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# BULLETIN

OF THE  
NEW YORK CITY BOARD OF STANDARDS  
AND APPEALS

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Volume 95, No. 25

June 23, 2010

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## DIRECTORY

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EILEEN MONTANEZ

*Commissioners*

Jeffrey Mulligan, *Executive Director*

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333-09-BZ	360 Troy Avenue, aka 348-350 Troy Avenue, Brooklyn
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22-10-BZ	620 East 102 <sup>nd</sup> Street, Brooklyn
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87-10-BZ	1333 East 24 <sup>th</sup> Street, Brooklyn
88-10-BZ	1327 East 21 <sup>st</sup> Street, Brooklyn

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# DOCKET

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New Case Filed Up to June 15, 2010  
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**106-10-BZ**

240 West 38th Street, 3rd Floor, Located on south side of West 38th Street between 7th and 8th Avenue., Block 787, Lot(s) 64, Borough of **Manhattan, Community Board: 5**. Special Permit (42-31, 73-36) to legalize the operation of a physical culture establishment. M1-6 district.  
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**107-10-BZ**

12-24 149th Street, Between 12th Avenue and Cross Island Parkway., Block 4486, Lot(s) 21, Borough of **Queens, Community Board: 7**. Variance to allow minimum side yard requirements for community facility, contrary to bulk regulations. R2 district.  
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**108-10-BZ**

54-32 Myrtle Avenue, Intersection of Myrtle Avenue and Madison Street., Block 3544, Lot(s) 27, Borough of **Queens, Community Board: 5**. Special Permit (73-36) to allow the operation of a physical culture establishment. C4-3 district.  
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**109-10-BZ**

1614 East 14th Street, West side of East 14th Street between Avenue P and Kings Highway., Block 6776, Lot(s) 11, Borough of **Brooklyn, Community Board: 15**. Special Permit (73-622) for the enlargement of a single family home. R5B district.  
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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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**JULY 13, 2010, 10:00 A.M.**

**NOTICE IS HEREBY GIVEN** of a public hearing, Tuesday morning, July 13, 2010, 10:00 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**

**914-86-BZ**

APPLICANT – Stuart A. Klein, Esq., for Union Temple of Brooklyn, owner; Eastern Athletic, Incorporation, lessee.  
SUBJECT – Application March 31, 2010 – Extension of Term of a previously granted Variance (§72-21) for the continued operation of a Physical Culture Establishment (Eastern Athletic) which expired on May 17, 2009; Extension of Time to obtain a Certificate of Occupancy which expired on November 12, 1998; Amendment to the interior layout and the hours of operation; Waiver of the Rules. R8X zoning district.  
PREMISES AFFECTED – 1-19 Eastern Parkway, north side of Eastern Parkway, between Plaza Street, east and Underhill Avenue, Block 1172, Lot 6, Borough of Brooklyn.  
**COMMUNITY BOARD #8BK**

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**44-97-BZ & 174-00-BZ**

APPLICANT – Stuart A. Klein, Esq., for SDS Leonard, LLC, owner; Millennium Sports, LLC, lessee.  
SUBJECT – Applications March 30, 2010 and March 18, 2010 – Extension of Term of a previously granted Special Permit (§32-31) for the continued operation of a Physical Culture Establishment which expired on October 28, 2007; Amendment of room changes in sub-cellar; Waiver of the Rules. C6-2A zoning district.  
PREMISES AFFECTED – 78-80 Leonard Street & 79 Worth Street, between Broadway and Church Street, Block 173, Lot 4, 19, 20, Borough of Manhattan.  
**COMMUNITY BOARD #1M**

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**159-99-BZ**

APPLICANT – Law Office of Fredrick A. Becker, for Congregation Beis Meir, Incorporation, owner.  
SUBJECT – Application March 25, 2010 – Amendment to Legalize modification to a previously granted Variance (72-21) of a one story UG4 Synagogue and Yeshiva (*Congregation Beis Meir*). M2-1 zoning district.  
PREMISES AFFECTED – 1347-1357 38<sup>th</sup> Street, north side of 38<sup>th</sup> Street, between 13<sup>th</sup> Avenue and 14<sup>th</sup> Avenue, Block 5300, Lot 55, Borough of Brooklyn.  
**COMMUNITY BOARD #12BK**

**APPEALS CALENDAR**

**71-10-A thru 84-10-A**

APPLICANT – Eric Palatnik, P.C., for Brighton Street, LLC, owners.  
SUBJECT – Application May 10, 2010 – Appeal seeking a determination that the owner has acquired a vested right to complete construction under the prior R3-2 zoning district. R3-1 Zoning district. Series Cal. Nos. 71-10-A thru 84-10-A.  
PREMISES AFFECTED – 102-118 Turner Street and 1661 to 1669 Woodrow Road, between Crabtree Avenue and Woodrow Road, Block 7105, Lots 181 thru 188 and 2 thru 8, Borough of Staten Island.  
**COMMUNITY BOARD #3SI**

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**JULY 13, 2010, 1:30 P.M.**

**NOTICE IS HEREBY GIVEN** of a public hearing, Tuesday afternoon, July 13, 2010, at 1:30 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**

**24-09-BZ**

APPLICANT – Sheldon Lobel, PC, for Meadows Park Rehabilitation and Health Care Center, LLC, owners.  
SUBJECT – Application February 12, 2009 – Variance to allow the enlargement of a community facility (*Meadow Park Rehabilitation and Health Care Center*), contrary to floor area, lot coverage (ZR §24-11), front yard (ZR §24-34), height (ZR §24-521) and rear yard (ZR §24-382) regulations. R3-2 district.  
PREMISES AFFECTED – 78-10 164th Street, Located on the western side of 164th Street between 78th Avenue and 78th Road, Block 6851, Lot 9,11,12,23,24, Borough of Queens.  
**COMMUNITY BOARD #8Q**

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**39-10-BZ**

APPLICANT – Eric Palatnik, P.C., for Shiranian Nizi, owner.  
SUBJECT – Application March 22, 2010 – Variance (§72-21) for the legalization of a single family home contrary to side yards ZR 23-461. R-5 zoning district.  
PREMISES AFFECTED – 2032 East 17<sup>th</sup> Street, East 17<sup>th</sup> Street and Avenue T, Block 7321, Lot 20, Borough of Brooklyn.  
**COMMUNITY BOARD #15BK**

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# CALENDAR

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**58-10-BZ**

APPLICANT – Sheldon Lobel, P.C., for Eckford II Realty Corp., owner.

SUBJECT – Application April 22, 2010 – Special Permit (§73-36) to allow a physical culture establishment (*Barones Health Club*)

in the existing one-story building. M1-2/R6A zoning district, mapped within the MX8 special purpose district.

