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# BULLETIN

## OF THE NEW YORK CITY BOARD OF STANDARDS AND APPEALS

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November 22,

2001

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### DIRECTORY

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**MINUTES** of Regular Meetings,  
**Tuesday, November 13, 2001**

Morning Calendar .....  
639

**Affecting Calendar Numbers:**

366-32-BZ 1385/95 Webster Avenue, Bronx  
502-60-BZ 4452/6 Broadway, a/k/a 88/90 Fairview Avenue, Manhattan  
529-69-A 236-240 West 27<sup>th</sup> Street, Manhattan  
659-76-A 253 Beach 116<sup>th</sup> Street, Queens  
1131-79-BZ 550 King Avenue, a/k/a High Island, Bronx  
278-86-BZ 1677 Bruckner Boulevard, Bronx  
8-87-BZ 4778/82 Broadway, Manhattan  
53-91-BZ 23-27/27A Steinway Street, Queens  
122-92-A  
174-92-BZ thru 23-29/29A, 23-31/31A, 23-33/33A and 23-35/35A Steinway Street, Queens  
177-92-BZ  
173-93-BZ 32-23 Queens Boulevard, Queens  
26-94-BZ 141 Mansion Avenue, Staten Island  
173-94-BZ 165-10 144<sup>th</sup> Road, Queens  
107-95-BZ 290/98 Dyckman Street, Manhattan  
205-98-BZ 257-10/18 Union Turnpike, Queens  
191-00-BZ 184 Kent Avenue, Brooklyn  
227-01-A 958 Bayside Avenue, Queens  
220-01-A 10 Everton Avenue, Staten Island  
222-01-A 101-110 Metropolitan Avenue, Queens  
225-01-A 8 Gotham Walk, Queens  
247-01-A 195 Reid Avenue, Queens  
248-01-A 112 Beach 221<sup>st</sup> Street, Queens  
251-01-A 37 Market Street, Queens

Afternoon Calendar .....  
644

**Affecting Calendar Numbers:**

218-00-BZ 1555 Bruckner Boulevard, Bronx  
194-01-BZ 440/42 South Fifth Street, Brooklyn  
195-01-BZ 2519 West 22<sup>nd</sup> Street, Brooklyn  
248-00-BZ 2398 Stillwell Avenue, Brooklyn  
290-00-BZ 149-28 14<sup>th</sup> Avenue, Queens  
291-00-BZ 2316-2324 Coney Island Avenue, a/k/a 920 Avenue T, Brooklyn  
304-00-BZ 2044 Hylan Boulevard, Staten Island  
305-00-BZ 268 Adams Avenue, Staten Island  
8-01-BZ 352 Clifton Avenue, Staten Island  
54-01-BZ 2508 Avenue J, Brooklyn  
121-01-BZ 550 First Avenue, Manhattan  
130-01-BZ 411/425 East 68<sup>th</sup> Street, Manhattan  
138-01-BZ 464/74 Liberty Avenue, a/k/a 179/87 Bradford Street, Brooklyn  
148-01-BZ 25 West 32<sup>nd</sup> Street, Manhattan  
149-01-BZ 88/90 Jane Street, a/k/a 357-359 West 12<sup>th</sup> Street, Manhattan

# DOCKET

New Case Filed Up to November 13, 2001

**305-01-BZ** B.Q. 65-97 Terrace Court,  
at the end of Admiral Avenue, near the juncture of Admiral Avenue and 65<sup>th</sup> Lane, Block 3605, Lot 28, Borough of Queens. Applic. #401245498. Proposed construction of a residential building, Use Group 2, located in an M1-2 zoning district, is contrary to Z.R. §42-00.  
**COMMUNITY BOARD #5Q**

**306-01-BZ** B.Q. 65-77 Terrace Court,  
at the end of Admiral Avenue, near the juncture of Admiral Avenue and 65<sup>th</sup> Lane, Block 3605, Lot 20, Borough of Queens. Applic. #401278185. Proposed construction of a residential building, Use Group 2, located in an M1-2 zoning district, is contrary to Z.R. §42-00.  
**COMMUNITY BOARD #5Q**

