
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 92, No. 46

December 6, 2007

DIRECTORY

MEENAKSHI SRINIVASAN, *Chair*

CHRISTOPHER COLLINS, *Vice-Chair*

DARA OTTLEY-BROWN

SUSAN M. HINKSON

Commissioners

Jeffrey Mulligan, *Executive Director*

Roy Starrin, *Deputy Director*

Margaret P. Stix, *Counsel*

OFFICE -	40 Rector Street, 9th Floor, New York, N.Y. 10006
HEARINGS HELD -	40 Rector Street, 6th Floor, New York, N.Y. 10006
BSA WEBPAGE @	http://www.nyc.gov/html/bsa/home.html

TELEPHONE - (212) 788-8500
FAX - (212) 788-8769

CONTENTS

DOCKET	890
CALENDAR of January 8, 2008	
Morning	891
Afternoon	891

CONTENTS

**MINUTES of Regular Meetings,
Tuesday, November 27, 2007**

Morning Calendar892

Affecting Calendar Numbers:

742-70-BZ 830 Bay Street, Staten Island
297-99-BZ, Vol. II 45-05 Bell Boulevard, Queens
219-06-A thru 241-10/16/22/28/15/21/25 128th Drive, Queens
 225-06-A
123-07-A 723R Driggs Avenue, Brooklyn

Afternoon Calendar893

Affecting Calendar Numbers:

159-07-BZ 2402 86th Street, Brooklyn
167-07-BZ 220 Amherst Street, Brooklyn
227-06-BZ 2066 Richmond Avenue, Staten Island
331-06-BZ 3647 Palmer Avenue, Bronx
52-07-BZ 1576 East 27th Street, Brooklyn
74-07-BZ 6-10 West 70th Street, Manhattan
88-07-BZ 1633 East 29th Street, Brooklyn
114-07-BZ 7-05 152nd Street, Queens
122-07-BZ 1630 East 15th Street, Brooklyn
152-07-BZ 8701 Fourth Avenue, Brooklyn
211-07-BZ 1149 East 22nd Street, Brooklyn

DOCKETS

New Case Filed Up to November 27, 2007

266-07-A

1610 Avenue S, Avenue S, Block 7295, Lot(s) 3, Borough of Brooklyn, Community Board: 15. 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 R6 district regulations. R4-1.

267-07-A

49 West Market Street, South side West Market Street at intersection of mapped Bayside Drive., Block 16350, Lot(s) p/o 300, Borough of Queens, Community Board: 14. Construction within mapped street, contrary to Section of the General City Law.

268-07-BZ

1644 48th Street, South side of 48th Street, Between 16th and 17th Avenues., Block 5448, Lot(s) 27, Borough of Brooklyn, Community Board: 12. Variance to allow the proposed Synagouge with Rabbi's apartment

269-07-BZ

378 Seaview Avenue, South side of Seaview Avenue between Mason Avenue and Simpson Street., Block 3380, Lot(s) 65/68/70, Borough of Staten Island, Community Board: 2. Special Permit (73-125) to allow the proposed cellar and two (2) story ambulatory dignostic/treatment care facility (medical offices).

270-07-A

163-167 Washington Avenue, Approximately 80 feet from the northeast corner of Myrtle Avenue and Washington Avenue., Block 1890, Lot(s) 1,4,82, Borough of Brooklyn, Community Board: 2.

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

JANUARY 8, 2008, 10:00 A.M.

NOTICE IS HEREBY GIVEN of a public hearing, Tuesday morning, January 8, 2008, 10:00 A.M., at 40 Rector Street, 6th Floor, New York, N.Y. 10006, on the following matters:

SPECIAL ORDER CALENDAR

1038-80-BZ, VII

APPLICANT – Davidoff Malito & Hutcher, LLP, for Feinrose Downing LLC, owner; Expressway Arcade Corporation, lessee.

SUBJECT – Application November 5, 2007 – Extension of Term of a Special Permit for the continued operation of a UG15 Amusement Arcade (Smile Arcade) in an M2-1 zoning district which expires on January 6, 2008.

PREMISES AFFECTED – 31-07/09/11 Downing Street, Whitestone Expressway, Block 4327, Lot 1, Borough of Queens.