PREMISES AFFECTED –16 Eckford Street, east side of Eckford Street, between Engert Avenue and Newton Street, Block 2714, Lot 1, Borough of Brooklyn.

**COMMUNITY BOARD #1BK**

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**66-10-BZ**

APPLICANT – Eric Palatnik, P.C., for Yury, Aleksandr, Tatyana Dreysler

SUBJECT – Application May 3, 2010 – Special Permit (§73-622) for the enlargement of an existing single family home contrary to floor area, open space and lot coverage (§23-141) and side yards (§23-461). R3-1 zoning district.

PREMISES AFFECTED – 1618 Shore Boulevard, South side of Shore Boulevard between Oxford and Norfolk Streets. Block 8757, Lot 86, Borough of Brooklyn.

**COMMUNITY BOARD #15BK**

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*Jeff Mulligan, Executive Director*

# MINUTES

**REGULAR MEETING  
TUESDAY MORNING, JUNE 15, 2010  
10:00 A.M.**

Present: Chair Srinivasan, Vice-Chair Collins, Commissioner Ottley-Brown, Commissioner Hinkson and Commissioner Montanez.

**SPECIAL ORDER CALENDAR**

**887-54-BZ**

APPLICANT – Eric Palatnik, Esq., for 218 Bayside Operating LLC, owner.

SUBJECT – Application March 5, 2010 – Extension of Term (§11-411) for the continued use of gasoline station (*British Petroleum*) with accessory convenience store (*7-Eleven*) which expires on September 23, 2010. C2-2/R6B zoning district.

PREMISES AFFECTED – 218-01 Northern Boulevard, between 218<sup>th</sup> and 219<sup>th</sup> Street, Block 6321, Lot 21, Borough of Queens.

**COMMUNITY BOARD #11Q**

APPEARANCES –

For Applicant: Adam Rothkrug.

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

THE VOTE TO GRANT –

Affirmative: Chair Srinivasan, Vice Chair Collins, Commissioner Ottley-Brown, Commissioner Hinkson and Commissioner Montanez .....5

Negative:.....0

THE RESOLUTION –

WHEREAS, this is an application for a reopening and an extension of term for the continued use of an automobile service station, which expires on September 23, 2010, and for an amendment to legalize changes to the previously-approved plans; and

WHEREAS, a public hearing was held on this application on May 11, 2010 after due notice by publication in *The City Record*, with a continued hearing on June 8, 2010, and then to decision on June 15, 2010; and

WHEREAS, the premises and surrounding area had site and neighborhood examinations by Chair Srinivasan and Commissioner Ottley-Brown; and

WHEREAS, Community Board 11, Queens, recommends approval of this application, with the following conditions: (1) the term be limited to five years; (2) a security guard be stationed at the premises from 8:00 p.m. to 2:00 a.m. on Friday and Saturday nights during summer evenings to monitor noise and loitering at the site; (3) snow be removed from the surrounding streets, including 218<sup>th</sup> Street; (4) the site be maintained free of garbage and debris; and (5) the trees and landscaping along 218<sup>th</sup> Street be trimmed; and

WHEREAS, the site is located on the north side of Northern Boulevard between 218<sup>th</sup> Street and 219<sup>th</sup> Street, within a C2-2 (R6B) zoning district; and

WHEREAS, the Board has exercised jurisdiction over the subject site since May 3, 1955 when, under the subject calendar number, the Board granted a variance to permit the premises to be occupied by an automobile showroom with supplementary servicing, including gasoline dispensing service, for a term of 15 years; and

WHEREAS, on March 18, 1958, the Board granted an amendment to permit the construction of a gasoline service station, lubritorium, minor auto repairs, car washing, office, sales, and storage and parking of motor vehicles; and

WHEREAS, subsequently, the grant has been amended and the term extended by the Board at various times; and

WHEREAS, most recently, on March 17, 2001, the grant was amended to permit the construction of a 2,900 sq. ft. accessory convenience store and the installation of a metal canopy over the existing pump islands, and the term was extended for a term of ten years from the expiration of the prior grant, to expire on September 23, 2010; and

WHEREAS, the applicant now seeks a ten-year extension of term; and

WHEREAS, pursuant to ZR § 11-411, the Board may permit an extension of term; and

WHEREAS, the applicant also seeks an amendment to legalize the existing site conditions, including: (1) the replacement of the five previously existing 4,000 gallon underground storage tanks with three 10,000 gallon tanks; (2) the installation of 15 lighting fixtures to the canopy instead of the 12 fixtures shown on the approved plans; and (3) a 25-ft. curb cut on 219<sup>th</sup> Street, instead of the 24-ft. curb cut shown on the approved plans; and

WHEREAS, the applicant also seeks to modify the previously-approved signage; and

WHEREAS, at hearing, the Board directed the applicant to improve the site conditions including the removal of any garbage and debris from the site; and

WHEREAS, in response, the applicant submitted photographs reflecting that all garbage and excess stored items have been removed from the site; and

WHEREAS, in response to the concerns raised by the Community Board, the applicant provided a letter from the operator stating that its employees will monitor noise and loitering by patrons, snow will be removed from all sidewalks at the site in the future, the site will be maintained free of garbage and debris, and the landscaping on 218<sup>th</sup> Street will be trimmed; and

WHEREAS, based upon the above, the Board finds that the requested extension of term and amendment to the previously-approved plans is appropriate with certain conditions as set forth below.

*Therefore it is Resolved* that the Board of Standards and Appeals *reopens* and *amends* the resolution, dated May 3, 1955, so that as amended this portion of the resolution shall read: “to extend the term for ten years from the date of this grant, to expire on June 15, 2020, and to permit the noted amendments to the previously-approved plans; *on condition* that all use and operations shall substantially conform to plans filed with this application marked “Received May 25,

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2010”-(5) sheets; and *on further condition:*

THAT the term of the grant shall expire on June 15, 2020;

THAT the site shall be maintained free of debris and graffiti;

THAT landscaping be provided and maintained on the site;

THAT the above conditions shall appear on the certificate of occupancy;

THAT a new certificate of occupancy shall be obtained by June 15, 2011;

THAT all conditions from the prior resolution not specifically waived by the Board remain in effect;

THAT the approved plans shall be considered approved only for the portions related to the specific relief granted;

THAT this approval is limited to the relief granted by the Board in response to specifically cited and filed DOB/other jurisdiction objection(s) only; and

THAT the Department of Buildings must ensure compliance with all other applicable provisions of the Zoning Resolution, the Administrative Code and any other relevant laws under its jurisdiction irrespective of plan(s) and/or configuration(s) not related to the relief granted.” (DOB Application No. 420126679)

Adopted by the Board of Standards and Appeals June 15, 2010.

