

MINUTES

ACTION OF THE BOARD - Laid over to July 25, 2000, at 11 A.M., for continued hearing.

79-00-A thru 82-00-A

APPLICANT - Vito J. Fossella, P.E., for Savino Savo, owner.

SUBJECT - Application March 20, 2000 - Proposed building not fronting on a legally mapped street is contrary to Section 36, Article 3 of the General City Law.

PREMISES AFFECTED -

100 Greaves Lane, northside of Timber Ridge Drive (Old Amboy Road), 349.53' west of Amboy Road, Block 4645, Lot Tentative Lot No. 415, Borough of Staten Island.

125 Greaves Lane, northside of Timber Ridge Drive (Old Amboy Road), 349.53' west of Amboy Road, Block 4645, Lot Tentative Lot No. 425, Borough of Staten Island.

145 Greaves Lane, northside of Timber Ridge Drive (Old Amboy Road), 349.53' west of Amboy Road, Block 4645, Lot Tentative Lot No. 418, Borough of Staten Island.

150 Greaves Lane, northside of Timber Ridge Drive (Old Amboy Road), 349.53' west of Amboy Road, Block 4645, Lot Tentative Lot No. 410, Borough of Staten Island.

COMMUNITY BOARD #3SI

APPEARANCES -

For Applicant: Victor Han.

For Opposition: Richard Mantred and Peter F. Martin.

For Administration: Lt. Arthur Haven, Fire Department.

ACTION OF THE BOARD - Laid over to July 25, 2000, at 11 A.M., for continued hearing.

85-00-A

APPLICANT - Edward Lauria, P.E., for Aaron Luwish, owner.

SUBJECT - Application March 22, 2000 - Proposed construction of entrance steps and a temporary septic system, for a new home, located within the bed of a mapped street, is contrary to Section 35 of the General City Law.

PREMISES AFFECTED - 41 Shields Place, southeast corner of Staten Island Boulevard, Block 683, Lot 214, Borough of Staten Island.

COMMUNITY BOARD #2SI

APPEARANCES -

For Applicant: Edward Lauria.

For Administration: Lt. Arthur Haven, Fire Department.

THE VOTE TO CLOSE HEARING -

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

Negative:0

ACTION OF THE BOARD - Laid over to June 6, 2000, at 11 A.M., for decision, hearing closed.

94-00-A

APPLICANT - David L. Businelli, R.A., for Peter Malvasio, owner.

SUBJECT - Application March 29, 2000 - proposed building not fronting on a legally mapped street is contrary to Section 36, Article 3 of the General City Law.

PREMISES AFFECTED - 328 Eugene Street, between Bartow and Camden Avenues, Block 7756, Lot 38, Borough of Staten Island.

COMMUNITY BOARD #3SI

APPEARANCES -

For Applicant: David L. Businelli.

For Administration: Lt. Arthur Haven, Fire Department.

ACTION OF THE BOARD - Laid over to July 18, 2000, at 11 A.M., for continued hearing.

Pasquale Pacifico, Executive Director.

Adjourned: 12:30 P.M.

**REGULAR MEETING
TUESDAY AFTERNOON, MAY 30, 2000
2:00 P.M.**

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

ZONING CALENDAR

92-99-BZ/94-99-BZ/96-99-BZ/98-99-BZ/100-99-BZ & 102-99-BZ

APPLICANT - Sheldon Lobel, P.C., for Walden Terrace Inc., owner.

SUBJECT - Application May 7, 1999 - under Z.R. §60(3) of the MDL, to permit the continuation of the existing use of an accessory garage in a multiple dwelling, located in an R7-1 district for transient parking, which is contrary to Z.R. §25-412.

PREMISES AFFECTED - 98-09 64th Road a.k.a. 98-10 64th Avenue, 64th Road & 98th Street, Block 2101, Lot 1, Borough of Queens.

PREMISES AFFECTED - 98-25 64th Road a.k.a. 98-26 64th Avenue, 64th Road & 99th Street, Block 2101, Lot 16, Borough of Queens.