COMMUNITY BOARD #7Q

222-03-BZ, Vol. II

APPLICANT – Alfonse Duarte, for Emanuel T. Lorras, owner.

SUBJECT – Application November 15, 2007 – Extension of Time to Complete Construction of a Variance (72-21) previously granted on November 18, 2003 for the enlargement of a single family home, in an R-4 zoning district, which expired on November 18, 2007

PREMISES AFFECTED – 30-04 73rd Street, south west corner of 30th Avenue, Block 1121, Lot 6, Borough of Queens.

COMMUNITY BOARD #3Q

JANUARY 8, 2008, 1:30 P.M.

NOTICE IS HEREBY GIVEN of a public hearing, Tuesday afternoon, January 8, 2008, at 1:30 P.M., at 40 Rector Street, 6th Floor, New York, N.Y. 10006, on the following matters:

ZONING CALENDAR

160-06-BZ

APPLICANT – Rothkrug Rothkrug and Spector, for Barbara Berman, owner.

SUBJECT – Application July 24, 2006 – Variance under section 72-21 to permit the proposed one-story & cellar Walgreens drug store with accessory parking for 24 cars.

The proposal is contrary to section 22-00. R3-1 district. PREMISES AFFECTED – 2199 (aka 2175) Richmond Avenue, corner of Richmond Avenue and Travis Avenue, Block 2361, Lots 1, 7, Borough of Staten Island.

COMMUNITY BOARD #2SI

293-06-BZ

APPLICANT – Rothkrug Rothkrug & Spector, LLP., for Veronica Nicastrro, owner.

SUBJECT – Application November 6, 2006 – Variance (§72-21) for the proposed enlargement of an existing one-family dwelling which exceeds the permitted floor area and does not provide the required open space (23-141) in an R1-2 zoning district.

PREMISES AFFECTED – 54-07 254th Street, east side of 254th Street, 189' north of Horace Harding Expressway, Block 8256, Lot 11, Borough of Queens.

COMMUNITY BOARD #11Q

209-07-BZ

APPLICANT – Raymond J. Irrera, for The Summit School, owner.

SUBJECT – Application August 29, 2007 – Variance (§72-21) to enlarge and maintain the use of the existing school. The proposal is contrary to floor area (24-11), enlargement not permitted obstruction in the required front yard (24-33), and front yard (24-34). R1-2 district.

PREMISES AFFECTED – 187-30 Grand Parkway, southwest corner of 188th Street and Grand Central Parkway, Block 9969, Lot 12, Borough of Queens.

COMMUNITY BOARD #8Q

235-07-BZ

APPLICANT – Law Office of Fredrick A. Becker for Shoshana Hager and David Hager.

SUBJECT – Application October 16, 2007 – Special Permit (73-622) for the enlargement of an existing single family residence. This application seeks to vary open space ratio and floor area (23-141); side yard (23-461) and rear yard (23-47) in an R-2 zoning district.

PREMISES AFFECTED – 1148 East 27th Street, East 27th Street between Avenue K and Avenue L, Block 7626, Lot 65, Borough of Brooklyn.

COMMUNITY BOARD #14BK

Jeff Mulligan, Executive Director

MINUTES

**REGULAR MEETING
TUESDAY MORNING, NOVEMBER 27, 2007
10:00 A.M.**

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

SPECIAL ORDER CALENDAR

742-70-BZ

APPLICANT – Rothkrug, Rothkrug & Spector LLP, for 830 Bay Street LLC, owner.

SUBJECT – Application July 13, 2007 – Application filed pursuant to §§72-01 and 72-22 for an Extension of Term/Amendment/Waiver for a previously approved variance which allowed in a C1-1(R3-2) zoning district the erection and maintenance of an automotive service station with accessory uses. The application seeks to legalize the installation of two storage containers contrary to the previously approved grant. The current term of the variance expired on May 18, 2001.

PREMISES AFFECTED – 830 Bay Street, Southwest corner of the intersection of Bay Street and Vanderbilt Avenue, Block 2836, Lot 14, Borough of Staten Island.

COMMUNITY BOARD #1SI

APPEARANCES –

For Applicant: Eric Palatnik.

ACTION OF THE BOARD – Laid over to January 8, 2008, at 10 A.M., for continued hearing.