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## 834-60-BZ

APPLICANT – Sheldon Lobel, P.C., for Cumberland Farms, Incorporated, owner.

SUBJECT – Application October 20, 2009 – Extension of Term for the continued use of a Gasoline Service Station (*Gulf*) with minor auto repairs which expired on March 7, 2006; Extension of Time to obtain a Certificate of Occupancy which expired on March 2, 2000; Amendment to legalize an accessory convenience store and Waiver of the Rules. C2-4/R-7A, R-5B zoning district.

PREMISES AFFECTED – 140 Vanderbilt Avenue, northwest corner of Myrtle Avenue and Vanderbilt Avenue, Block 2046, Lot 84, Borough of Brooklyn.

### COMMUNITY BOARD #2BK

APPEARANCES – None.

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

THE VOTE TO GRANT –

Affirmative: Chair Srinivasan, Vice Chair Collins, Commissioner Ottley-Brown, Commissioner Hinkson and Commissioner Montanez .....5

Negative:.....0

THE RESOLUTION –

WHEREAS, this is an application for a waiver of the Rules of Practice and Procedure, a reopening, an extension of term for the continued use of an automobile service station, which expired on March 7, 2006, an extension of time to obtain a certificate of occupancy, which expired on December 10, 2004, and an amendment to legalize changes to the previously-approved plans; and

WHEREAS, a public hearing was held on this application on February 23, 2010 after due notice by publication in *The City Record*, with continued hearings on April 13, 2010, May 11, 2010, and June 8, 2010, and then to decision on June 15, 2010; and

WHEREAS, the premises and surrounding area had site and neighborhood examinations by Chair Srinivasan, Commissioner Hinkson, Commissioner Montanez, and Commissioner Ottley-Brown; and

WHEREAS, Community Board 2, Brooklyn, recommends approval of this application, but recommends a five-year term due to concerns that the operator uses on-street parking for vehicles being repaired at the site; and

WHEREAS, the site is located on the northwest corner of Myrtle Avenue and Vanderbilt Avenue, partially within a C2-4 (R7A) zoning district and partially within an R5B zoning district; and

WHEREAS, the Board has exercised jurisdiction over the subject site since March 7, 1961 when, under the subject calendar number, the Board granted a variance to permit the construction and maintenance of a gasoline service station, lubricatorium, minor auto repairs, car washing, utility room, office, sales of accessories and parking and storage of motor vehicles on the site, for a term of 20 years; and

WHEREAS, subsequently, the grant has been amended and the term extended by the Board at various times; and

WHEREAS, on March 2, 1999, the Board granted an extension of term, which expired on March 7, 2006, and an amendment to permit the removal of the existing accessory automotive repair building, the installation of a metal canopy, and the construction of a one-story accessory building; and

WHEREAS, most recently, on December 10, 2002, the Board granted an extension of time to obtain a certificate of occupancy, which expired on December 10, 2004, and an amendment to permit the construction of a metal canopy; and

WHEREAS, the applicant now seeks a ten-year extension of term and an extension of time to obtain a certificate of occupancy; and

WHEREAS, pursuant to ZR § 11-411, the Board may permit an extension of term; and

WHEREAS, the applicant also seeks approval of several changes to the previously-approved plans, including: (1) the conversion of a bathroom within the existing building to an accessory office; (2) modifying the site’s signage from Exxon to Gulf; (3) the conversion of the heater/storage room and the cashier’s area into an accessory convenience store; and (4) the paving of a portion of the landscaped area behind the existing building; and

WHEREAS, at hearing, the Board raised concerns about the presence of a U-Haul franchise with four rental vehicles on the site, particularly its effect on the lack of parking at the site, and directed the applicant to discontinue the operation of the U-Haul franchise; and

WHEREAS, in response, the applicant agreed to discontinue operation of the U-Haul franchise, and

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submitted: (1) photographs showing the removal of the U-Haul trucks; (2) an affidavit from the operator of the service station, stating that operation of the U-Haul franchise has been discontinued and will not be resumed; and (3) a copy of a "Closed Dealer Notification" from U-Haul; and

WHEREAS, at hearing, the Board directed the applicant to provide landscaping in the rear of the service station, in accordance with the previously-approved plans; and

WHEREAS, in response, the applicant submitted a photograph reflecting that the area at the rear of the service station has been planted in accordance with the previously-approved plans; and

WHEREAS, based upon the above, the Board finds that the requested extension of term, extension of time to obtain a certificate of occupancy, and amendment to the previously-approved plans is appropriate with certain conditions as set forth below.

Therefore it is Resolved that the Board of Standards and Appeals waives the Rules of Practice and Procedure, reopens, and amends the resolution, dated March 7, 1961, so that as amended this portion of the resolution shall read: "to extend the term for ten years from March 7, 2006, to expire on March 7, 2016, to extend the time to obtain a certificate of occupancy to June 15, 2011, and to permit the noted amendments to the previously-approved plans; on condition that all use and operations shall substantially conform to plans filed with this application marked "Received April 27, 2010"- (7) sheets; and on further condition:

THAT the term of the grant shall expire on March 7, 2016;

THAT the site shall be maintained free of debris and graffiti;

THAT landscaping shall be provided and maintained on the site in accordance with the BSA-approved plans;

THAT vehicles being serviced shall be parked and stored onsite;

THAT the above conditions shall appear on the certificate of occupancy;

THAT a new certificate of occupancy shall be obtained by June 15, 2011;

THAT all conditions from the prior resolution not specifically waived by the Board remain in effect;

THAT the approved plans shall be considered approved only for the portions related to the specific relief granted;

THAT this approval is limited to the relief granted by the Board in response to specifically cited and filed DOB/other jurisdiction objection(s) only; and

THAT the Department of Buildings must ensure compliance with all other applicable provisions of the Zoning Resolution, the Administrative Code and any other relevant laws under its jurisdiction irrespective of plan(s) and/or configuration(s) not related to the relief granted." (DOB Application No. 301858648)

Adopted by the Board of Standards and Appeals June 15, 2010.

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## 280-98-BZ

APPLICANT – Rampulla Associates Architects, for MARS Holding, LLC, owner.

SUBJECT – Application February 13, 2010 – Extension of Term of a variance (§72-21) for the continued operation of a UG4 Dental Office which expired on February 8, 2010; Amendment to convert the basement garage into dental office floor area. R-2 zoning district.

PREMISES AFFECTED – 2936 Hylan Boulevard, east side of Hylan Boulevard, 100' north of Isabella Avenue, Block 4015, Lot 14, Borough of Staten Island.