PREMISES AFFECTED - 98-41 64th Road a.k.a. 98-40 64th Avenue, 64th Road & 99th Street, Block 2101, Lot 24, Borough of Queens.

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PREMISES AFFECTED - 98-51 64th Ave./98-50 63rd Drive, 64th Ave. & 99th Street, Block 2100, Lot 29, Borough of Queens.

PREMISES AFFECTED - 98-33 64th Ave./98-34 63rd Drive, 64th Avenue & 99th Street, Block 2100, Lot 21, Borough of Queens.

PREMISES AFFECTED - 98-19 64th Ave./98-22 63rd Drive, 64th Road and 98th Street, Block 2100, Lot 15, Borough of Queens.

COMMUNITY BOARD #6

APPEARANCES -

For Applicant: Eric Palatnik.

For Administration: Lt. Arthur Haven, Fire Department.

ACTION OF THE BOARD - Applications granted on condition.

THE VOTE TO GRANT -

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

Negative:0

THE RESOLUTION

WHEREAS, the decisions of the Borough Commissioner, dated April 8, 1999 acting on Applic. Nos. 908/907/906/903/904/905, reads:

- "1. Existing use of accessory garage in a multiple dwelling located in an R7-1 district for transient parking is contrary to article 2, chapter 5, section 25-412 of the Zoning Resolution and BSA Calendar #723-67-B.Z."; and

WHEREAS, a public hearing was held on these applications on April 11, 2000, after due notice by publication in the *Bulletin*, and laid over to May 9, 2000, and then to May 30, 2000 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, this is an application under Multiple Dwelling Law ("MDL") §60 (3) for a variance to permit within an R7-1 zoning district the continued use of portions of the cellar of the subject premises for transient parking for periods of less than one week, which is contrary to Z.R. §25-412; and

WHEREAS, the subject zoning lot has a total lot area of approximately 35,233.33 square feet, a frontage of approximately 162.00' on both 64th Avenue and 64th Road, and a depth of approximately 200.00'; and

WHEREAS, the subject zoning lot is presently improved with an eight story structure occupied by residential uses, with the cellar portion of the building being utilized for transient parking; and

WHEREAS, in 1967 under Calendar numbers 723-67-BZ and 724-67-A the Board permitted a portion of the

cellar of the subject premises to be utilized for transient parking; and

WHEREAS, pursuant to MDL §60 (3) the BSA may grant variances of the applicable sections if in the opinion of the Board such variance will best promote the health, safety, welfare and carries out the permissive intent of this section; and

WHEREAS, evidence in the record indicates that the subject parking has operated for over 30 years with no adverse effects and in fact has provided residents and their guests with convenient and well maintained parking; and

WHEREAS, the Board has determined that the evidence in the record supports the findings required to be made under MDL §60 (3); 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.

Resolved that the Board of Standards and Appeals issues a Type II determination under 6 NYCRR Part 617 of the Rules of Procedure for City Environmental Quality Review and makes the required findings under MDL §60 (3) and *grants* a variance, to permit, within an R7-1 zoning district, the continued use of portions of the cellar of the subject premises for transient parking for periods of less than one week, which is contrary to Z.R. §25-412, *on condition* that all work shall substantially conform to drawings as they apply to the objections above noted, filed with this application marked "Received, April 26, 2000"-(6) sheets; and *on further condition*;

THAT the term of the variance shall be ten years to expire on May 30, 2010;

THAT the use of transient spots be limited the number reflected in the approved plans;

THAT a recapture sign be maintained conspicuously within the garage indicating the tenants' rights to recapture the subject parking spaces upon 30 day notification to the operator;

THAT premises be maintained free of debris and graffiti;

THAT a new certificate of occupancy be obtained within 1 year of the date of this grant and that the above referenced conditions appear on the new 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.

Adopted by the Board of Standards and Appeals, May 30, 2000.