297-99-BZ, Vol. II

APPLICANT – Walter T. Gorman, P.E., for Bell & Northern Bayside Co., LLC, owner; Exxon Mobil Corp., lessee.

SUBJECT – Application May 29, 2007 – Extension of Time to obtain a Certificate of Occupancy/Waiver of the rules for an existing gasoline service station (Mobil Station) which expired on September 19, 2004 in a C2-2/R6B zoning district.

PREMISES AFFECTED – 45-05 Bell Boulevard, east side blockfront between Northern Boulevard and 45th Road, Block 7333, Lot 201, Borough of Queens.

COMMUNITY BOARD #11Q

APPEARANCES –

For Applicant: John Ronan.

ACTION OF THE BOARD – Laid over to January 15, 2008, at 10 A.M., for continued hearing.

APPEALS CALENDAR

219-06-A thru 225-06-A

APPLICANT – Rothkrug, Rothkrug and Spector, for J. Berardi & C. Saffren, owners.

SUBJECT – Application August 30, 2006 – Application to permit the construction of seven two story one family dwellings within the bed of a mapped street (128th Drive) contrary to Section 35 of the General City Law and not fronting on a legally mapped street contrary to Article 3, Section 36 of the General City Law. Premises is located within the R-2 Zoning District.

PREMISES AFFECTED – 241-10/16/22/28/15/21/25 128th Drive, Block 12886, Lots 1003, 1005, 1007, 1009, 1004, 1006, 1008, Borough of Queens.

COMMUNITY BOARD #13Q

APPEARANCES –

For Applicant: Eric Palatnik.

ACTION OF THE BOARD – Laid over to January 8, 2008, at 10 A.M., for continued hearing.

123-07-A

APPLICANT – Eric Palatnik, P.C., for James Colarusso, owner.

SUBJECT – Application May 15, 2007 – Proposed construction of a single family home not fronting on a legally mapped street contrary to General City Law Section 36. R6 Zoning District.

PREMISES AFFECTED – 723R Driggs Avenue, south corner of Driggs Avenue and South First Street, Block 2407, Lot 141, Borough of Brooklyn.

COMMUNITY BOARD #1BK

APPEARANCES –

For Applicant: Eric Palatnik.

ACTION OF THE BOARD – Laid over to January 29, 2008, at 10 A.M., for continued hearing.

Jeffrey Mulligan, Executive Director

Adjourned: A.M.

MINUTES

**REGULAR MEETING
TUESDAY AFTERNOON, NOVEMBER 27, 2007
1:30 P.M.**

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

ZONING CALENDAR

159-07-BZ

CEQR #07-BSA-099K

APPLICANT – Eric Palatnik, P.C., for Stillwell Sports Center, Inc., owner.

SUBJECT – Application June 12, 2007 – Special Permit (§73-36) to allow the legalization of a Physical Culture Establishment on the second floor of a two-story commercial building. The proposal is contrary to 32-00. C8-2 district. PREMISES AFFECTED – 2402 86th Street, south corner of 86th Street and 24th Avenue, Block 6864, Lot 37, Borough of Brooklyn.

COMMUNITY BOARD #11BK

APPEARANCES –

For Applicant: Eric Palatnik.

ACTION OF THE BOARD – Application granted on condition.

THE VOTE TO GRANT –

Affirmative: Chair Srinivasan, Vice Chair Collins, Commissioner Ottley-Brown and Commissioner Hinkson..4
Negative:.....0

THE RESOLUTION:

WHEREAS, the decision of the Brooklyn Borough Commissioner, dated May 18, 2007, acting on Department of Buildings Application No. 302152881, reads in pertinent part:

“The application cannot be reviewed because proposed physical culture (fitness) center is not a permitted use in C8 districts per ZR 32-31”; and

WHEREAS, this is an application under ZR §§ 73-36 and 73-03, to permit, on a site within a C8-2 zoning district, the legalization of a physical culture establishment (PCE) on the second floor of a two-story mixed-use commercial building, contrary to ZR § 32-31; and

WHEREAS, a public hearing was held on this application on October 23, 2007, after due notice by publication in *The City Record*, and then to decision on November 27, 2007; and