## COMMUNITY BOARD #3SI

APPEARANCES –

For Applicant: Stephanie Miller.

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

THE VOTE TO GRANT –

Affirmative: Chair Srinivasan, Vice Chair Collins, Commissioner Ottley-Brown, Commissioner Hinkson and Commissioner Montanez .....5

Negative:.....0

THE RESOLUTION –

WHEREAS, this is an application for an extension of term for the continued operation of a dentist office, which expired on February 8, 2010, and an amendment to allow for the extension of the dentist office use into a portion of the building occupied by residential use and other site modifications; and

WHEREAS, a public hearing was held on this application on April 13, 2010 after due notice by publication in *The City Record*, with continued hearings on May 18, 2010 and June 8, 2010, and then to decision on June 15, 2010; and

WHEREAS, the premises and surrounding area had site and neighborhood examinations by Chair Srinivasan and Commissioner Montanez; and

WHEREAS, Community Board 3, Staten Island, recommends disapproval of this application, citing the following concerns: (1) the absence of an explanation for a change in use group from 4 to 6, (2) there is an abundance of medical facilities in the area, (3) there is a failure to meet the findings of ZR § 72-21, (4) the absence of an explanation of how the financial return finding is met, (5) the absence of proof that there was not any neighborhood opposition, (6) incomplete evidence of surrounding uses, (7) the absence of unique conditions related to the lot, and (8) the potential for increased traffic; and

WHEREAS, the site is located on the east side of Hylan Boulevard, 100 feet north of Isabella Avenue, within an R2 zoning district; and

WHEREAS, the Board has exercised jurisdiction over the subject site since February 8, 2000 when, under the subject calendar number, the Board granted a variance to permit the extension of a dentist office use (identified as Use Group 6), formerly operated as a home occupation, into a portion of the building occupied by residential use, in what was then an R3-2 zoning district; the site was rezoned to R2 in 2005; and

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WHEREAS, the applicant now seeks to eliminate the term; and

WHEREAS, the applicant also seeks to redesign the building to provide better access for elderly patients and those who require assistance accessing the elevated entrance; and

WHEREAS, the applicant also seeks the extension of the use and an approval of several changes to the previously-approved plans, including: (1) the removal of the exterior access ramp and installation of an elevator to service the basement and first floor; (2) the modification of the parking layout; (3) the modification of the basement space to eliminate the garage, create a new patient waiting room, reception area and administrative office, and to relocate the employee lounge and redesign the existing bathroom; and (4) the redesign of the first floor to eliminate the waiting room, reception area and records room to be replaced by new patient rooms; and

WHEREAS, the applicant states that the proposed changes, specifically the conversion of garage space to dentist office space, result in an increase in floor area of the building by 310 sq. ft.; and

WHEREAS, the applicant represents that the increase in floor area is within zoning district parameters for residential use; and

WHEREAS, the applicant states that the construction, the majority of which is interior work, will take approximately three months to complete; and

WHEREAS, the Board directed the applicant to (1) confirm whether the floor area calculations included the entire zoning lot and to modify accordingly, (2) confirm whether the proposed construction would affect a sewer easement, (3) modify the parking layout to be functional and to reduce the curb cut width, and (4) increase the amount of landscaping at the front of the building; and

WHEREAS, in response, the applicant (1) confirmed that the proposed increase in floor area maintains a complying condition across the zoning lot; (2) confirmed that the sewer easement would not be affected by the proposed construction; (3) modified the parking layout and curb cut configuration; and (4) revised the site plan to include additional landscaping; and

WHEREAS, the Board notes that the certificate of occupancy reflects that the dentist office is Use Group 6 but that the applicant proposes to revise the approval to reflect Use Group 4; and

WHEREAS, the Board notes that Use Group 4 uses are more limited in scope than Use Group 6 uses and finds the change in designation to be appropriate; and

WHEREAS, as to the Community Board's other concerns, the Board notes (1) that the proposed changes, including the elevator and the new waiting room, provide improved access to the existing facility and do not significantly increase its size or the number of visitors and (2) that the application reflects an extension of an existing variance for which the findings have been made, and do not trigger any new waivers, therefore the applicant is not

required to re-establish the findings set forth in ZR § 72-21; and

WHEREAS, based upon the above, the Board finds that the requested elimination of the term and noted amendments to the previously-approved plans are appropriate with certain conditions as set forth below.

*Therefore it is Resolved* that the Board of Standards and Appeals *reopens*, and *amends* the resolution, dated February 8, 2010, so that as amended this portion of the resolution shall read: "to eliminate the term, to permit the noted amendments to the previously-approved plans, and to reflect the dentist office as a Use Group 4, rather than Use Group 6, use; *on condition* that all use and operations shall substantially conform to plans filed with this application marked "Received May 25, 2010"-(6) sheets; and *on further condition*:

THAT the site shall be maintained free of debris and graffiti;

THAT landscaping be provided and maintained on the site in accordance with the BSA-approved plans;

THAT the above conditions shall appear on the certificate of occupancy;

THAT a new certificate of occupancy shall be obtained by June 15, 2011;

THAT all conditions from the prior resolution not specifically waived by the Board remain in effect;

THAT the approved plans shall be considered approved only for the portions related to the specific relief granted;

THAT this approval is limited to the relief granted by the Board in response to specifically cited and filed DOB/other jurisdiction objection(s) only; and

THAT the Department of Buildings must ensure compliance with all other applicable provisions of the Zoning Resolution, the Administrative Code and any other relevant laws under its jurisdiction irrespective of plan(s) and/or configuration(s) not related to the relief granted." (DOB Application No. 520027051)

Adopted by the Board of Standards and Appeals June 15, 2010.

## 558-71-BZ

APPLICANT – Rothkrug, Rothkrug & Spector, LLP, for WB Management of NY LLC, owner.

SUBJECT – Application March 26, 2010 – Amendment to a previously granted Variance (§72-21) to permit the change of a UG6 eating and drinking establishment to a UG6 retail use without limitation to a single use; minor reduction in floor area; increase accessory parking and increase to the height of the building façade. R3-1 zoning district.

PREMISES AFFECTED – 1949 Richmond Avenue, east side of Richmond Avenue at intersection with Amsterdam Place, Block 2030, Lot 1, Borough of Staten Island.

## COMMUNITY BOARD #2SI

APPEARANCES –

For Applicant: Adam Rothkrug.

**ACTION OF THE BOARD** – Laid over to July 13, 2010, at 10 A.M., for continued hearing.

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**139-92-BZ**

APPLICANT – Samuel H. Valencia, for Samuel H. Valencia-Valencia Enterprises, owners.

