

NEW YORK CITY BOARD OF STANDARDS AND APPEALS

REGULAR MEETING
TUESDAY MORNING, May 16, 2006
10:00 A.M.

<i>SOC – DECISIONS</i>		
1.	636-54-BZ, Vol. II	<p>Walter T. Gorman, P.E. 9612/24 Seaview Avenue, BROOKLYN Extension of Time/Waiver to obtain a Certificate of Occupancy of a gasoline service station (Shell Station) for fifty-four (54) months from the expiration date of January 8, 2003. The premise is located in a C1-2/R-5 zoning district. COMMUNITY BOARD #18BK</p> <hr/> <p>Examiner: Henry Segovia (212) 788-8757</p> <hr/> <p>Status: Granted – 5/16/06</p>
2.	39-66-BZ	<p>Sheldon Lobel, P.C. 43-70 Kissena Boulevard, QUEENS Extension of Time/Waiver to obtain a Certificate of Occupancy, which expired on January 6, 2006, for transient parking of the unused and surplus tenant spaces in the accessory garage of a multiple dwelling building. The premise is located in a R6 zoning district. COMMUNITY BOARD #7Q</p> <hr/> <p>Examiner: Henry Segovia (212) 788-8757</p> <hr/> <p>Status: Granted – 5/16/06</p>
3.	337-79-BZ	<p>Moshe M. Friedman, P.E. 2107 Avenue N, BROOKLYN Reopening for an Extension of Term/Waiver for the conversion of the first story of an existing two (2) story residential building into medical offices, located in an R2 zoning district. COMMUNITY BOARD# 14BK</p> <hr/> <p>Examiner: Henry Segovia (212) 788-8757</p> <hr/> <p>Status: Granted – 5/16/06</p>

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<i>SOC – DECISIONS</i>		
4.	43-99-BZ	<p>Windels Marx Lane & MittenDorf, LLP 38-02 Northern Boulevard, QUEENS Reopening for Extension of Term/Waiver/Amendment to a previously granted special permit for a drive-through facility accessory to an eating and drinking establishment for an additional term of five years. The amendment is to install and electronic amplification menu board. The premise is located in a C1-2 in an R-4 zoning district. COMMUNITY BOARD #3Q Examiner: Henry Segovia (212) 788-8757 Status: Granted – 5/16/06</p>
5.	143-05-A	<p>Eric Palatnik, P.C. 47-05 Bell Boulevard, QUEENS Reopening for an Extension of Time to complete construction and to obtain a Certificate of Occupancy. On November 29, 2005 BSA issued a resolution determining that the owner of the premises had obtained a vested right to continue construction under DOB permit No. 4021124879 and reinstated the permit for a period of six months to expire on May 29, 2006. The premise is located in a R2A zoning district. COMMUNITY BOARD #11Q Examiner: Henry Segovia (212) 788-8757 Status: Granted – 5/16/06</p>
6.	149-05-A	<p>Eric Palatnik, P.C. 32-29 211th Street, QUEENS Reopening for an Extension of Time to complete construction and to obtain a Certificate of Occupancy. On November 1, 2005 BSA issued a resolution determining that the owner of the premises had obtained a vested right to continue construction under DOB permit No. 401867618 and reinstated the permit for a period of six months to expire on May 1, 2006. The premise is located in a R2A zoning district. COMMUNITY BOARD #11Q Examiner: Henry Segovia (212) 788-8757 Status: Granted – 5/16/06</p>

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<i>SOC – CONTINUED HEARINGS</i>		
7.	364-36-BZ	<p>Joseph P. Morsellino 31-70 31st Street, QUEENS Extension of Term/Waiver of a variance which expired on February 11, 2005 for an additional 15 year term of an automotive service station. The premise is located in a C1-4 and R6B zoning district. COMMUNITY BOARD #1Q</p> <p>Examiner: Henry Segovia (212) 788-8757</p> <p>Status: Adjourned Hearing – 7/18/06</p>
8.	374-71-BZ	<p>Rothkrug Rothkrug Weinberg & Spector 205-11 Northern Boulevard, QUEENS Pursuant to Z.R. §§72-01 and 72-22 for an extension of term of a variance permitting an automobile showroom with open display of new and used cars (UG16) in a C2-2 (R3-2) district. The application also seeks an amendment to permit accessory customer and employee parking in the previously unused vacant portion of the premises. COMMUNITY BOARD #11Q</p> <p>Examiner: Carlo Costanza (212) 788-8739</p> <p>Status: Continued Hearing – 6/20/06</p>
9.	295-77-BZ	<p>Walter T. Gorman, P.E. 87-10 Northern Boulevard, QUEENS Reopening for extension of term/waiver of a variance Z.R. §72-21 for the continued use of a gasoline service station which expired on October 1, 2003 for an additional ten (10) years; and an amendment to legalize the conversion of a portion of the service building from office/sales and attendant’s area to an accessory convenience store, the erection of a trash enclosure, air pump tower and car vacuum, a public telephone and wooden planter boxes. The premise is located in an C1-2 in R4 zoning district. COMMUNITY BOARD #3Q</p> <p>Examiner: Henry Segovia (212) 788-8757</p> <p>Status: Closed, Decision – 6/6/06</p>