WHEREAS, the premises and surrounding area had a site and neighborhood examination by Commissioner Hinkson; and

WHEREAS, Community Board 11, Brooklyn, recommends approval of this application; and

WHEREAS, the subject site is located on the south side of 86th Street, between 24th Avenue and Bay 37th Street, within a C8-2 zoning district; and

WHEREAS, the PCE occupies the second floor of a two-story commercial building; the PCE occupies 16,983 sq.

ft. of floor area; and

WHEREAS, the PCE is operated as Dolphin Fitness; and

WHEREAS, the Board notes that the PCE has been in operation since 2002; and

WHEREAS, the applicant represents that the services at the PCE include exercise machines, cardiovascular equipment, and personal training; and

WHEREAS, the hours of operation are: Monday through Thursday, 5:00 a.m. to 12:00 a.m.; Friday, 5:00 a.m. to 10:00 p.m.; and Saturday and Sunday, 8:00 a.m. to 8:00 p.m.; and

WHEREAS, at hearing, the Board asked the applicant to address any outstanding violations; and

WHEREAS, the applicant responded that violations will be completely resolved upon the issuance of the special permit; and

WHEREAS, the Board finds that this action will neither: 1) alter the essential character of the surrounding neighborhood; 2) impair the use or development of adjacent properties; nor 3) be detrimental to the public welfare; and

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

WHEREAS, the PCE will not interfere with any pending public improvement project; 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, therefore, the Board has determined that the evidence in the record supports the requisite findings pursuant to ZR §§ 73-36 and 73-03; and

WHEREAS, the project is classified as an Unlisted action pursuant to 6 NYCRR Part 617; and

WHEREAS, the Board has conducted an environmental review of the proposed action and has documented relevant information about the project in the Final Environmental Assessment Statement, CEQR No. 07BSA099, dated September 28, 2007; and

WHEREAS, the EAS documents that the operation of the PCE would not have significant adverse impacts on Land Use, Zoning, and Public Policy; Socioeconomic Conditions; Community Facilities and Services; Open Space; Shadows; Historic Resources; Urban Design and Visual Resources; Neighborhood Character; Natural Resources; Hazardous Materials; Waterfront Revitalization Program; Infrastructure; Solid Waste and Sanitation Services; Energy; Traffic and Parking; Transit and Pedestrians; Air Quality; Noise; Construction Impacts; and Public Health; and

WHEREAS, the Board has determined that the operation of the PCE will not have a significant adverse impact on the environment.

Therefore it is Resolved that the Board of Standards and

MINUTES

Appeals issues a Negative Declaration prepared in accordance with Article 8 of the New York State Environmental Conservation Law and 6 NYCRR Part 617 and §6-07(b) of the Rules of Procedure for City Environmental Quality Review and Executive Order No. 91 of 1977, as amended, and makes each and every one of the required findings under ZR §§ 73-36 and 73-03, to permit, on a site within a C8-2 zoning district, the legalization of a physical culture establishment on the second floor of a two-story mixed-use commercial building, contrary to ZR § 32-31; *on condition* that all work shall substantially conform to drawings filed with this application marked "Received June 12, 2007"-(2) sheets; and *on further condition*:

THAT the term of this grant shall expire on January 1, 2012;

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

THAT all massages shall be performed by New York State licensed massage therapists;

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

THAT a new Certificate of Occupancy shall be obtained within six months of this grant, by May 27, 2008;

THAT Local Law 58/87 compliance shall be as reviewed and approved by DOB;

THAT fire safety measures shall be installed and/or maintained as shown on the Board-approved plans;

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

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 of the 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, November 27, 2007.

167-07-BZ

APPLICANT – Harold Weinberg, P.E., for Alex Sirota, owner.

SUBJECT – Application June 18, 2007 – Special Permit (§73-622) for the enlargement of a single family residence. This application seeks to vary open space, lot coverage, floor area (§23-141) and less the required rear yard (§23-47) in an R3-1 zoning district. This application also seeks to convert from a two family residence to a one family residence.

PREMISES AFFECTED – 220 Amherst Street, west side 140' south of Oriental Boulevard between Oriental Boulevard and Esplanade, Block 8738, Lot 62, Borough of

Brooklyn.