SUBJECT – Application April 23, 2010 – Extension of Term for a previously granted Special Permit (§73-244) for the continued operation of a UG12 Eating and Drinking Establishment with Dancing (*Deseos*) which expired on March 7, 2010; Waiver of the Rules. C2-2/R6 zoning district.

PREMISES AFFECTED – 52-15 Roosevelt Avenue, north side 125.53' east of 52<sup>nd</sup> Street, Block 1316, Lot 76, Borough of Queens.

**COMMUNITY BOARD #2Q**

APPEARANCES –

For Applicant: Samuel H. Valencia and Alejandro Valencia.

**ACTION OF THE BOARD** – Laid over to July 13, 2010, at 10 A.M., for continued hearing.

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**102-95-BZ**

APPLICANT – The Law Office of Fredrick A. Becker, for The Argo Corporation as Agent for 50 West 17 Realty Company, owner; Renegades Associates d/b/a Splash Bar, lessee.

SUBJECT – Application March 8, 2010 – Extension of Term of a previously granted Special Permit (§73-244) for a UG12 Eating and Drinking Establishment (*Splash*) which expired on March 5, 2010. C6-4A zoning district.

PREMISES AFFECTED – 50 West 17<sup>th</sup> Street, south side of West 17<sup>th</sup> Street, between 5<sup>th</sup> Avenue and 6<sup>th</sup> Avenue, Block 818, Lot 78-20 67<sup>th</sup> Road, Borough of Manhattan.

**COMMUNITY BOARD #5M**

APPEARANCES –

For Applicant: Fredrick A. Becker.

THE VOTE TO CLOSE HEARING –

Affirmative: Chair Srinivasan, Vice Chair Collins, Commissioner Ottley-Brown, Commissioner Hinkson and Commissioner Montanez.....5

Negative:.....0

**ACTION OF THE BOARD** – Laid over to June 22, 2010, at 10 A.M., for decision, hearing closed.

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**164-04-BZ**

APPLICANT – Sheldon Lobel, P.C., 2241 Westchester Avenue Realty Corporation, owner; Castle Hill Fitness Group, LLC, lessee.

SUBJECT – Application April 5, 2010 – Extension of Time to obtain a Certificate of Occupancy for a previously granted PCE (Planet Fitness) which expired on February 7, 2007; Amendment for change of operator, interior modification and change in the hours of operation; Waiver of the Rules. C2-1/R6 zoning district.

PREMISES AFFECTED – 2241 Westchester Avenue, northwest corner of Westchester Avenue and Glebe Avenue, Block 3963, Lot 57, Borough of Bronx.

**COMMUNITY BOARD #10BX**

APPEARANCES –

For Applicant: Elizabeth Safien.

For Opposition: Kenneth Kearns of CB#10 and Robert Bieder

**ACTION OF THE BOARD** – Laid over to August 3, 2010, at 10 A.M., for continued hearing.

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**103-05-A**

APPLICANT – Rothkrug, Rothkrug, Spector, LLP, for Main Street Make Over 2, Incorporated, owner.

SUBJECT – Application April 20, 2010 – Application to reopen pursuant to a court remand (Appellate Division) for a determination of whether the Department of Buildings issued a permit in error based on alleged misrepresentations made by the owner during the permit application process.

PREMISES AFFECTED – 366 Nugent Street, southwest corner of the intersection of Nugent Street and Spruce Street, Block 2284, Lot 44, Borough of Staten Island.

**COMMUNITY BOARD #2SI**

APPEARANCES –

For Applicant: Adam Rothkrug.

THE VOTE TO CLOSE HEARING –

Affirmative: Chair Srinivasan, Vice Chair Collins, Commissioner Ottley-Brown, Commissioner Hinkson and Commissioner Montanez.....5

Negative:.....0

**ACTION OF THE BOARD** – Laid over to July 13, 2010, at 10 A.M., for decision, hearing closed.

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**280-09-A**

APPLICANT – NYC Board of Standards and Appeals

SUBJECT – Review of Board decision pursuant to Sec 1-10(f) of the Board's Rules and 666(8) of the City Charter of an appeal challenging the Department of Building's authority under the City Charter to interpret or enforce provisions of Article 16 of the General Municipal Law relating to the construction of a proposed 17 story residential building. R10A zoning district.

PREMISES AFFECTED – 330 West 86<sup>th</sup> Street, south side of West 86<sup>th</sup> Street, 280 feet west of the intersection of Riverside Drive and West 86<sup>th</sup> Street, Block 1247, Lot 49, Borough of Manhattan.

**COMMUNITY BOARD #7M**

APPEARANCES –

For Applicant: Ken Kurland of HPD, Mark David of DOB, Linda B. Rosenthal, David Rosenberg, Al Fredricks, Gale Brewer, Catherine List, Mark Biller and Batyn Lewton.

THE VOTE TO REOPEN HEARING –

Affirmative: Chair Srinivasan, Vice Chair Collins, Commissioner Ottley-Brown, Commissioner Hinkson and Commissioner Montanez.....5

Negative:.....0

THE VOTE TO CLOSE HEARING –

Affirmative: Chair Srinivasan, Vice Chair Collins, Commissioner Ottley-Brown, Commissioner Hinkson and

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# MINUTES

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Commissioner Montanez.....5  
Negative:.....0  
**ACTION OF THE BOARD** – Laid over to July 13,  
2010, at 10 A.M., for decision, hearing closed.  
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## APPEALS CALENDAR

### 237-09-A & 238-09-A

APPLICANT – Rothkrug Rothkrug & Spector, LLP for Safet Dzemovski, owner.  
SUBJECT – Application July 31, 2009 – Construction in the bed of a mapped street contrary to General City Law Section 35. R3X zoning district.

PREMISES AFFECTED – 81 & 85 Archwood Avenue aka 5219 Amboy Road, east side of Archwood Avenue, 198.25' north of Amboy Road, Block 6321, Lot 152 & 151, Borough of Staten Island.

#### COMMUNITY BOARD #3SI

APPEARANCES –

For Applicant: Adam W. Rothkrug.

**ACTION OF THE BOARD** – Laid over to July 27,  
2010, at 10 A.M., for continued hearing.  
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### 295-09-A & 296-09-A

APPLICANT – Rothkrug Rothkrug & Spector, LLP, for Karen Murphy, Trustee.

SUBJECT – Application October 20, 2009 – Proposed construction of one family home located within the bed of a mapped street (Bache Street), contrary to Section 35 of the General City Law. R3A Zoning District.

PREMISES AFFECTED – 81 and 83 Cortlandt Street, south side of Cortlandt Street, bed of Bache Street, Block 1039, Lot 25 & 26, Borough of Staten Island.

