with in all respects; and that the term of this modification shall automatically lapse if the service is discontinued.”

Adopted by the Board of Standards and Appeals, November 20, 2001.

871-46-BZ

APPLICANT - Joseph P. Morsellino, Esq for Boulevard Leasing Limited Partnership., owner

SUBJECT - Application July 31, 2001- request for a waiver of the Rules of Practice and Procedure, reopening for an extension of time to obtain the certificate of occupancy which expired July 28, 2001.

PREMISES AFFECTED - 97-45 Queens Boulevard, 64th Road, Block 2091, Lot 1, Borough of Queens.

COMMUNITY BOARD #6Q

APPEARANCES -

For Applicant: Joseph P. Morsellino.

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

THE VOTE TO CLOSE HEARING -

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

N e g a t i v e :
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ACTION OF THE BOARD - Laid over to December 11, 2001, at 10 A.M., for decision, hearing closed.

334-66-BZ

APPLICANT - Sullivan Chester & Gardner, LLP, for Newton Avenue Realty, LLC, owner; Gotham Nightclub Association, Inc., lessee.

MINUTES

SUBJECT - Application January 10, 2001 - reopening for an amendment to the resolution.

PREMISES AFFECTED - 30-07 Newton Avenue, between 30th and 31st Street, Block 598, Lot 73, Borough of Queens.

COMMUNITY BOARD #1Q

APPEARANCES -

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

ACTION OF THE BOARD - Laid over to December 4, 2001, at 10 A.M., for continued hearing.

433-61-BZ

APPLICANT -Yen B Toy, R.A., for United Y & C Property Management Inc., owner.

SUBJECT - Application June 26, 2001 - reopening for an extension of term which expired July 18, 2001.

PREMISES AFFECTED- 1702/1712 East 16 Street, 264'-9 3/8 south from corner formed by East 16th Street and Kings Highway, Block 6798, Lot 13 Borough of Brooklyn.

COMMUNITY BOARD #15BK

APPEARANCES -

For Applicant: Yen B. Toy.

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

THE VOTE TO CLOSE HEARING -

Affirmative: Chairman Chin, Vice-Chair Babbar, Commissioner Korbey and Commissioner Caliendo.....4
N e g a t i v e :
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ACTION OF THE BOARD - Laid over to December 11, 2001, at 10 A.M., for decision, hearing closed.

719-68-BZ

APPLICANT - Mario Dini, for Crown Memorial, Inc., owner.

SUBJECT - Application February 16, 2001 - reopening for an extension of term of the variance which expired February 24, 2001.

PREMISES AFFECTED - 2731 Lafayette Avenue, north side of Lafayette Avenue, 24.7' from the corner of Lafayette Avenue and Balcom Avenue, Block 5537, Lot 92, Borough of The Bronx.

COMMUNITY BOARD #10BX

APPEARANCES -

For Applicant: Franco Marcano.

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

THE VOTE TO CLOSE HEARING -

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

N e g a t i v e :
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ACTION OF THE BOARD - Laid over to December 11, 2001, at 10 A.M., for decision, hearing closed.

289-86-BZ

APPLICANT - Mark Levine, for ASH60 Corp., owner.

SUBJECT - Application October 16, 2001 - reopening for an amendment to the resolution.

PREMISES - 20 West End Avenue, West End Avenue between 60 and 61st Street, Block 1152, Lot 1, Borough of Manhattan.

COMMUNITY BOARD #6M

APPEARANCES -

For Applicant: Marica Levine and Charles Edelstein.

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

ACTION OF THE BOARD - Laid over to December 11, 2001, at 10 A.M., for continued hearing.

964-87-BZ

APPLICANT- Catapano Engineering, P.C., for Leemilt Petroleum, Inc.,owner.

SUBJECT - Application November 14, 2000 - request for a waiver of the Rules of Practice and Procedure, reopening for an extension of term of variance which expired February 6, 2000 and for an amendment to the resolution.

PREMISES AFFECTED - 780/798 Burke Avenue, southwest corner of Barnes Avenue, Block 4571, Lot 28, Borough of The Bronx.

COMMUNITY BOARD #12BX

APPEARANCES -

For Applicant: Michelle Spallino.

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

ACTION OF THE BOARD - Laid over to December 18, 2001, at 10 A.M., for continued hearing.

118-95-BZ

APPLICANT -Windels Marx Lane & Mittendorf, for White Castle System, Inc., owner.

SUBJECT - Application July 16, 2001 - reopening for an extension of term of variance which expired July 25, 2001.

PREMISES AFFECTED 89-03 57th Avenue, northeast corner of Boulevard and 57th Avenue, Block 1845, Lot 41 Borough of Queens.

COMMUNITY BOARD #4Q

MINUTES

APPEARANCES -

For Applicant: Edward Nolan.

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

THE VOTE TO CLOSE HEARING -

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

N e g a t i v e :
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ACTION OF THE BOARD - Laid over to December 11, 2001, at 10 A.M., for decision, hearing closed.

218-96-BZ

APPLICANT -The Agusta Group, for The Armenian Apostolic Church of America., owner.

SUBJECT - Application June 14,2001- reopening for an extension of time to complete construction.