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<i>SOC – CONTINUED HEARINGS</i>		
10.	545-78-BZ	<p>Petraro & Jones, LLP 901/903 Pine Street, BROOKLYN Reopening for an extension of term of a variance for a commercial vehicle storage establishment. The term expired on March 27, 2002. The application also seeks a waiver of the Board’s rules of practice and procedure for an extension of term application filed more than one year, but less than two years, following expiration of the term. The premise is located in an R4 zoning district. COMMUNITY BOARD #5BK</p> <hr/> <p>Examiner: Carlo Costanza (212) 788-8739</p> <hr/> <p>Status: Closed, Decision – 6/6/06</p>
11.	83-00-BZ	<p>Eric Palatnik, P.C. 87-11/21 Northern Boulevard, QUEENS Reopening for a waiver of the Rules of Practice and Procedure and for an extension of the term of the special permit which expired September 26, 2003; to operate a drive thru window for an eating and drinking establishment, (K.F.C.), located in a C1-2 zoning district. COMMUNITY BOARD #3Q</p> <hr/> <p>Examiner: Henry Segovia (212) 788-8757</p> <hr/> <p>Status: Closed, Decision – 7/11/06</p>

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<i>SOC – NEW CASES</i>		
12.	499-29-BZ	<p>Eric Palatnik, P.C. 248-70 Horace Harding Expressway, QUEENS Reopening for an Extension of Term of an Automotive Service Station with an accessory automotive repair establishment located in a C1-2/R3-2 zoning district. The term expired on March 23, 2006. The application is seeking a 10 year extension. COMMUNITY BOARD #11Q</p> <hr/> <p>Examiner: Carlo Costanza (212) 788-8739</p> <hr/> <p>Status: Continued Hearing – 7/11/06</p>
13.	565-57-BZ	<p>Arcadius Kaszuba 5832 Broadway, THE BRONX Application to consider dismissal for lack of prosecution. COMMUNITY BOARD #8BX</p> <hr/> <p>Examiner: Carlo Costanza (212) 788-8739</p> <hr/> <p>Status: Continued Hearing – 6/20/06</p>
14.	551-61-BZ	<p>Fred Geremia, R.A. 3275 Cruger Avenue, THE BRONX Application to consider dismissal for lack of prosecution. COMMUNITY BOARD #12BX</p> <hr/> <p>Examiner: Henry Segovia (212) 788-8757</p> <hr/> <p>Status: Dismissed – 5/16/06</p>
15.	370-03-BZ	<p>Cozin O’Connor 143-153 Roebling Street, BROOKLYN Application to consider dismissal for lack of prosecution. COMMUNITY BOARD #1BK</p> <hr/> <p>Examiner: Roy Starrin (212) 788-8797</p> <hr/> <p>Status: Withdrawn – 5/16/06</p>

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<i>SOC – NEW CASES</i>		
16.	364-04-BZ	Sheldon Lobel, P.C. 690-702 New Lots Avenue, BROOKLYN Application to consider dismissal for lack of prosecution. COMMUNITY BOARD #5BK Examiner: Roy Starrin (212) 788-8797 Status: Continued Hearing – 6/13/06
17.	379-04-BZ	Sheldon Lobel, P.C. 107 Debevoise Avenue, BROOKLYN Application to consider dismissal for lack of prosecution. COMMUNITY BOARD #1BK Examiner: Roy Starrin (212) 788-8797 Status: Withdrawn – 5/16/06