#### COMMUNITY BOARD #2SI

APPEARANCES –

For Applicant: Adam W. Rothkrug.

**ACTION OF THE BOARD** – Laid over to June 22,  
2010, at 10 A.M., for deferred decision.  
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### 53-10-A

APPLICANT – Sheldon Lobel, P.C., for West New York Property Consulting LLC, owner.

SUBJECT – Application April 12, 2010 – Appeal seeking a determination that the owner has acquired a vested right to complete construction under the prior R7-1 zoning district. R5A zoning district.

PREMISES AFFECTED – 2031 Burr Avenue, 157' northwest of the corner of Burr Avenue and Westchester Avenue, Block 4249, Lot 39, Borough of Bronx.

#### COMMUNITY BOARD #10BX

APPEARANCES –

For Applicant: Richard Lobel.

THE VOTE TO CLOSE HEARING –

Affirmative: Chair Srinivasan, Vice Chair Collins,

Commissioner Ottley-Brown, Commissioner Hinkson and Commissioner Montanez.....5  
Negative:.....0

**ACTION OF THE BOARD** – Laid over to June 22,  
2010, at 10 A.M., for decision, hearing closed.  
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### 67-10-A

APPLICANT – Gary D. Lenhart, R.A., for The Breezy Point Cooperative, Inc., owner; Eileen and James Conrad, lessee.

SUBJECT – Application May 4, 2010 – Proposed reconstruction and enlargement of an existing single family dwelling and the proposed upgrade of the existing non-conforming private disposal system within the bed of a mapped street, contrary to Article 3, Section 35 of the General City Law. R4 zoning district.

PREMISES AFFECTED – 72 Bedford Avenue, west side of Bedford Avenue within the intersection of mapped 12<sup>th</sup> Avenue and Beach 204<sup>th</sup> Street, Block 16350, Lot p/o 300, Borough of Queens.

#### COMMUNITY BOARD #14Q

APPEARANCES – None.

**ACTION OF THE BOARD** – Laid over to July 13,  
2010, at 10 A.M., for postponed hearing.  
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*Jeff Mulligan, Executive Director*

*Adjourned: P.M.*

# MINUTES

**REGULAR MEETING  
TUESDAY AFTERNOON, JUNE 15, 2010  
1:30 P.M.**

Present: Chair Srinivasan, Vice-Chair Collins, Commissioner Ottley-Brown, Commissioner Hinkson and Commissioner Montanez.

**ZONING CALENDAR**

**19-10-BZ & 62-10-A**

APPLICANT – Akerman Senterfitt LLP, for Oak Point Property LLC, owner.

SUBJECT – Application February 3, 2010 – Special Permit (§73-482) to allow for an accessory parking facility in excess of 150 spaces, and proposed construction not fronting a legally mapped street, contrary to General City Law Section 36. M3-1 zoning district.

PREMISES AFFECTED – 100 Oak Point Avenue, south of the Bruckner Expressway, west of Barry Street and Oak Point Avenue, Block 2604, Lot 174, Borough of Bronx.

**COMMUNITY BOARD #2BX**

APPEARANCES –

For Applicant: Steve Sinacori.

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

**THE VOTE TO GRANT** –

Affirmative: Chair Srinivasan, Vice Chair Collins, Commissioner Ottley-Brown, Commissioner Hinkson and Commissioner Montanez .....5

Negative:.....0

**THE RESOLUTION** –

WHEREAS, the decision of the Bronx Borough Commissioner, dated January 19, 2010, acting on Department of Buildings Application No. 220045617 reads:

“Proposed accessory group parking facility of more than 150 vehicles is contrary to ZR 44-12 and must be referred to the Board of Standards and Appeals;” and

WHEREAS, this is an application under ZR §§ 73-482 and 73-03 to permit an accessory group parking facility in excess of 150 spaces located within an M3-1 zoning district, contrary to ZR § 44-12; and

WHEREAS, the applicant filed a companion case under BSA Calendar No. 62-10-A pursuant to General City Law § 36, to allow the proposed construction not fronting on a legally mapped street; that application was granted on June 15, 2010; and

WHEREAS, a public hearing was held on this application on April 20, 2010 after due notice by publication in the *City Record*, with a continued hearing on May 11, 2010, and then to decision on June 15, 2010; and

WHEREAS, Community Board 2, Bronx, recommends approval of this application; and

WHEREAS, the site and surrounding area had a site and neighborhood examinations by Chair Srinivasan and

Commissioner Ottley-Brown; and

WHEREAS, the subject site is located south of the Bruckner Expressway, west of Barry Street and Oak Point Avenue, east of East 149<sup>th</sup> Street, and north of the East river, within an M3-1 zoning district; and

WHEREAS, the site is currently vacant; and

WHEREAS, the applicant now proposes to construct a 193,856 sq. ft. food and restaurant supply wholesale facility, to be operated by Jetro Cash and Carry, with 375 off-street accessory parking spaces at the site; and

WHEREAS, in order to meet its needs, the applicant seeks a special permit pursuant to ZR §§ 73-482, to permit parking for more than 150 vehicles; and

WHEREAS, pursuant to ZR § 73-482, the Board may permit accessory group parking facilities with more than 150 spaces in commercial or manufacturing districts, provided: (1) the facility has adequate reservoir space at the vehicular entrance to accommodate either ten automobiles or five percent of the total parking spaces provided by the facility, whichever is greater; and (2) that the streets providing access to such use will be adequate to handle the traffic generated thereby; and

WHEREAS, the applicant represents that the proposed parking facility has adequate reservoir space at the vehicular entrance; and

WHEREAS, the Board notes that the applicant is required to provide 19 reservoir spaces to accommodate the proposed 375 parking spaces; and

WHEREAS, the applicant submitted a site plan reflecting 19 reservoir spaces will be provided at the site, which is equivalent to five percent of the 375 proposed spaces at the site; and

WHEREAS, accordingly, the Board finds that the proposed parking facility has adequate reservoir space at the vehicular entrance; and

WHEREAS, the applicant asserts that the streets providing access to the proposed facility are adequate to handle the traffic it will generate; and

WHEREAS, the applicant submitted a traffic study analyzing thirteen intersections within an area bounded by Bruckner Boulevard to the north, the East River to the south, Dupont Street to the east, and East 141<sup>st</sup> Street to the west; and

WHEREAS, the study area transportation network consists of both local streets and arterials; to the east of the site, the streets within the study area are generally oriented in a grid-pattern, while directly to the west of the site there are no formal streets with the exception of East 149<sup>th</sup> Street; and