PREMISES AFFECTED - 138 East 39th Street south side 123.4' east of Lexington Avenue, Block 894, Lot 60, Borough of Manhattan.

COMMUNITY BOARD #6M

APPEARANCES -

For Applicant: Juan Hernandez.

THE VOTE TO CLOSE HEARING -

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

N e g a t i v e :
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ACTION OF THE BOARD - Laid over to December 11, 2001, at 10 A.M., for decision, hearing closed.

6-98-BZ

APPLICANT - Pillsbury Winthrop LLP for WXII/ Hubert Street, L.L.C., owner.

SUBJECT - Application July 23, 2001 - reopening for an amendment to the resolution.

PREMISES AFFECTED - 3-9 Hubert Street/137 Hudson Street/4 Collister Street, Block 214, Lot 14, Borough of Manhattan.

COMMUNITY BOARD # 1M

APPEARANCES -

For Applicant: Stephen Lefkowitz.

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

THE VOTE TO CLOSE HEARING -

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

N e g a t i v e :
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ACTION OF THE BOARD - Laid over to December

11, 2001, at 10 A.M., for decision, hearing closed.

223-98-BZ

APPLICANT - New York City Board of Standards and Appeals.

OWNER: M.A.A. Realty Corp.

SUBJECT - Application filed May 22, 1998 - to modify the resolution.

PREMISES AFFECTED - 451-459 Lorimer Street, a/k/a 51-59 Maujer Street, northwest of Lorimer Street, Block 2785, Lots 31 and 32, Borough of Brooklyn.

COMMUNITY BOARD #1BK

APPEARANCES -

For Applicant: Peter Hirshman.

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

THE VOTE TO CLOSE HEARING -

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

N e g a t i v e :
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ACTION OF THE BOARD - Laid over to December 11, 2001, at 10 A.M., for decision, hearing closed.

330-98-BZ

APPLICANT -Sheldon Lobel, P.C. for Steller Management AAF., owner.

SUBJECT - Application July 19, 2001 - request for a waiver of the Rules of Practice and Procedure and reopening for an extension of time to obtain the certificate of occupancy which expired May 16, 2001.

PREMISES AFFECTED - 242 East 14th Street, corner of East 14th Street and Second Avenue, Block 469, Lot 30, Borough of Manhattan.

COMMUNITY BOARD #3M

APPEARANCES -

For Applicant: John Phillips.

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

THE VOTE TO CLOSE HEARING -

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

N e g a t i v e :
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ACTION OF THE BOARD - Laid over to December 11, 2001, at 10 A.M., for decision, hearing closed.

99-01-A

MINUTES

APPLICANT - The Agusta Group, for Nicolo Balducci, Executor for Serafina Balducci, owner.

SUBJECT - Application February 27, 2001 - legalization of the conversion of a two story and cellar frame two family dwelling to stores (Use Group 6), which is contrary to §27-296 & Table 4-1 of the New York City Building Code.

PREMISES AFFECTED - 37-18 74th Street, West of 74th Street 161.107' south of 37th Avenue, Block 1284, Lot 47, Borough of Queens

COMMUNITY BOARD #3Q

APPEARANCES -

For Applicant: Juan Hernandez.

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

ACTION OF THE BOARD - Laid over to January 8, 2002, at 11 A.M., for postponed hearing.

100-01-A thru 107-01-A

APPLICANT - Rothkrug & Rothkrug, for Guido Passarelli, owner.

SUBJECT - Applications February 28, 2001 - proposed construction of a two family dwelling not fronting on a legally mapped street is contrary to Section 36, Article 3 of the General City Law.

PREMISES AFFECTED -

114 Churchill Avenue, north side, 354.29' east of Veterans Road East, Block 7356, Lot 80, Borough of Staten Island.

116 Churchill Avenue, north side, 329.29' east of Veterans Road East, Block 7356, Lot 81, Borough of Staten Island.

118 Churchill Avenue, north side, 304.29' east of Veterans Road East, Block 7356, Lot 82, Borough of Staten Island.

120 Churchill Avenue, north side, 279.29' east of Veterans Road East, Block 7356, Lot 83, Borough of Staten Island.

124 Churchill Avenue, north side, 254.29' east of Veterans Road East, Block 7356, Lot 84, Borough of Staten Island.

126 Churchill Avenue, north side, 229.29' east of Veterans Road East, Block 7356, Lot 85, Borough of Staten Island.

128 Churchill Avenue, north side, 204.29' east of Veterans Road East, Block 7356, Lot 86, Borough of Staten Island.

130 Churchill Avenue, north side, 179.29' east of Veterans Road East, Block 7356, Lot 87, Borough of Staten Island.

COMMUNITY BOARD #3SI

APPEARANCES -

For Applicant: Adam W. Rothkrug.

For Opposition: Battalion Chief Phil Parr and John

Scrofani, Fire Department.

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

151-01-A thru 161-01-A

APPLICANT - Rothkrug & Rothkrug, for Nicole Development Corporation, owner.

SUBJECT - Applications April 20, 2001 - proposed two family dwelling, not fronting on a legally mapped street, which is contrary to Section 36, Article 3 of the General City Law.