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<i>APPEALS – DECISIONS</i>		
18.	231-04-A	Joseph P. Morsellino, Esq. 240-79 Depew Avenue, QUEENS Proposed one family dwelling, located within the bed of a mapped street, is contrary to Section 35, Article 3 of the General City Law. COMMUNITY BOARD #11Q
		Examiner: Toni Matias (212) 788-8752
		Status: Continued Hearing – 6/20/06
19.	190-05-A	Statmauer Bailkin, LLP 28-32 215th Street, QUEENS An appeal seeking a determination that the owner of said premises has acquired a common-law vested right to continue development commenced under the prior R2 zoning district. Current zoning district is R2A. COMMUNITY BOARD #11Q
		Examiner: Toni Matias (212) 788-8752
		Status: Withdrawn – 5/16/06
20.	400-05-BZY/ 401-05-BZY	John Patrick Curran 3202 & 3204 Morley Avenue, STATEN ISLAND Proposed extension of time to renew building permits and complete construction of a development pursuant to Z.R. 11-332. Current R3-1 Zoning District. COMMUNITY BOARD #2SI
		Examiner: Toni Matias (212) 788-8752
		Status: Granted – 5/16/06

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<i>APPEALS – CONTINUED HEARINGS</i>		
21.	360-05-BZY & 368-05-A	<p>Greenberg & Traurig, LLP 400 15th Street, BROOKLYN</p> <p>Proposed Extension of Time to complete construction of a minor development pursuant to Z.R. §11-331 for a five-story residential building. An appeal seeking a determination that the owner of said premises has acquired a common law vested rights to continue development commenced under the prior R6 zoning. New zoning district is R6B as of November 16, 2005.</p> <p>COMMUNITY BOARD #7BK</p> <p>Examiner: Toni Matias (212) 788-8752</p> <p>Status: Closed, Decision – 6/20/06</p>
22.	362-05-BZY & 367-05-A	<p>Greenberg & Traurig, LLP 639 Sixth Avenue, BROOKLYN</p> <p>Proposed Extension of Time to complete construction of a minor development pursuant to Z.R. §11-331 for a six-story residential building. An appeal seeking a determination that the owner of said premises has acquired a common law vested rights to continue development commenced under the prior R6 zoning. New zoning district is R6B as of November 16, 2005.</p> <p>COMMUNITY BOARD #7BK</p> <p>Examiner: Toni Matias (212) 788-8752</p> <p>Status: Closed, Decision – 6/20/06</p>
23.	402-05-BZY thru 424-05-BZY	<p>Eric Palatnik, P.C. Tessa Court, Maxie Court, STATEN ISLAND <i>Grynes Hill Estates</i></p> <p>Proposed extension of time to renew building permits and complete construction of a development pursuant to Z.R. §11-332, Prior R3-2 zoning district; current R3-A zoning district.</p> <p>COMMUNITY BOARD #1SI</p> <p>Examiner: Toni Matias (212) 788-8752</p> <p>Status: Granted – 5/16/06</p>

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<i>APPEALS – NEW CASES</i>		
24.	205-05-A	<p>Zygmunt Staszewski, P.E. 47 Graham Place, QUEENS Proposed enlargement of an existing one family dwelling, not fronting on a mapped street, is contrary to GCL §36, Article 3 and located partially within the bed of a mapped street, including the upgrade of the existing private disposal system, is contrary to GCL §35. COMMUNITY BOARD #14Q Examiner: Toni Matias (212) 788-8752 Status: Granted – 5/16/06</p>
25.	35-06-A	<p>Joseph Sherry 9 Doris Lane, QUEENS Proposed reconstruction and enlargement of a single family dwelling not fronting on a mapped street, is contrary to GCL §36, Article 3. Proposed upgrade of the existing private disposal system located in the bed of the service road contrary to Buildings Department policy. Current R4 zoning district. COMMUNITY BOARD #14Q Examiner: Toni Matias (212) 788-8752 Status: Granted – 5/16/06</p>
26.	53-06-A	<p>Valentino Pompeo 104 Beach 215th Street, QUEENS Proposed reconstruction and enlargement of a single family dwelling not fronting on a mapped street is contrary to GCL § 36, Article 3. COMMUNITY BOARD #14Q Examiner: Toni Matias (212) 788-8752 Status: Granted – 5/16/06</p>