WHEREAS, the traffic study indicates that Bruckner Boulevard, Leggett Avenue, Barry Street and Oak Point Avenue are the main access corridors distributing demand to and from the site; Bruckner Boulevard is a major north-south arterial, which is divided into a main roadway and a service roadway in each direction in the vicinity of the subject site; and

WHEREAS, the applicant states that the proposed warehouse will be accessible through two access easements from Barry Street (the “Barry Street Access Easement”) and from East 149<sup>th</sup> Street (the “East 149<sup>th</sup> Street Access Agreement”); the Barry Street Access Easement has a mapped width of 50 feet and runs from Barry Street to the site, with an

# MINUTES

approximately 30-ft. wide curb cut that provides access to the easement; and the East 149<sup>th</sup> Street Access Easement has a mapped width of 42'-6" and runs from East 149<sup>th</sup> Street to the edge of the subject site, with an approximately 40-ft. wide curb cut that provides access to the easement; and

WHEREAS, the applicant states that both the Barry Street and the East 149<sup>th</sup> Street access roads currently exist; the applicant submitted a copy of the easement agreement pertaining to Barry Street access, and states that the easement for the East 149<sup>th</sup> Street access will be recorded subsequent to the Board's determination; and

WHEREAS, the traffic study submitted by the applicant states that the streets providing access to the proposed facility are adequate to handle the traffic generated by the development without adverse impact; and

WHEREAS, the applicant states that due to the low project-generated demand, the availability of multiple access and egress routes, and the proximity of Bruckner Boulevard, the proposed 375 parking spaces would not cause significant adverse traffic impacts at any of the intersections within the study area; and

WHEREAS, based upon the above, the Board concludes that the findings required under ZR § 73-482 have been met; and

WHEREAS, the Board finds that, under the conditions and safeguards imposed, any hazard or disadvantage to the community at large due to the proposed special permit use is outweighed by the advantages to be derived by the community; 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 ZR § 73-03; and

WHEREAS, the project is classified as a Type I action pursuant to 6 NYCRR, Part 617; and

WHEREAS, the New York City Industrial Development Agency (IDA), as lead agency, has conducted an environmental review of the proposed action and has documented relevant information about the project in the Final Environmental Assessment Statement (EAS) SEQRA No. 09017, dated June 8, 2010; and

WHEREAS, the IDA has determined that the proposed action will not have a significant adverse impact on the environment and has issued a Negative Declaration for SEQRA No. 09017, dated June 8, 2010; and

*Therefore it is Resolved* that the Board of Standards and Appeals adopts the IDA determination and makes each and every one of the required findings under ZR §§ 73-482 and 73-03 to permit an accessory group parking facility in excess of 150 spaces located within an M3-1 zoning district, *on condition* that any and all work shall substantially conform to drawings as they apply to the objections above noted, filed with this application marked "Received March 17, 2010" three (3) sheets and "Received May 4, 2010" one (1) sheet; and *on further condition*:

THAT the parking facility shall be limited to 375 parking spaces with a minimum of 19 reservoir spaces;

THAT signage shall comply with all relevant regulations;

THAT the Barry Street Access Easement and the East 149<sup>th</sup> Street Access Easement shall be recorded and maintained;

THAT any change in the access to the site shall be reviewed by the Board;

THAT the above conditions shall appear on the certificate of occupancy;

THAT substantial construction shall be completed in accordance with ZR § 73-70;

THAT this approval is limited to the relief granted by the Board in response to specifically cited and filed DOB/other jurisdiction objection(s) only;

THAT the approved plans shall be considered approved only for the portions related to the specific relief granted; and

THAT the Department of Buildings must ensure compliance with all other applicable provisions of the Zoning Resolution, the Administrative Code, and any other relevant laws under its jurisdiction irrespective of plan(s)/configuration(s) not related to the relief granted.

Adopted by the Board of Standards and Appeals, June 15, 2010.

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## 160-08-BZ

APPLICANT – Dominick Salvati and Son Architects, for HJC Holding Corporation, owner.

SUBJECT – Application June 11, 2008 – Variance (§72-21) to permit the legalization of commercial storage of motor vehicles/buses (UG 16C) with accessory fuel storage and motor vehicles sales and repair (UG 16B), which is contrary to §22-00. R4 zoning district.

PREMISES AFFECTED – 651-671 Fountain Avenue, Bounded by Fountain, Stanley, Euclid and Wortman Avenues, Block 4527, Lot 61, 64, 67, 74-78, 80, 82, Borough of Brooklyn.

## COMMUNITY BOARD #5BK

APPEARANCES –

For Applicant: Peter Hirschman, Frank Angelino and Helene Carnegliz.

For Opposition: Ronald J. Dillon.

THE VOTE TO CLOSE HEARING –

Affirmative: Chair Srinivasan, Vice-Chair Collins, Commissioner Ottley-Brown, Commissioner Hinkson and Commissioner Montanez.....5  
Negative:.....0

**ACTION OF THE BOARD** – Laid over to July 13, 2010, at 1:30 P.M., for decision, hearing closed.

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## 271-09-BZ

APPLICANT – Sheldon Lobel, P.C., for 132-40 Metropolitan Realty, LLC, owner; Jamaica Fitness Group, LLC d/b/a Planet Fitness, lessee.

SUBJECT – Application September 21, 2009 – Special Permit (§73-36) to legalize the operation of an existing physical culture establishment (*Planet Fitness*) on the first, second, and third floors of an existing three-story building.

# MINUTES

C2-3 zoning district.

PREMISES AFFECTED – 132-40 Metropolitan Avenue, between Metropolitan Avenue and Jamaica Avenue, approximately 300 feet east of 132nd Street. Block 9284, Lot 19, Borough of Queens.

## COMMUNITY BOARD #9Q

APPEARANCES –

For Applicant: Elizabeth Safian.

THE VOTE TO CLOSE HEARING –

Affirmative: Chair Srinivasan, Vice-Chair Collins, Commissioner Ottley-Brown, Commissioner Hinkson and Commissioner Montanez.....5

Negative:.....0

**ACTION OF THE BOARD** – Laid over to July 13, 2010, at 1:30 P.M., for decision, hearing closed.

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## 304-09-BZ

APPLICANT – Stuart A. Klein, Esq. for Junius-Glenmore Development, LLC, owner; Women in Need, Inc., lessee.

SUBJECT – Application November 4, 2009 – Variance (§72-21) to allow the erection of a ten-story, mixed-use community facility and commercial building, contrary to floor area (§42-00, 43-12 and 43-122), height and sky exposure plane (§43-43), and parking (§44-21). M1-4 zoning district.

PREMISES AFFECTED – 75-121 Junius Street, Junius Street, bounded by Glenmore Avenue and Liberty Avenue, Block 3696, Lot 1, 10, Borough of Brooklyn.