PREMISES AFFECTED -

28 Keppel Avenue, south side, 250' west of Sprague Avenue, Block 7867, Lot 1, Borough of Staten Island.

29 Sapphire Court, south side, 250' west of Sprague Avenue, Block 7867, Lot 168, Borough of Staten Island.

25 Sapphire Court, south side, 250' west of Sprague Avenue, Block 7867, Lot 170, Borough of Staten Island.

24 Keppel Avenue, south side, 250' west of Sprague Avenue, Block 7867, Lot 172, Borough of Staten Island.

20 Keppel Avenue, south side, 250' west of Sprague Avenue, Block 7867, Lot 174, Borough of Staten Island.

19 Sapphire Court, south side, 250' west of Sprague Avenue, Block 7867, Lot 176, Borough of Staten Island.

15 Sapphire Court, south side, 250' west of Sprague Avenue, Block 7867, Lot 178, Borough of Staten Island.

16 Sapphire Court, south side, 250' west of Sprague Avenue, Block 7867, Lot 184, Borough of Staten Island.

20 Sapphire Court, south side, 250' west of Sprague Avenue, Block 7867, Lot 186, Borough of Staten Island.

24 Sapphire Court, south side, 250' west of Sprague Avenue, Block 7867, Lot 188, Borough of Staten Island.

28 Sapphire Court, south side, 250' west of Sprague Avenue, Block 7867, Lot 190, Borough of Staten Island.

COMMUNITY BOARD #3SI

APPEARANCES -

For Applicant: Adam W. Rothkrug.

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

ACTION OF THE BOARD - Laid over to December

MINUTES

18, 2001, at 11 A.M., for continued hearing.

255-01-A

APPLICANT - Wachtel & Masyr, LLP, by Jesse Masyr, for 356 Bowery Ventures, LLC, owner; Millenium Billboard, LLC, lessee.

SUBJECT - Application August 16, 2001 - an appeal seeking the reinstatement of the approvals and permits issued by the Department of Buildings for Application Nos. 102816730 and 102816749 (sign approvals) and 102816721 (the sign support structure approval), that were revoked in a final determination by the Department by letter dated July 25, 2001.

PREMISES AFFECTED - 356 Bowery, north side, between Great Jones and East 14th Streets, Block 531, Lot 39, Borough of Manhattan.

APPEARANCES -

For Applicant: Jesse Masyr.

For Administration: Lisa Orrantia, Department of Buildings.

THE VOTE TO CLOSE HEARING -

Affirmative: Chairman Chin, Commissioner Korbey and

Commissioner Caliendo.....3
N e g a t i v e :
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Abstain: Vice-Chair Babbar1

ACTION OF THE BOARD - Laid over to December 18, 2001, at 10 A.M., for decision, hearing closed.

Pasquale Pacifico, Executive Director.

Adjourned: 11:45 A.M.

REGULAR MEETING

TUESDAY AFTERNOON, NOVEMBER 20, 2001

2:00 P.M.

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

ZONING CALENDAR

112-01-BZ

CEQR # 01-BSA-113K

APPLICANT - Sheldon Lobel, P.C., for Doris Laufer, owner; Congregation Noam Emimelech, Long-term lessee.

SUBJECT - Application March 6, 2001 - under Z.R. §72-21, to permit the proposed enlargement to an existing

community facility (Use Group 4) located in an R5 zoning district, which does not comply with the zoning requirements for side yards and off-street parking spaces, which is contrary to Z.R. §24-35 and §25-18.

PREMISES AFFECTED - 1402/67 59th Street (Tentative 1402 59th Street), corner of 59th Street and 14th Avenue, Block 5713, Lots 8 and 10 (Tentative Lot 8) Borough of Brooklyn.

COMMUNITY BOARD #12BK

APPEARANCES -

For Applicant: Lyra Altman.

For Opposition: Maggy Spieger.

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

ACTION OF THE BOARD - Application granted on condition.

THE VOTE TO GRANT -

Affirmative: Chairman Chin, Vice-Chair Babbar, Commissioner Korbey and Commissioner Caliendo.....4
N e g a t i v e :
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THE RESOLUTION -

WHEREAS, the decision of the Borough Commissioner, dated October 9, 2001 acting on Application No. 301109066 reads:

1. "Proposed enlargement of existing community facility in R5 Zoning District is contrary to sections 24-35 of the Zoning Resolution and require a variance from the Board of Standards and Appeals."; and

WHEREAS, a public hearing was held on this application on July 24, 2001 after due notice by publication in *The City Record* and laid over to September 11, 2001, October 16, 2001 and October 30, 2001 and then to November 20, 2001 for decision; and

WHEREAS, the site and surrounding area had a site and neighborhood examination by a committee of the Board consisting of Chairman James Chin, Commissioner Mitchell Korbey and Commissioner Peter Caliendo; and

WHEREAS, this is an application under Z.R. §72-21, to permit the proposed enlargement to an existing community facility (Use Group 4) located in an R5 zoning district, which does not comply with the zoning requirements for side yards and off-street parking spaces, which is contrary to Z.R. §24-35 and §25-18; and

WHEREAS, the subject site is a rectangular shaped parcel that lies on the corner of 59th Street and 14th Avenue; and