COMMUNITY BOARD #15BK

APPEARANCES –

For Applicant: Harold Weinberg and Frank Sellitto.

ACTION OF THE BOARD – Application granted on condition.

THE VOTE TO GRANT –

Affirmative: Chair Srinivasan, Vice Chair Collins, Commissioner Ottley-Brown and Commissioner Hinkson.4

Negative:.....0

THE RESOLUTION:

WHEREAS, the decision of the Brooklyn Borough Commissioner, dated June 13, 2007, acting on Department of Buildings Application No. 302346450, reads in pertinent part:

“The proposed enlargement of the one-family residence in an R3-1 zoning district:

1. Increased the degree of non-compliance with respect to open space and lot coverage and is contrary to Sections 23-141 and 54-31 of the Zoning Resolution (ZR).
2. Creates a new non-compliance with respect to floor area ratio and is contrary to section 23-141.
3. Creates a new non-compliance with respect to rear yard and is contrary to Section 23-47 ZR”; and

WHEREAS, this is an application under ZR §§ 73-622 and 73-03, to permit, within an R3-1 zoning district, the proposed enlargement of a single-family home, which does not comply with the zoning requirements for open space/lot coverage, floor area, and rear yard, contrary to ZR §§ 23-141, 23-47, and 54-31; and

WHEREAS, a public hearing was held on this application on October 30, 2007, after due notice by publication in *The City Record*, and then to decision on November 27, 2007; and

WHEREAS, Community Board 15, Brooklyn, recommends approval of this application; and

WHEREAS, the subject site is located on the west side of Amherst Street, between Oriental Boulevard and Esplanade; and

WHEREAS, the subject site has a total lot area of 4,160 sq. ft., and is occupied by a legal two-family home with a floor area of 2,240.7 sq. ft. (0.54 FAR); and

WHEREAS, the applicant proposes to convert the legal two-family home into a single-family home; and

WHEREAS, the premises is within the boundaries of a designated area in which the subject special permit is available; and

WHEREAS, the applicant seeks an increase in the floor area from 2,240.7 sq. ft. (0.54 FAR) to 4,206.7 sq. ft. (1.01 FAR); the maximum floor area permitted is 2,496 sq. ft. (0.60 FAR); and

WHEREAS, the proposed enlargement will provide a lot coverage of 38.1 percent (35 percent is the maximum

MINUTES

permitted); and

WHEREAS, the proposed enlargement will provide a 20'-0" rear yard (a minimum rear yard of 30'-0" is required); and

WHEREAS, the enlargement of the building is not located within 20'-0" of the rear lot line; and

WHEREAS, based upon its review of the record, the Board finds that the proposed enlargement will neither alter the essential character of the surrounding neighborhood, nor impair the future use and development of the surrounding area; and

WHEREAS, the Board finds that the proposed project will not interfere with any pending public improvement project; 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, therefore, the Board has determined that the evidence in the record supports the findings required to be made under ZR §§ 73-622 and 73-03.

Therefore it is Resolved, that the Board of Standards and Appeals issues a Type II determination under 6 N.Y.C.R.R. Part 617.5 and 617.3 and §§ 5-02(a), 5-02(b)(2) and 6-15 of the Rules of Procedure for City Environmental Quality Review and makes the required findings under ZR §§ 73-622 and 73-03, to permit, within an R3-1 zoning district, the proposed enlargement of a single-family home, which does not comply with the zoning requirements for open space/lot coverage, floor area, and rear yard, contrary to ZR §§ 23-141, 23-47, and 54-31; *on condition* that all work shall substantially conform to drawings as they apply to the objections above-noted, filed with this application and marked "Received October 9, 2007"-(12) sheets; and *on further condition*:

THAT there shall be no habitable room in the cellar;

THAT the floor area of the attic shall be limited to 824 sq. ft.;

THAT the above conditions shall be set forth in the certificate of occupancy;

THAT the following shall be the bulk parameters of the building: a total floor area of 4,206.17 sq. ft. (1.01 FAR), as illustrated on the BSA-approved plans;

THAT this approval is limited to the relief granted by the Board in response to specifically cited and filed DOB/other jurisdiction objections(s) only; no approval has been given by the Board as to the use and layout of the cellar;

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 the

plan(s)/configuration(s) not related to the relief granted.