**307-01-BZ** B.Q. 65-79 Terrace Court,  
at the end of Admiral Avenue, near the juncture of Admiral Avenue and 65<sup>th</sup> Lane, Block 3605, Lot 21, Borough of Queens. Applic. #401278194. Proposed construction of a residential building, Use Group 2, located in an M1-2 zoning district, is contrary to Z.R. §42-00.  
**COMMUNITY BOARD #5Q**

**308-01-BZ** B.Q. 65-81 Terrace Court,  
at the end of Admiral Avenue, near the juncture of Admiral Avenue and 65<sup>th</sup> Lane, Block 3605, Lot 22, Borough of Queens. Applic. #401278201. Proposed construction of a residential building, Use Group 2, located in an M1-2 zoning district, is contrary to Z.R. §42-00.  
**COMMUNITY BOARD #5Q**

**309-01-BZ** B.Q. 65-83 Terrace Court,  
at the end of Admiral Avenue, near the juncture of Admiral Avenue and 65<sup>th</sup> Lane, Block 3605, Lot 23, Borough of Queens. Applic. #401278210. Proposed construction of a residential building, Use Group 2, located in an M1-2 zoning district, is contrary to Z.R. §42-00.  
**COMMUNITY BOARD #5Q**

**310-01-BZ** B.Q. 65-85 Terrace Court,  
at the end of Admiral Avenue, near the juncture of Admiral Avenue and 65<sup>th</sup> Lane, Block 3605, Lot 24, Borough of Queens. Applic. #401278229. Proposed construction of a residential building, Use Group 2, located in an M1-2 zoning district, is contrary to Z.R. §42-00.  
**COMMUNITY BOARD #5Q**

**311-01-BZ** B.Q. 65-87 Terrace Court,  
at the end of Admiral Avenue, near the juncture of Admiral Avenue and 65<sup>th</sup> Lane, Block 3605, Lot 25, Borough of Queens. Applic. #401278238. Proposed construction of a residential building, Use Group 2, located in an M1-2 zoning district, is contrary to Z.R. §42-00.  
**COMMUNITY BOARD #5Q**

**312-01-BZ** B.Q. 65-89 Terrace Court,  
at the end of Admiral Avenue, near the juncture of Admiral Avenue and 65<sup>th</sup> Lane, Block 3605, Lot 26, Borough of Queens. Applic. #401278247. Proposed construction of a residential building, Use Group 2, located in an M1-2 zoning district, is contrary to Z.R. §42-00.  
**COMMUNITY BOARD #5Q**

**313-01-BZ** B.Q. 65-91 Terrace Court,  
at the end of Admiral Avenue, near the juncture of Admiral Avenue and 65<sup>th</sup> Lane, Block 3605, Lot 27, Borough of Queens. Applic. #401245782. Proposed construction of a residential building, Use Group 2, located in an M1-2 zoning district, is contrary to Z.R. §42-00.  
**COMMUNITY BOARD #5Q**

**314-01-BZ** B.Q. 65-90 Terrace Court,  
at the end of Admiral Avenue, near the juncture of Admiral Avenue and 65<sup>th</sup> Lane, Block 3605, Lot 29, Borough of Queens. Applic. #401278176. Proposed construction of a

residential building, Use Group 2, located in an M1-2 zoning district, is contrary to Z.R. §42-00.

**COMMUNITY BOARD #5Q**

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# DOCKET

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**315-01-BZ** B.Q. 65-88 Terrace Court, at the end of Admiral Avenue, near the juncture of Admiral Avenue and 65<sup>th</sup> Lane, Block 3605, Lot 30, Borough of Queens. Applic. #401278167. Proposed construction of a residential building, Use Group 2, located in an M1-2 zoning district, is contrary to Z.R. §42-00.

**COMMUNITY BOARD #5Q**

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**316-01-BZ** B.Q. 65-86 Terrace Court, at the end of Admiral Avenue, near the juncture of Admiral Avenue and 65<sup>th</sup> Lane, Block 3605, Lot 31, Borough of Queens. Applic. #401278158. Proposed construction of a residential building, Use Group 2, located in an M1-2 zoning district, is contrary to Z.R. §42-00.