WHEREAS, the applicant represents Lot 8 is presently developed with one three story and cellar community facility (a synagogue and a Rabbi's apartment); and

WHEREAS, the applicant further represents Lot 10 is

MINUTES

presently developed with on dilapidated two story, basement and cellar two family dwelling; and

WHEREAS, the applicant proposal consists of demolishing the existing two story two family dwelling on Lot 10 and expanding the three story and cellar community on Lot 8; and

WHEREAS, the record indicates that a synagogue is a permitted use in the subject R5 zoning district, however, the Z.R. §24-35 requires that a building in an R5 District used for community facility use have an aggregate width of street walls equal to 80' or less, providing two side yards each with a minimum required width of eight feet; and

WHEREAS, the existing building has one 10' side yard and this non-compliance with Z.R. §24-35 is a pre-existing condition that the owner would like to continue in the new building; and

WHEREAS, as in the existing building, the proposed plans enlarge the synagogue while maintaining one ten foot side yard; and

WHEREAS, the proposed non-complying design is necessary in order to meet the programmatic needs of the congregation, as the subject congregation's current place of worship does provide enough room to accommodate the growing congregation; and

WHEREAS, the congregation has approximately 150 people in attendance for Sabbath services and their membership has been increasing rapidly; and

WHEREAS, these circumstances create a unique burden on the congregation, creating the need for an enlarged synagogue that is better suited to its religious needs; and

WHEREAS, the proposed enlargement will accommodate the existing congregation and allow for the anticipated growth of its membership over the next several years; and

WHEREAS, the Board finds that the applicant need not address Z.R. §72-21(b) since the applicant is a not-for-profit organization and the development will be in furtherance of its not-for-profit status; and

WHEREAS, a synagogue is permitted as of right in the subject R5 zoning district; and

WHEREAS, the applicant notes that the proposed use is modest and consistent with the most recent development trends in the area; and

WHEREAS, the record indicates that the subject proposal will not adversely affect the nature of the area residence district; and

WHEREAS, the Board finds that the proposed application will not alter the essential character of the surrounding neighborhood, impair the use or development of adjacent properties nor be detrimental to the public welfare; and

WHEREAS, the hardship herein was not created by the owner or a predecessor in title; and

WHEREAS, the Board finds that the variance is the minimum variance necessary to afford relief; and

WHEREAS, the Board has determined that the evidence in the record supports the findings required to be made under Z.R. §72-21; 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.

Therefore, it is 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 each and every one of the required findings under Z.R. §72-21, and *grants* a variation in the application of the Zoning Resolution, limited to the objections cited, to permit the proposed enlargement to an existing community facility (Use Group 4) located in an R5 zoning district, which does not comply with the zoning requirements for side yards and off-street parking spaces, which is contrary to Z.R. §24-35 and §25-18, *on condition* that all work shall substantially conform to drawings as they apply to the objections above noted, filed with this application marked "Received, May 21, 2001"- (3) sheets and "November 5, 2001"- (4) sheets; and *on further condition*;

THAT there will be no catering in the synagogue;

THAT this site will remain a community facility;

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 a new certificate of occupancy be obtained within two years from the date of this resolution.

Adopted by the Board of Standards and Appeals, November 20, 2001.

121-01-BZ

CEQR # 01-BSA-120M

APPLICANT - Paul Hastings, Janofsky and Walker, LLP by Elise Wagner, Esq., for New York University/Mount Sinai Medical Center, owner.

SUBJECT - Application March 20, 2001 - under Z.R. §73-64 and §73-03, to permit in an R8 zoning district, the

MINUTES

construction of a new medical research and laboratory building (Use Group 3A), which does not comply with the zoning requirements for height and setback regulations, rear yard and minimum distance between building, which is contrary to Z.R. §§24-522, 24-51, 24-382 and 24-652.

PREMISES AFFECTED - 550 First Avenue, portion of the block bounded by East 30th Street, First Avenue, East 34th Street and the FDR Drive, Block 962, Lot 8, Borough of Manhattan.

COMMUNITY BOARD #6M

APPEARANCES -

For Applicant: Elise Wagner.

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

ACTION OF THE BOARD - Application granted on condition

THE VOTE TO GRANT -

Affirmative: Chairman Chin, Vice-Chair Babbar and Commissioner Korbey.....3

N e g a t i v e :
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A b s e n t : C o m m i s s i o n e r
Caliendo.....1

THE RESOLUTION -

WHEREAS, the decisions of the Borough Commissioner, dated January 29, 2001 and March 14, 2001, acting on Applic. No. 102957052 reads;

Proposed objections to be sought from the Department of Buildings in connection with New York University School of Medicine's Research Building:

1. "The proposed building does not comply with the height and setback regulations of Section 24-522 of the Zoning Resolution;
2. The proposed building does not comply with the rear yard regulations of Section 24-382 of the Zoning Resolution; and
3. The proposed building does not comply with the minimum distance regulations of Section 24-652 of the Zoning Resolution.
4. The mechanical equipment on the roof of the proposed building (including, but not limited to, the cooling tower) is not a permitted obstruction because it does not comply with the provisions of Section 24-51 of the Zoning Resolution and is therefore contrary to the height and setback regulations of Section 24-522 of the Zoning Resolution."