Adopted by the Board of Standards and Appeals,
November 27, 2007.

227-06-BZ

APPLICANT – Eric Palatnik, P.C., for George Smith, owner.

SUBJECT – Application September 6, 2006 – Variance (§72-21) to allow a two-story commercial office building (U.G.6) contrary to use regulations (§22-00). R3-2 district. PREMISES AFFECTED – 2066 Richmond Avenue, Richmond Avenue, north of Knapp Street, Block 2102, Lot 90, Borough of Staten Island.

COMMUNITY BOARD #2SI

APPEARANCES –

For Applicant: Eric Palatnik,

ACTION OF THE BOARD – Laid over to January 8, 2008, at 1:30 P.M., for decision hearing closed.

331-06-BZ

APPLICANT – Stadtmauer Bailkin, LLP, for Putnam Holding Corp., owner.

SUBJECT – Application December 27, 2006 – Variance under §72-21 to allow a three-family dwelling to violate front yard (§23-45) and side yard (§23-462(a)) requirements. R4 district.

PREMISES AFFECTED – 3647 Palmer Avenue, south side of Palmer Avenue, between Needham Avenue and Crawford Avenue, Block 4917, Lot 17, Borough of Bronx.

COMMUNITY BOARD #12BX

APPEARANCES –

For Applicant: Calvin Wong.

THE VOTE TO CLOSE HEARING –

Affirmative: Chair Srinivasan, Vice-Chair Collins, Commissioner Ottley-Brown and Commissioner Hinkson..4
Negative:.....0

ACTION OF THE BOARD – Laid over to December 11, 2007, at 1:30 P.M., for decision, hearing closed.

52-07-BZ

APPLICANT – Lewis Garfinkel, R.A., for Egal Shasho, owner.

SUBJECT – Application February 23, 2007 – Special Permit (§73-622) for the enlargement of an existing one family detached residence. This application seeks to vary open space and floor area (§23-141); perimeter wall height (§23-361) and rear yard (§23-47) in an R3-2 zoning district.

PREMISES AFFECTED – 1576 East 27th Street, west side of East 27th Street, Block 6773, Lot 43, Borough of Brooklyn.

COMMUNITY BOARD #15BK

APPEARANCES –

For Applicant: Eric Palatnik.

THE VOTE TO CLOSE HEARING –

MINUTES

Affirmative: Chair Srinivasan, Vice-Chair Collins,
Commissioner Ottley-Brown and Commissioner Hinkson..4
Negative:.....0

ACTION OF THE BOARD – Laid over to December
4, 2007, at 1:30 P.M., for decision, hearing closed.

74-07-BZ

APPLICANT – Friedman & Gotbaum, LLP, by Shelly S. Friedman, Esq., for Congregation Shearith Israel a/k/a Trustees of the Congregation Shearith Israel in the City of N.Y. a/k/a the Spanish and Portuguese Synagogue.

SUBJECT – Application April 2, 2007 – Variance (§ 72-21) to allow a nine (9) story residential/community facility building; the proposal is contrary to regulations for lot coverage (§ 24-11), rear yard (§ 24-36), base height, building height and setback (§ 23-633) and rear setback (§ 23-663). R8B and R10A districts.

PREMISES AFFECTED – 6-10 West 70th Street, south side of West 70th Street, west of the corner formed by the intersection of Central Park West and West 70th Street, Block 1122, Lots 36 & 37, Borough of Manhattan.

COMMUNITY BOARD #7M

APPEARANCES –

For Applicant: Shelly Friedman, Ray Dovell, Hayyim Angel, Lynne Kay, Edgar Nathan.

For Opposition: Mark Lebow, NYS Senator Thomas K. Duane, Michael Kaplan of Assembly Member Richard N. Gottfried, Norman Marcus, Alan Sugerma, Jaores Greek, Thomas Hansen, Simon Bankoff, Elizabeth Ashby, Susan Nial, Kate Wood, Eve Sindiko, Dee Rieber, LaVerne Moondey, Howard Lapan, Linda Blumkin, Lo Van der Valk, Hal Shane.

ACTION OF THE BOARD – Laid over to February
12, 2008, at 1:30 P.M., for continued hearing.