**COMMUNITY BOARD #5Q**

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**317-01-BZ** B.Q. 65-84 Terrace Court, at the end of Admiral Avenue, near the juncture of Admiral Avenue and 65<sup>th</sup> Lane, Block 3605, Lot 32, Borough of Queens. Applic. #401278149. Proposed construction of a residential building, Use Group 2, located in an M1-2 zoning district, is contrary to Z.R. §42-00.

**COMMUNITY BOARD #5Q**

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**318-01-BZ** B.Q. 65-82 Terrace Court, at the end of Admiral Avenue, near the juncture of Admiral Avenue and 65<sup>th</sup> Lane, Block 3605, Lot 33, Borough of Queens. Applic. #401278130. Proposed construction of a residential building, Use Group 2, located in an M1-2 zoning district, is contrary to Z.R. §42-00.

**COMMUNITY BOARD #5Q**

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**319-01-BZ** B.Q. 65-80 Terrace Court, at the end of Admiral Avenue, near the juncture of Admiral Avenue and 65<sup>th</sup> Lane, Block 3605, Lot 34, Borough of

Queens. Applic. #401278121. Proposed construction of a residential building, Use Group 2, located in an M1-2 zoning district, is contrary to Z.R. §42-00.

**COMMUNITY BOARD #5Q**

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**320-01-BZ** B.Q. 65-78 Terrace Court, at the end of Admiral Avenue, near the juncture of Admiral Avenue and 65<sup>th</sup> Lane, Block 3605, Lot 35, Borough of Queens. Applic. # 401278112. Proposed construction of a residential building, Use Group 2, located in an M1-2 zoning district, is contrary to Z.R. §42-00.

**COMMUNITY BOARD #5Q**

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**321-01-BZ** B.BK. 25 Paidge Avenue, on the corner of McGuinness Boulevard, Block 2491, Lot 1, Borough of Brooklyn. Applic. #301217984. Proposed construction of a 475' lattice communications tower, and two prefabricated 12' x 20' equipment shelters at the base of the tower, located in an M3-1 zoning district, requires a special permit from the Board as per Z.R. §73-30.

**COMMUNITY BOARD #1BK**

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**322-01-BZ** B.BK. 402 Avenue "U", southeast corner of East 2<sup>nd</sup> Street, Block 7129, Lot 1, Borough of Brooklyn. N.B. #301271567. Proposed construction of a 23 unit multiple dwelling and synagogue, Use Groups 4 and 2, in an R6A zoning district, which does not comply with the zoning requirements for floor area, side yard, base and building heights, is contrary to Z.R. §23-145, §23-633 and §23-51.

**COMMUNITY BOARD #15BK**

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**323-01-BZ** B.BK. 565 85<sup>th</sup> Street, northwest corner of Fort Hamilton Parkway, Block 6027,

Lot 45, Borough of Brooklyn. Applic. #301157101. Proposed two-story enlargement of a four-story walk-up apartment building, Use Group 2, located in an R6 Special Bay Ridge Zoning District, is contrary to Z.R. §54-31.

**COMMUNITY BOARD #10BK**

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**324-01-BZ** B.S.I. 1077 Bay Street, between Bay and Edgewater Streets, Block 2825, Lot 1, Borough of Staten Island. Applic. #500457882. Proposed construction of a mixed -use development (commercial and residential), located in an M1-2 zoning district, in which the commercial use is as of right, is contrary to §42-00.

**COMMUNITY BOARD #1SI**

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**325-01-BZ** B.BK. 1375 East 27<sup>th</sup> Street, east side, 140'-0" north of Avenue "N", Block 7663, Lot 16, Borough of Brooklyn. Applic. #300596399. Proposed enlargement at the rear of an existing one family dwelling, Use Group 1, located in an R2 zoning district, which creates non-compliance in respect to floor area ratio, open space ratio, rear yard and layout of cellar, is contrary to Z.R. §23-141 and §23-47.