WHEREAS, a public hearing was held on this application on July 24, 2001 after due notice by publication in *The City Record* and laid over to September 25, 2001, October 16, 2001, November 13, 2001 and then to

November 20, 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, and Commissioner Mitchell Korbey; and

WHEREAS, this is an application for a special permit under Z.R. §73-64/73-03, to allow, in an R-8 zoning district, the proposed construction of a new medical research and laboratory building (Use Group 3A), which does not comply with the zoning requirements for height and setback regulations, rear yard and minimum distance between building, which is contrary to Z.R. §§24-522, 24-51, 24-382 and 24-652; and

WHEREAS, the record indicates that the height and setback regulations would require that the building have a setback from the FDR Drive Service Road of 15 feet at 85 feet above curb level or nine stories, whichever is less, and remain within a sky exposure plane above the height of the initial setback; and

WHEREAS, the applicant represents that the rear yard regulations would require a 60' yard along most of the frontage facing the FDR Drive, and that this area is already non-complying because portions of it are already occupied by existing buildings; and

WHEREAS, the regulations governing minimum distances between buildings on a single zoning lot would require a 40 foot distance between the Research Building and Rubin Hall, the existing building to the south; and

WHEREAS, the subject premises occupies the entire superblock except for three parcels (the "Out Parcels"), with the Medical School facilities concentrated in the southern part of the block and the Hospital facilities concentrated in the northern part of the block; and

WHEREAS, the subject premises is located within an R8 zoning district, and has not been developed to its permitted floor area and lot coverage and is improved with buildings ranging from 2 to 24 stories including such medical facilities as the Hospital's Tisch and Rusk Rehabilitation Centers and the Medical School's Skirball Research Institute; and

WHEREAS, the record indicates that the medical school buildings house facilities for research laboratories, lecture halls and residences for students and staff; and

WHEREAS, the Research Building Site is located on the eastern edge of the Property, north of Rubin Residence Hall, east of the 8-story Medical Science Building; and

WHEREAS, an outdoor plaza with lawn area, benches and wooded tables and chairs are planned for the space between the Medical Sciences Building and the proposed site of the new building.

WHEREAS, the applicant represents that both the Rusk Institute and Tisch Hospital are outdated and will

MINUTES

need to undergo a major modernization at some point in the near future to continue to provide the essential service for the health care needs of the community and keep up with advances in medical technology; and

WHEREAS, however, such a development would not address the needs of the medical school for state-of-the-art research facilities; and

WHEREAS, therefore, the applicant's proposal seeks to erect a new research building to provide state-of-the-art research facilities; and

WHEREAS, the Research Building will result in the addition of a new sixteen-story (including two mechanical penthouses) structure on the subject property; and

WHEREAS, the applicant represents that the site for the Research Building was chosen because it is contiguous to the existing Medical School facilities and will have the least possible detriment on the surrounding neighborhood, the existing Medical School and Hospital facilities; and

WHEREAS, the applicant further represents that the subject site's location away from First Avenue and adjacent to the FDR Drive places it at a location which is the furthest on the Property from existing residential uses located west of First Avenue (other than affiliated Medical School and staff housing on the subject premises); and

WHEREAS, the applicant contends that, the Research Building will not have a material effect upon light, air and views on the nearby zoning lots west of First Avenue, because it will be surrounded on its north by the Tisch Hospital (18 stories), on its south by the Rubin Hall (15 stories) and on its west by both the Skirball Institute (25 stories) and the Health Care Center (15 stories), all of which are of a similar scale and density as the proposed 16 story structure; and

WHEREAS, the Board determines that the applicant's proposal will not interfere with any approved or pending public improvement projects which is approved or pending before the City Council, a City Site Selection Board or the City Planning Commission; and

WHEREAS, while not required under the findings of Z.R. §§ 73-64, 73-641 or 73-03, the Board considered the traffic congestion report that the applicant submitted indicating that there are no adverse affects resulting from the issuance of the subject special permit at the proposed location; and

WHEREAS, the Board finds that without the requested modification there is no reasonable way to design and construct the new buildings or enlargements in satisfactory physical relationships to the existing buildings which are to remain upon the site, so as to produce an integrated development; and

WHEREAS, the record indicates that the requested modifications are needed to create a building which

satisfies the Medical School's need for research laboratories in a location which can be properly integrated with the Medical School's existing facilities; and

WHEREAS, the applicant represents that the Medical School, which provides both scholastic and research facilities to medical practitioners, requires additional research and laboratory facilities to remain competitive; and

WHEREAS, the proposed Research Building will provide the Medical School with a state-of-the-art research and laboratory facility to lead the school and its staff and personnel through the twenty-first century; and

WHEREAS, the Board finds that the subject modification is the "minimum necessary" to permit the development of such an integrated community facility, and thereby creates the least detriment to the character of the neighborhood and the use of nearby zoning lots.

WHEREAS, the Board finds that the proposed enlargement will not alter the essential character of the surrounding neighborhood nor will it impair the future use and development of the surrounding area, nor create a new degree of non-compliance or increase the degree of non-compliance; and

WHEREAS, the proposed project will not have any significant adverse impacts upon the quiet, privacy, light and air of the surrounding neighborhood; and

WHEREAS, the proposed project will not interfere with any pending public improvement project; and

WHEREAS, the Board has determined that the evidence in the record supports the findings required to be made under Z.R. §73-03, §73-64 and §73-641.