88-07-BZ

APPLICANT – Eric Palatnik, P.C., for Lisa Roz and Ronnie Roz, owners.

SUBJECT – Application April 19, 2007 – Special Permit (§73-622) for the enlargement of a single family residence. This application seeks to vary floor area and lot coverage (§23-141(b)); side yard (§23-461(a)) and rear yard (§23-47) in an R3-2 zoning district.

PREMISES AFFECTED – 1633 East 29th Street, eastern border of 29th Street, south of Avenue P and North of Quentin Road, Block 6792, Lot 62, Borough of Brooklyn.

COMMUNITY BOARD # 15BK

APPEARANCES –

For Applicant: Eric Palatnik.

THE VOTE TO CLOSE HEARING –

Affirmative: Chair Srinivasan, Vice-Chair Collins,
Commissioner Ottley-Brown and Commissioner Hinkson..4
Negative:.....0

ACTION OF THE BOARD – Laid over to January 8,
2008, at 1:30 P.M., for decision, hearing closed.

114-07-BZ

APPLICANT – Joseph P. Morsellino, Esq., for Sullivan Mountain RE, LLC, owner.

SUBJECT – Application May 7, 2007 – Special Permit (§73-19) to allow a day-care center (school), (UG3). M1-1 district.

PREMISES AFFECTED – 7-05 152nd Street, 152nd Street, east side at intersection with Powells Cove Boulevard, Block 4531, Lot 35, Borough of Queens.

COMMUNITY BOARD # 7Q

APPEARANCES –

For Applicant: Joseph P. Morsellino and Tim O’Sullivan.

For Opposition: Councilmember Tony Avella, James J. Raymond, Helen Paladino and Maria H. Stern.

ACTION OF THE BOARD – Laid over to January
15, 2008, at 1:30 P. M., for continued hearing.

122-07-BZ

APPLICANT – Law Office of Fredrick A. Becker, for Kingswood Partners, LLC, owner; TSI Midwood LLC, owner.

SUBJECT – Application May 15, 2007 – Special Permit (§73-36) to legalize the operation of a Physical Culture Establishment on portions of the first and second floors of a three-story commercial building. The proposal is contrary to section 32-00. C4-4A zoning district.

PREMISES AFFECTED – 1630 East 15th Street, westerly side of East 15th Street, 50’ north of Kings Highway, Block 6777, Lots 17 and 24, Borough of Brooklyn.

COMMUNITY BOARD # 15BK

APPEARANCES –

For Applicant: Lyra J. Altman.

ACTION OF THE BOARD – Laid over to January
15, 2008, at 1:30 P. M., for continued hearing.

152-07-BZ

APPLICANT – Eric Palatnik, P.C., for 8701 Fourth Avenue, LLC., owner.

SUBJECT – Application June 8, 2007 – Special Permit (§73-36) to allow the legalization of a Physical Culture Establishment on the second floor of a two-story commercial building. The proposal is contrary to section 32-00 of the Zoning Resolution. C4-2A zoning district.

PREMISES AFFECTED – 8701 Fourth Avenue, southeast corner of Fourth Avenue and 87th Street, Block 6050, Lot 8, Borough of Brooklyn.

COMMUNITY BOARD #10BK

APPEARANCES –

For Applicant: Eric Palatnik.

ACTION OF THE BOARD – Laid over to January 8,
2008, at 1:30 P.M., for deferred decision.

211-07-BZ

APPLICANT – Eric Palatnik, P.C., for Dave Weiss, owner.

MINUTES

SUBJECT – Application September 7, 2007 – Special Permit (§73-622) for the enlargement of an existing single family home. This application seeks to vary open space and floor area (§23-141); side yard (§23-461) and rear yard (§23-47) in an R-2 zoning district.

PREMISES AFFECTED – 1149 East 22nd Street, north of Avenue K, south of Avenue J, Block 7604, Lot 13, Borough of Brooklyn.

COMMUNITY BOARD #14BK

APPEARANCES –

For Applicant: Eric Palatnik.

For Opposition: Sam Matalon.

ACTION OF THE BOARD – Laid over to January 15, 2008, at 1:30 P.M., for continued hearing.

Jeff Mulligan, Executive Director

Adjourned: P.M.