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<i>BZ – DECISIONS</i>		
1.	320-04-BZ	<p>Harold Weinberg, P.E. 229 Coleridge Street, BROOKLYN Special Permit: Z.R. §73-622 – proposed legalization for a two-story and rear enlargement of an existing one-family dwelling, Use Group 1, located in an R3-1 zoning district, which does not comply with the zoning requirements for floor area ratio, lot coverage, open space and rear yard (Z.R. §23-141, §23-47 and §54-31). COMMUNITY BOARD #15BK</p> <hr/> <p>Examiner: Henry Segovia (212) 788-8757</p> <hr/> <p>Status: Denied - 5/16/06</p>
2.	396-04-BZ	<p>Stroock & Stroock & Lavan, LLP, by Ross Moskowitz, Esq 180 West Broadway, MANHATTAN Variance: Z.R. §72-21 – to permit the proposed construction of a eleven-story, 30-unit mixed-use building, located in a C6-2A, TMU zoning district. The proposal is contrary to Z.R. §111-104 (FAR), 23-145 (Lot Coverage), 35-24(c)(d) (Setback), and 28-12 (Street Planting). Note that the revised proposal is for an eight-story mixed-use building with 16 residential units that is contrary to §23-145 (Lot Coverage). COMMUNITY BOARD #1M</p> <hr/> <p>Examiner: Rory Levy (212) 788-8749</p> <hr/> <p>Status: Granted – 5/16/06</p>
3.	398-04-BZ	<p>Eric Palatnik, P.C. 2103 Avenue “M”, BROOKLYN Special Permit: Z.R. §73-622 – proposed legalization of an enlargement of a single family residence, contrary to Z.R. §23-14 for open space and floor area. The premise is located in R2 zoning district. COMMUNITY BOARD #14BK</p> <hr/> <p>Examiner: Henry Segovia (212) 788-8757</p> <hr/> <p>Status: Granted – 5/16/06</p>

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4.	5-05-BZ	<p>Sheldon Lobel, P.C. 59-25 Fresh Meadow Lane, QUEENS Special Permit: Z.R. §73-53 – to permit the enlargement of an existing non-conforming manufacturing building located within a district designated for residential use (R3-2). The application seeks to enlarge the subject contractor’s establishment (Use Group 16) by 2,499.2 square feet. COMMUNITY BOARD #11Q</p> <p>Examiner: Carlo Costanza (212) 788-8739</p> <p>Status: Granted – 5/16/06</p>
5.	74-05-BZ	<p>Synder & Synder, LLP 1089 Rockland Avenue, STATEN ISLAND Special Permit: Z.R. §73-30 and §22-21 – to permit the proposed construction of a non-accessory radio tower for public utility wireless communications located in an R3-2 zoning district. COMMUNITY BOARD #2SI</p> <p>Examiner: Jed Weiss (212) 788-8781</p> <p>Status: Granted – 5/16/06</p>
6.	108-05-BZ & 109-05-BZ	<p>Rothkrug Rothkrug, Weinberg & Spector 224-22 Prospect Court, QUEENS Variance: Z.R. §72-21 – to permit the construction of a one-family, semi-attached dwelling that does not provide the required front yard, contrary to §23-462. The site is located in an R3-2 zoning district. COMMUNITY BOARD #13Q</p> <p>Examiner: Henry Segovia (212) 788-8757</p> <p>Status: Closed, Decision – 6/13/06</p>
7.	320-05-BZ	<p>Rothkrug Rothkrug Weinberg & Spector, LLP 113/9 Fourth Avenue, a/k/a 101/117 East 12th Street, MANHATTAN Special Permit: Z.R. §73-36 – to allow the proposed physical cultural establishment located on portion of the cellar and first floor of an existing eight-story mixed use building in a C6-1 zoning district. COMMUNITY BOARD #3M</p> <p>Examiner: Toni Matias (212) 788-8752</p> <p>Status: Granted – 5/16/06</p>

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8.	339-05-BZ	Eric Palatnik, P.C. 3574 Nostrand Avenue, BROOKLYN <i>Congregation Lev Bais Yaakov</i> Variance: Z.R. §72-21 – to permit the proposed construction of a Yeshiva that is contrary to Z.R. §§33-121 (floor area) and 33-431 (a) (front wall height and sky exposure plane). The premise is located in an R4/C1-2 zoning district. COMMUNITY BOARD #14BK
		Examiner: Rory Levy (212) 788-8749
		Status: Granted – 5/16/06