Resolved that the Board of Standards and Appeals on June 6, 2001 issued a conditional negative declaration determination under 6 NYCRR Part 617 of the Rules of Procedure for City Environmental Quality Review and makes the required findings under Z.R. §73-03 and §73-64 and *grants* a special permit, to permit, in an R8 zoning district, the construction of a new medical research and laboratory building (Use Group 3A), which does not comply with the zoning requirements for height and setback regulations, rear yard and minimum distance between building, which is contrary to Z.R. §§24-522, 24-51, 24-382 and 24-652 *on condition* that all work shall substantially conform to drawings as they apply to the objection above-noted, filed with this application marked "Received, June 11, 2001"-(2) sheets and "July 12, 2001"-(4) sheets; and *on further condition*;

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

MINUTES

THAT substantial construction be completed and a new certificate of occupancy be obtained within four years of this grant.

Adopted by the Board of Standards and Appeals, November 20, 2001.

29-00-BZ

APPLICANT - Sheldon Lobel, P.C., for Vrbnik Realty LLC, Contract Vendee .

SUBJECT - Application February 4, 2000 - under ZR §72-21, to permit the proposed residential building (Use Group 2) located in a C1-6A zoning district, which does not comply with the zoning requirements for floor area, height and setback regulations, and the maximum allowable number of dwelling units, which is contrary to ZR §23-145, §23-223(c) and §23-633.

PREMISES AFFECTED - 229 East 13th Street, between Second Avenue and Third Avenue, Block 469, Lot 46, Borough of Manhattan.

COMMUNITY BOARD #3M

APPEARANCES -

For Applicant: Eric Palatnik.

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

ACTION OF THE BOARD - Laid over to December 11, 2001, at 2 P.M., for continued hearing.

208-00-BZ

APPLICANT - Dominick Salvati & Son, Architects, for Blis Operating Co. Inc., owner; B & R Auto, lessee.

SUBJECT - Application August 24, 2000 - under Z.R. §22-10, to permit the automotive storage and parking, repairs, preparation and sales of used cars with accessory auto-related uses on the project site.

PREMISES AFFECTED - 2739-2747 86th Street, northwest corner of West 10th Street, Block 7117, Lots 45-48, 50, 51, 52, Borough of Brooklyn.

COMMUNITY BOARD #11BK

APPEARANCES -

For Applicant: Peter Hirshman.

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

ACTION OF THE BOARD - Laid over to December 4, 2001, at 2 P.M., for continued hearing.

224-00-BZ

APPLICANT - Sheldon Lobel, P.C., for Basile Builders; Carmela Basiole, President, owner.

SUBJECT - Application September 28, 2000 - under Z.R.

§72-21, to permit the proposed six story residential building (Use Group 2) located in an R-5 zoning district, which creates non-compliance with respect to F.A.R., lot coverage, O.S.R., height and perimeter wall, lot area per dwelling unit, and yard requirements, which is contrary to Z.R. §23-41, §23-631, §23-222, §23-45, §23-46 and §23-47.

PREMISES AFFECTED - 2353 Cropsey Avenue a.k.a. 247 Bay 34th Street, Block 6889, Lots 7 and 9, Borough of Brooklyn.

COMMUNITY BOARD #11BK

APPEARANCES -

For Applicant: Sheldon Lobel.

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

THE VOTE TO REOPEN HEARING -

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

N e g a t i v e :
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ACTION OF THE BOARD - Laid over to January 8, 2002, at 2 P.M., for continued hearing.

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

APPEARANCES -

For Applicant: Mitchell Ross.

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

ACTION OF THE BOARD - Laid over to December 4, 2001, at 2 P.M., for continued hearing.

122-01-BZ

APPLICANT - Rothkrug and Rothkrug, for Kateri Residence Inc., owner.

SUBJECT - Application March 20, 2001 - under Z.R. §72-21, to permit the proposed construction of a rooftop enlargement to an existing 520-bed nursing home facility (Use Group3) located in R10A and R8 zoning districts, which does not comply with the zoning requirements for F.A.R., rear yard and the required loading berth, and is contrary to Z.R. §24-11, §24-36, §25-70 and §54-31.

MINUTES

PREMISES AFFECTED - 150 Riverside Drive a/k/a 355 West 87th Street, northeast corner, Block 1249, Lot 1, Borough of Manhattan.

COMMUNITY BOARD #7M

APPEARANCES -

For Applicant: Adam Rothkrug.

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

THE VOTE TO CLOSE HEARING -

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

N e g a t i v e :
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ACTION OF THE BOARD - Laid over to December 18, 2001, at 2 P.M., for decision, hearing closed.

130-01-BZ

APPLICANT - Friedman & Gotbaum, LLP, by Shelly S. Friedman, Esq., for Memorial Sloan-Kettering Cancer Center, owner.