**COMMUNITY BOARD #14BK**

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# DOCKET

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**326-01-A** B.Q. 85-80 148<sup>th</sup> Street, west side, 415-92" north of 87<sup>th</sup> Avenue, Block 9724, Lot 67, Borough of Queens. Applic. #401270398. Proposed change of use of an existing 2-1/2 story frame two family dwelling, located inside the fire districts, to community facility use, is contrary to §27-296 and Tables 4-1 and 4-2 of the Administrative Code of the City of New York.

**327-01-BZ** B.M. 148/52 East 39<sup>th</sup> Street, between Third and Lexington Avenues, Block 894, Lot 52, Borough of Manhattan. Applic. #102778004. Proposed physical culture establishment, to be located in basement of subject premises, requires a special permit from the Board as per Z.R. §73-36.

**COMMUNITY BOARD #6M**

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**328-01-A** B.S.I. 14 Miller Street,

west side, 259.5' north of Constant Avenue, Block 374, Lot 198, Borough of Staten Island. Applic. #500490088. Proposed construction of a two-family, semi-detached home, located within the bed of a mapped street, is contrary to Section 35, Article 3 of the General City Law.

**329-01-A** B.S.I. 16 Miller Street, west side, 231.5' north of Constant Avenue, Block 374, Lot 199, Borough of Staten Island. Applic. #500490104. Proposed construction of a two-family, semi-detached home, located within the bed of a mapped street, is contrary to Section 35, Article 3 of the General City Law.

**330-01-A** B.S.I. 18 Miller Street, west side, 203.5' north of Constant Avenue, Block 374, Lot 200, Borough of Staten Island. Applic. #500900104. Proposed construction of a two-family, semi-detached

home, located within the bed of a mapped street, is contrary to Section 35, Article 3 of the General City Law.

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**331-01-A**            B.S.I.            20 Miller Street, west side, 175.5' north of Constant Avenue, Block 374, Lot 201, Borough of Staten Island.    Applic. #500490667. Proposed construction of a two-family, semi-detached home, located within the bed of a mapped street, is contrary to Section 35, Article 3 of the General City Law.

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**337-01-A**            B.S.I.            58 Tennyson Drive, east side, 284.68' north of Nelson Avenue, Block 5212, Tentative Lot 60, Borough of Staten Island.    Applic. #500500175. Proposed one family dwelling, located within the bed of a mapped street, is contrary to Section 35, Article 3 of the General City Law.

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**332-01-BZ**            B.M.            1511 Third Avenue, aka 201 East 85<sup>th</sup> Street, southwest corner of block bounded by Second and Third Avenues, and 85<sup>th</sup> and 86<sup>th</sup> Streets, Block 1531, Lot 1, Borough of Manhattan.    Applic. #102589110. The legalization of an existing physical culture establishment, located on the second floor, and portions of the third and fourth floors of subject premises, requires a special permit from the Board as per Z.R. §32-10.

**COMMUNITY BOARD #8M**

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**333-01-A**            B.S.I.            50 Tennyson Drive, east side, 349.3' north of Nelson Avenue, Block 5212, Tentative Lot 56, Borough of Staten Island.    Applic. #500500219. Proposed one family dwelling, located within the bed of a mapped street, is contrary to Section 35, Article 3 of the General City Law.

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**334-01-A**            B.S.I.            52 Tennyson Drive, east side, 333.2' north of Nelson Avenue, Block 5212, Tentative Lot 57, Borough of Staten Island.    Applic. #500500200. Proposed one family dwelling, located within the bed of a mapped street, is contrary to Section 35, Article 3 of the General City Law.

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**335-01-A**            B.S.I.            54 Tennyson Drive, east side, 317.06' north of Nelson Avenue, Block 5212, Tentative Lot 58, Borough of Staten Island.    Applic. #500500193. Proposed one family dwelling, located within the bed of a mapped street, is contrary to Section 35, Article 3 of the General City Law.

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**336-01-A**            B.S.I.            56 Tennyson Drive, east side, 300.89' north of Nelson Avenue, Block 5212, Tentative Lot 59, Borough of Staten Island.    Applic. #500500184. Proposed one family dwelling, located within the bed of a mapped street, is contrary to Section 35, Article 3 of the General City Law.