## COMMUNITY BOARD #16BK

APPEARANCES –

For Applicant: Stuart A. Klein.

**ACTION OF THE BOARD** – Laid over to July 27, 2010, at 1:30 P.M., for adjourned hearing.

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## 325-09-BZ

APPLICANT – Sheldon Lobel, P.C., for Congregation Yetev Lev 11<sup>th</sup> Avenue, owner.

SUBJECT – Application December 7, 2009 – Variance (§72-21) to permit the proposed four-story and mezzanine synagogue (*Congregation Yetev Lev*), contrary to lot coverage (§24-11), rear yard (§24-36) and initial setback of front wall (§24-522). R6 zoning district.

PREMISES AFFECTED – 1364 & 1366 52<sup>nd</sup> street, south side of 52<sup>nd</sup> Street, 100' west of 14<sup>th</sup> Avenue, Block 5663, Lot 31 & 33, Borough of Brooklyn.

## COMMUNITY BOARD #12BK

APPEARANCES –

For Applicant: Richard Lobel, Rabbi Herman Joseph, Stefanie Fedak and Jacob ?

For Opposition – Stuart A. Klein.

**ACTION OF THE BOARD** – Laid over to August 3, 2010 at 1:30 P.M., for continued hearing.

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## 333-09-BZ

APPLICANT – Moshe M. Friedman, for Cong Yeshiva Beis Chaya Mushka, Inc., owner.

SUBJECT – Application December 23, 2009 – Variance (§72-21) to permit the vertical extension of an existing religious school (*Congregation Yeshiva Beis Chaya Mushka*), contrary to floor area, lot coverage, height, sky exposure plane, front yard, and side yard regulations (§§24-11, 24-521, 24-34, and 24-35). R4 zoning district.

PREMISES AFFECTED – 360 Troy Avenue aka 348-350 Troy Avenue aka 1505-1513 Carroll Street, northwest corner of Troy Avenue and Carroll Street, Block 1406, Lot 44, Borough of Brooklyn.

## COMMUNITY BOARD # 9BK

APPEARANCES –

For Applicant: Moshe M. Friedman.

THE VOTE TO CLOSE HEARING –

Affirmative: Chair Srinivasan, Vice-Chair Collins, Commissioner Ottley-Brown, Commissioner Hinkson and Commissioner Montanez.....5

Negative:.....0

**ACTION OF THE BOARD** – Laid over to July 13, 2010, at 1:30 P.M., for decision, hearing closed.

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## 21-10-BZ

APPLICANT – Richard Lobel, P.C., for Aquila Realty Company, Incorporated, owner.

SUBJECT – Application February 12, 2010 – Special Permit (§73-243) to legalize an eating and drinking establishment with a drive-through. C1-2/R4A zoning district.

PREMISES AFFECTED – 2801 Roelbling Avenue aka 1590 Hutchison River Parkway, southeast corner of Roelbling Avenue and Hutchinson River Parkway, Block 5386, Lot 1, Borough of Bronx.

## COMMUNITY BOARD #10BX

APPEARANCES –

For Applicant: Richard Lobel.

**ACTION OF THE BOARD** – Laid over to July 27, 2010, at 1:30 P.M., for adjourned hearing.

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## 22-10-BZ

APPLICANT – Harold Weinberg, P.E., for RP Canarsie, LLC, owner; Sunshine Childrens Day Care, lessee.

SUBJECT – Application February 17, 2010 – Special Permit (§73-19) to allow the proposed one-story day care center. C8 zoning district.

PREMISES AFFECTED – 620 East 102<sup>nd</sup> Street, west side between Farragut Road and Glenwood Road, Block 8170, Lot 42, Borough of Brooklyn.

## COMMUNITY BOARD #18BK

APPEARANCES –

For Applicant: Frank Sellitto.

**ACTION OF THE BOARD** – Laid over to July 13, 2010, at 1:30 P.M., for continued hearing.

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# MINUTES

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*Jeff Mulligan, Executive Director*

**64-10-BZ**

APPLICANT – Law Office Fredrick A. Becker, for Nechama Sonnenschine and Harry Sonnenschine, owners.  
SUBJECT – Application April 29, 2010 – Special Permit (§73-622) for the enlargement of an existing single family home, contrary to floor area and open space (§23-141); side yards (§23-461 & §23-48) and less than the required rear yard (§23-47). R-2 zoning district.

PREMISES AFFECTED – 1253 East 29<sup>th</sup> Street, east side of East 29<sup>th</sup> Street, between Avenue L and Avenue M, Block 7647, Lot 23, Borough of Brooklyn.

**COMMUNITY BOARD #14BK**

APPEARANCES –

For Applicant: Lyra J. Altman.

**ACTION OF THE BOARD** – Laid over to July 27, 2010, at 1:30 P.M., for continued hearing.

*Adjourned: P.M.*

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**87-10-BZ**

APPLICANT – Dennis D. Dell’Angelo, for David Gluck, owner.

SUBJECT – Application May 13, 2010 – Special Permit (§73-622) for the enlargement of an existing single family home, contrary to floor area and open space (§23-141), side yards (§23-461) and less than the required rear yard (§23-47). R-2 zoning district.

PREMISES AFFECTED – 1333 East 24<sup>th</sup> Street, east side of East 24<sup>th</sup> Street, 260’ south of Avenue M, Block 7660, Lot 31, Borough of Brooklyn.

**COMMUNITY BOARD #14BK**

APPEARANCES –

For Applicant: Dennis D. Dell’Angelo.

THE VOTE TO CLOSE HEARING –

Affirmative: Chair Srinivasan, Vice-Chair Collins, Commissioner Ottley-Brown, Commissioner Hinkson and Commissioner Montanez.....5  
Negative:.....0

**ACTION OF THE BOARD** – Laid over to July 13, 2010, at 1:30 P.M., for decision, hearing closed.

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**88-10-BZ**

APPLICANT – Dennis D. Dell’Angelo, for Sarah Weiss, owner.

SUBJECT – Application May 13, 2010 – Special Permit (§73-622) for the enlargement of an existing single family residence contrary to floor area and open space (§23-141) and side yards (§23-461). R-2 zoning district.

PREMISES AFFECTED – 1327 East 21<sup>st</sup> Street, south east corner of East 21<sup>st</sup> Street and Avenue L, Block 7639, Lot 41, Borough of Brooklyn.

**COMMUNITY BOARD #14BK**

APPEARANCES –

For Applicant: Dennis D. Dell’Angelo.

**ACTION OF THE BOARD** – Laid over to July 27, 2010, at 1:30 P.M., for continued hearing.

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