SUBJECT - Application May 25, 2001 - under Z.R. §§72-21 and 73-642 to permit in an R8 zoning district, the proposed construction of a new 23-story research building and a seven-story addition to replace the existing 11-story building (Use Group 4) and a special permit for temporary failure to comply for time period prior to demolition of existing building on Lot 11, which exceeds the permitted lot coverage and floor area and does not comply with the rear yard equivalent which is contrary to Z.R. §24-11 and §24-382, respectively.

PREMISES AFFECTED - 411/425 East 68th Street, mid-block portion bounded by East 68th and East 69th Streets, between First and York Avenues, Block 1463, Lots 5 (Part of) and 11, Borough of Manhattan.

COMMUNITY BOARD #8M

APPEARANCES -

For Applicant: Shelley Friedman.

For Opposition: Genie Rice.

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

THE VOTE TO CLOSE HEARING -

Affirmative: Chairman Chin, Vice-Chair Babbar and C o m m i s s i o n e r
Caliendo.....3

N e g a t i v e :
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Abstain: Commissioner Korbey.....1

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

139-01-BZ

APPLICANT - Sheldon Lobel, P.C., for Joseph and Morris Wasserstein and Estate of Theo, owners.

SUBJECT - Application April 12, 2001 - under Z.R. §72-21 to permit the proposed legalization of an existing residential use and to permit the construction of additional residential units in an existing six-story building, located in an M1-6 zoning district, which is contrary to Z.R. §42-00. PREMISES AFFECTED - 27 West 38th Street, north side, between Fifth and Sixth Avenue, Block 840, Lot 26, Borough of Manhattan.

COMMUNITY BOARD #5M

APPEARANCES -

For Applicant: Lyra Altman.

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

ACTION OF THE BOARD - Laid over to December 11, 2001, at 2 P.M., for continued hearing.

203-01-BZ

APPLICANT - Sheldon Lobel, P.C., for BP Amoco Corp., owner.

SUBJECT - Application June 5, 2001 - under Z.R. §73-211, to permit the proposed construction of a new automotive service station, Use Group 16, with an accessory convenience store, installation of underground gasoline storage tanks, a new overhead canopy with five pump islands and installation of associated signage, in a C2-3 within an R6 zoning district, which requires a special permit as per Z.R.32-31.

PREMISES AFFECTED - 5701 Broadway, northwest corner of 234th Street, Block 5760, Lot 175, Borough of The Bronx.

COMMUNITY BOARD #8BX

APPEARANCES -

For Applicant: Eric Palatnik.

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

THE VOTE TO CLOSE HEARING -

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

N e g a t i v e :
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ACTION OF THE BOARD - Laid over to December 11,

MINUTES

2001, at 2 P.M., for decision, hearing closed.

204-01-BZ

APPLICANT - Sheldon Lobel, P.C., for BP Amoco Corp., owner.

SUBJECT - Application June 5, 2001 - under Z.R. §73-211, to permit the proposed construction of a new automotive service station, Use Group 16, with an accessory convenience store, installation of underground gasoline storage tanks, a new overhead canopy, rearrangement of the existing pump islands, relandscaping of the premises and alteration of the signage, in a C2-2 zoning district, which requires a special permit as per Z.R. §32-31.

PREMISES AFFECTED - 73-15 Parsons Boulevard, between 73rd and 75th Avenues, Block 6822, Lot 20, Borough of Queens.

COMMUNITY BOARD #8Q

APPEARANCES -

For Applicant: Eric Palatnik.

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

ACTION OF THE BOARD - Laid over to December 11, 2001, at 2 P.M., for continued hearing.

209-01-BZ thru 214-01-BZ

APPLICANT - Augusta & Ross for Middleton Estates, LLC, owner.

SUBJECT - Application June 12, 2001 - under Z.R. §72-21, to permit the proposed construction of a six story multiple dwelling (Use Group 2) located in an M1-2 zoning district, which is contrary to Z.R. §42-00.

PREMISES AFFECTED -

146/48 Middleton Street, south side, 158' west of Harrison Avenue, Block 2241, Lot 28, Borough of Brooklyn.

150/52 Middleton Street, south side, 116' west of Harrison Avenue, Block 2241, Lot 28 (Tentative Lot 30), Borough of Brooklyn.

154 Middleton Street, south side 95' west of Harrison Avenue, Block 2241, Lot 28 (Tentative Lot 31), Borough of Brooklyn

119/21 Lorimer Street, north side, 20'-1" west of Union Avenue, Block 2241, Lot 28 (Tentative Lot

41), Borough of Brooklyn.

115/17 Lorimer Street, north side, 62'-1" west of Union Avenue, Block 2241, Lot 28 (Tentative Lot 43), Borough of Brooklyn

113 Lorimer Street, north side, 104'-1" west of Union Avenue Block 2241, Lot 28 (Tentative Lot 44), Borough of Brooklyn.

COMMUNITY BOARD #1BK

APPEARANCES -

For Applicant: Mitchell Ross.

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

ACTION OF THE BOARD - Laid over to December 11, 2001, at 2 P.M., for continued hearing.

218-01-BZ

APPLICANT - Moshe M. Friedman, P.E., for Misrad Associates, LP, owner; Yeshiva Ohavei Torah, lessee.