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<i>BZ – CONTINUED HEARINGS</i>		
9.	146-04-BZ	<p>Joseph Margolis 191 Edgewater Street, STATEN ISLAND Variance: Z.R. §72-21 – to allow the residential conversion of an existing manufacturing building located in an M3-1 district contrary to Z.R. §42-00. COMMUNITY BOARD #1SI</p> <p>Examiner: Jed Weiss (212) 788-8781</p> <p>Status: Continued Hearing – 6/20/06</p>
10.	290-04-BZ	<p>Stuart A. Klein, Esq. 341-349 Troy Avenue, BROOKLYN Variance pursuant to Z.R. §72-21 to permit the proposed construction of a six-story and penthouse mixed-use residential/commercial building with 34 dwelling units and 34 accessory parking spaces. The site is located in a R4 zoning district. The proposal is contrary to Z.R. §§22-00, 23-141(b), 23-631(b), 23-222, 25-23, 23-45 and 23-462(a). COMMUNITY BOARD #9BK</p> <p>Examiner: Rory Levy (212) 788-8749</p> <p>Status: Continued Hearing – 7/11/06</p>
11.	66-05-BZ	<p>Sheldon Lobel, P.C. 1236 Prospect Avenue, BRONX Special Permit: Z.R. §§11-411 and 11-413 – to request the reinstatement of an expired, pre-1961 variance, and to request authorization to legalize the change of use from a gasoline service station with accessory automotive repairs, to an automotive repair facility without the sale of gasoline, located in a C2-4/R7-1 zoning district. COMMUNITY BOARD #2BX</p> <p>Examiner: Carlo Costanza (212) 788-8739</p> <p>Status: Closed, Decision – 6/13/06</p>

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<i>BZ – CONTINUED HEARINGS</i>		
12.	202-05-BZ	Eric Palatnik, P.C. 11-11 131st Street, QUEENS Special Permit: Z.R. §73-36 – to allow the proposed physical culture establishment in an M1-1 zoning district. COMMUNITY BOARD #7Q
		Examiner: Toni Matias (212) 788-8752
		Status: Continued Hearing – 6/20/06
13.	28-06-BZ	Harold Weinberg, P.E. 158 Beaumont Street, BROOKLYN Special Permit: ZR 73-622 for the enlargement of an existing single family home which seeks to vary ZR 23-141 for increase in floor area, lot coverage and open space ratio, ZR 23-461 for side yards and ZR 23-47 for less than the required rear yard. The premise is located in an R3-1 zoning district. COMMUNITY BOARD #15BK
		Examiner: Henry Segovia (212) 788-8757
		Status: Closed, Decision – 6/13/06

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<i>BZ – NEW CASES</i>		
14.	328-04-BZ	<p>Law Offices of Howard Goldman, LLC 110 Franklin Avenue, BROOKLYN Variance: Z.R. §72-21 – proposed construction of a six story 12-unit residential building, Use Group 2, located in an M1-1 zoning district, does not comply with zoning requirements for use, contrary to Z.R. §42-00. COMMUNITY BOARD#3BK</p> <p>Examiner: Roy Starrin (212) 788-8797</p> <p>Status: Continued Hearing – 7/11/06</p>
15.	334-04-BZ	<p>Sheldon Lobel, P.C. 135-28 Roosevelt Avenue, QUEENS Variance: Z.R. §72-21 – to permit the proposed construction of a seven-story mixed-use building containing retail, general office and community facility space. The site is located is located in a C4-2 zoning district. The proposal is contrary to Z.R. §36-21 (Required parking), §36-62 (Required loading berth), and §33-432(Sky exposure plane and setback requirements). COMMUNITY BOARD#7Q</p> <p>Examiner: Rory Levy (212) 788-8749</p> <p>Status: Continued Hearing – 7/11/06</p>
16.	165-05-BZ	<p>Jeffrey A. Chester, Esq. 799-805 Bergen Street, BROOKLYN Variance: Z.R. §72-21 - to permit the proposed four-story residential building with 31 dwelling units with 16 parking spaces. The site, which is currently vacant, is located in an M1-1 zoning district. The proposal is contrary to the district use regulations pursuant to Z.R. §42-00. COMMUNITY BOARD#8BK</p> <p>Examiner: Rory Levy (212) 788-8749</p> <p>Status: Continued Hearing – 7/18/06</p>

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1:30 P.M.

<i>BZ – NEW CASES</i>		
17.	352-05-BZ	Jeffrey A. Chester, Esq. 21-41 Mott Avenue, QUEENS Special Permit: Z.R. §73-243 – to permit the proposed re-establishment of a special permit (49-94-BZ) that expired on June 16, 2003 for an eating and drinking establishment with an accessory drive-through. The site is located in a C1-2 zoning district. The original proposal was contrary to Z.R. §32-31 (Required Minimum Setback). COMMUNITY BOARD #14Q
		Examiner: Rory Levy (212) 788-8749
		Status: Continued Hearing – 6/20/06

*****DISCLAIMER*****

This information is provided in draft form and is a public service courtesy only. Although the BSA endeavors to ensure that the information is as current and accurate as possible, errors do occasionally occur, and the schedule may change due to withdrawals and adjournments. Therefore, the BSA cannot guarantee the accuracy of the information. Readers should, where possible, verify the information before acting on it.