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# DOCKET

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**338-01-A**            B.S.I.                    60 Tennyson  
                                 Drive,  
east side, 268.42' north of Nelson Avenue, Block 5212,  
Tentative Lot 61, Borough of Staten Island. Applic.  
#500500166. Proposed one family dwelling, located within  
the bed of a mapped street, is contrary to Section 35,  
Article 3 of the General City Law.

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**339-01-A**            B.S.I.                    62 Tennyson  
                                 Drive,  
east side, 252.11' north of Nelson Avenue, Block 5212,  
Tentative Lot 62, Borough of Staten Island. Applic.  
#500500157. Proposed one family dwelling, located within  
the bed of a mapped street, is contrary to Section 35,  
Article 3 of the General City Law.

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**340-01-A**            B.S.I.                    64 Tennyson  
                                 Drive,  
east side, 235.75' north of Nelson Avenue, Block 5212,  
Tentative Lot 63, Borough of Staten Island. Applic.  
#500500148. Proposed one family dwelling, located within  
the bed of a mapped street, is contrary to Section 35,  
Article 3 of the General City Law.

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**341-01-A**            B.S.I.                    66 Tennyson Drive,  
east side, 219.22' north of Nelson Avenue, Block 5212,  
Tentative Lot 64, Borough of Staten Island. Applic.  
#500500139. Proposed one family dwelling, located within  
the bed of a mapped street, is contrary to Section 35,  
Article 3 of the General City Law.

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**342-01-A**            B.S.I.                    68 Tennyson  
                                 Drive,  
east side, 202.84' north of Nelson Avenue, Block 5212,  
Tentative Lot 65, Borough of Staten Island. Applic.  
#500500120. Proposed one family dwelling, located within  
the bed of a mapped street, is contrary to Section 35,  
Article 3 of the General City Law.

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**343-01-A**            B.S.I.                    70 Tennyson Drive,  
east side, 186.28' north of Nelson Avenue, Block 5212,  
Tentative Lot 66, Borough of Staten Island. Applic.  
#500500111. Proposed one family dwelling, located within  
the bed of a mapped street, is contrary to Section 35,  
Article 3 of the General City Law.

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**344-01-A**            B.S.I.                    72 Tennyson  
                                 Drive,  
east side, 169.64' north of Nelson Avenue, Block 5212,  
Tentative Lot 67, Borough of Staten Island. Applic.  
#500500102. Proposed one family dwelling, located within  
the bed of a mapped street, is contrary to Section 35,  
Article 3 of the General City Law.

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**345-01-A**            B.S.I.                    74 Tennyson  
                                 Drive,  
east side, 152.92' north of Nelson Avenue, Block 5212,  
Tentative Lot 68, Borough of Staten Island. Applic.  
#500500095. Proposed one family dwelling, located within  
the bed of a mapped street, is contrary to Section 35,  
Article 3 of the General City Law.

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**346-01-A**            B.S.I.                    76 Tennyson Drive,  
east side, 136.11 north of Nelson Avenue, Block 5212,  
Tentative Lot 69, Borough of Staten Island. Applic.  
#500500086. Proposed one family dwelling, located within  
the bed of a mapped street, is contrary to Section 35,  
Article 3 of the General City Law.

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**347-01-A**            B.S.I.                    78 Tennyson Drive,  
east side, 119.21' north of Nelson Avenue, Block 5212,  
Tentative Lot 70, Borough of Staten Island. Applic.  
#500500077. Proposed one family dwelling, located within  
the bed of a mapped street, is contrary to Section 35,  
Article 3 of the General City Law.

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**348-01-A**            B.S.I.                    80 Tennyson Drive,  
east side, 102.21 north of Nelson Avenue, Block 5212,  
Tentative Lot 71, Borough of Staten Island. Applic.  
#500500068. Proposed one family dwelling, located within  
the bed of a mapped street, is contrary to Section 35,  
Article 3 of the General City Law.