SUBJECT - Application June 25, 2001 - under Z.R. §72-21, to permit the proposed vertical addition of a second story, to an existing one story school building (Yeshiva), Use Group 3, located in an R1-2 within an NA-2 zoning district, which creates non-compliance with respect to F.A.R., height, perimeter wall, sky exposure plane, front yard and parking, and is contrary to Z.R. §24-111, §24-521, §24-34 and §25-31.

PREMISES AFFECTED - 450 West 250th Street, south east corner of Henry Hudson Parkway, Block 5824, Lot 2470, Borough The Bronx.

COMMUNITY BOARD #8BX

APPEARANCES -

For Applicant: Moshe M. Friedman.

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

ACTION OF THE BOARD - Laid over to December 18, 2001, at 2 P.M., for continued hearing.

253-01-BZ

APPLICANT - Fischbein Badillo Wagner Harding for GHC NY Corp., owner; West Thirteenth Street Development, LLC, lessee.

SUBJECT - Application August 13, 2001 - under Z.R. §72-21 to permit the proposed residential use (34 units) Use Group 2, to be located in a 32 story mixed use building, also the use of additional accessory parking, in an M1-5 zoning district, which is contrary to Z.R. §42-00 and §13-12.

PREMISES AFFECTED - 848 Washington Street, west side, between Little West 12th and West 13th Streets, Block 645, Lots 9 and 11, Borough of Manhattan.

MINUTES

COMMUNITY BOARDS #2M & 4M

APPEARANCES -

For Applicant: Howard Hornstein, Barbara Hair, Gary Handel, John Freeman, Elton Eldon and Jean Novel.

For Opposition: Council Member Christine Quinn, Jeanne Wilcke, Doris Diether and Jo Hamilton, Community Board 2; Adam Friedman, Lisa LaFrieda, Katy Bordonavo, Ellen Peterson Lewis, Michelle Dell, and others.

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

ACTION OF THE BOARD - Laid over to January 8, 2002, at 2 P.M., for continued hearing.

261-01-BZ

APPLICANT - Robert Saya, Vice President for Consolidated Edison Co. of New York, Inc., owner

SUBJECT - Application August 27, 2001 - under Z.R. §72-21 and §73-16, to permit the proposed construction of an electric utility substation, Use Group 17(c), located in C6-4X zoning district, which does comply with the zoning requirements for street wall location and setback, is contrary to Z.R. §32-10, §33-432 (b) and §35-25 (b) and (c), and also requires a special permit as per §73-16.

PREMISES AFFECTED - 105 West 24th Street, aka 735/57 Avenue of the Americas, west side, at the corner formed by the intersection of 24th Street and Avenue of the Americas, Block 800, Lot 37, Borough of Manhattan.

COMMUNITY BOARD #4M

APPEARANCES -

For Applicant: Robert Davis, Richard King, Lucides Zeffauelle, Linda Erdreich, David Helpert and Richard Fogarty

For Opposition: Dan Boyle, Eric Colby, Marty Algaze, Lauren Collins, Peter Weiner, David Berliner, Sylvia Lachter, Willis Johnson, John Gotman, Alan J. Fishbein, Andrea Ackerman, Joel Kupferman, David Klass, Bill Prickett, Mitchell Cohen, Fred Buckert and Lai Yee A Lee.

ACTION OF THE BOARD - Laid over to January 15, 2002, at 2 P.M., for continued hearing.

Pasquale Pacifico, Executive Director.

Adjourned: P.M.

MINUTES

**SPECIAL MEETING
TUESDAY MORNING, NOVEMBER 27, 2001
10:00 A.M.**

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

279-01-BZ

APPLICANT - Fischbein Badillo Wagner Harding, for
Howard Friscia, 2128 McDonald Avenue, 2130 McDonald
Avenue, Alice Lee and Vincezo Morello, owner; Magen
David Yeshivah, lessee.

SUBJECT - Application September 7, 2001 - under Z.R.
§72-21 and §73-19, to permit the proposed community
facility (school), Use Group 3, located in an M1-1 and an
R5 zoning district, which creates non-compliance with
respect to floor area ratio, lot coverage, side, front and rear
yards, front setback and penetrates the sky exposure plane,
which is contrary to Z.R. §42-00, §24-11, §24-34, §24-35,
§24-36, §24-521, and also requires a special permit as per
Z.R. §73-19.

PREMISES AFFECTED - 2106/30 McDonald Avenue,
a/k/a 143/45 Lake Street, between Avenues S and T, Block
7087, Lots 14, 22, 24, 73 and 76, Borough of Brooklyn.

COMMUNITY BOARD #11BK

APPEARANCES -

For Applicant: Howard Hornstein, Ronald Tawil, Rabbi
Hilsenrath, Peter Santon, Elton Eldon and others.

For Opposition: William Cohen, Assemblyman 47th Dist.;
Steven Cymbrowitz, Assemblyman 45 Dist.; Dominic M.
Recchie, Council-Elect 47th Dist.; Richard J. Clarke,
Community Board 11 and others.

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

ACTION OF THE BOARD - Laid over to January
16, 2002, at 2 P.M., for continued hearing.

Pasquale Pacifico, Executive Director.

Adjourned: 12:40 P.M.