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**349-01-A**            B.S.I.                    82 Tennyson Drive,  
east side, 85.10' north of Nelson Avenue, Block 5212,  
Tentative Lot 172, Borough of Staten Island. Applic.  
#500500059. Proposed one family dwelling, located within  
the bed of a mapped street, is contrary to Section 35,  
Article 3 of the General City Law.





legalization of an existing sixth floor to a religious school/yeshiva building, Use Group 3, located in an R6 zoning district, which does not comply with the zoning requirements for floor area ratio, is contrary to Z.R.§24-11.

**COMMUNITY BOARD #12BK**

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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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**DECEMBER 4, 2001, 10:00 A.M.**

**NOTICE IS HEREBY GIVEN** of a public hearing, *Tuesday morning*, December 4, 2001, at 10 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**

### **440-68-BZ**

APPLICANT - Sheldon Lobel, P.C., for Equiva Services, Inc., owner.

SUBJECT - Application August 8, 2001 - request for a waiver of the Rules of Practice and Procedure and reopening for an extension of term of time to obtain a Certificate of Occupancy which expired October 27, 1999.  
PREMISES AFFECTED - 1896 Bruckner Boulevard, Bruckner Boulevard, southwest corner of White Plains Road, Block 3671, Lot 19, Borough of The Bronx.

**COMMUNITY BOARD #9BX**

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### **88-81-BZ**

APPLICANT - Joseph M. Morace, R.A., for Antonio Palmiotto, President Antlor Corporation, owner.

SUBJECT - Application July 19, 2001 - reopening for an extension of term of variance which expired July 21, 2001.  
PREMISES AFFECTED - 3309 Richmond Avenue, east side 264' north of Barlow Avenue, Block 5533, Lot 20, Borough of Staten Island.

**COMMUNITY BOARD # 5SI**

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### **1345-88-BZ**

APPLICANT - Carl A. Sulfaro, Esq., for 1165 Gas Corp., owner.

SUBJECT - Application July 10, 2001 - request for a waiver of the Rules of Practice and Procedure, reopening for an extension of term of variance which expired December 12, 2010 and for an amendment to the resolution.

PREMISES AFFECTED - 1165 Ogden Avenue, northeast corner of West 167th Street, Block 2528, Lot 35, Borough of The Bronx.

**COMMUNITY BOARD #4BX**

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### **45-90-BZ**

APPLICANT - Walter T. Gorman, P.E., for Amoco Oil Company, owner.

SUBJECT - Application July 19, 2001 - reopening for an amendment to the resolution.

PREMISES AFFECTED - 260 Hamilton Avenue, northeast corner of Henry Street, Block 527, Lot 1, Borough of Brooklyn.

**COMMUNITY BOARD #6BK**

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### **28-96-BZ**

APPLICANT - Sheldon Lobel, P.C., for Combined Management Inc., owner.

SUBJECT - Application July 5, 2001 - reopening for an amendment to the resolution.

PREMISES AFFECTED - 144 East 39th Street, between Lexington and Third Avenue, Block 894, Lot 56, Borough of Manhattan.

**COMMUNITY BOARD #6M**

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**DECEMBER 4, 2001, 11:00 A.M.**

**NOTICE IS HEREBY GIVEN** of a public hearing, *Tuesday morning*, December 4, 2001, at 11 A.M., at 40 Rector Street, 6<sup>th</sup> Floor, New York, N.Y. 10006, on the following matters:

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## **APPEALS CALENDAR**

### **205-01-A**

APPLICANT - Edward Lauria for U-Haul International, owner.

SUBJECT - Application June 6, 2001 - an appeal for an interpretation of Use Group 16 of the Zoning Resolution, in which the Department of Buildings has categorized "Self Storage Facility".

PREMISES AFFECTED - 36-30 College Point Boulevard, west side, 347.08 south of Northern Boulevard, Block 4963, Lot 200, Borough of Queens.

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# CALENDAR

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## **236-01-A**

APPLICANT - Sheldon Lobel, P.C., for Coland Real Estate, LLC, owner.

SUBJECT - Application July 13, 2001 - proposed construction of dry wells and paving treatment, within the bed of a mapped street, is contrary Section 35 of the General City Law.

PREMISES AFFECTED - 11-07 Redfern Avenue, between Beach 12th Street and approximately 140' east of Beach 11th Street, Block 15505, Lot 2, Borough of Queens.

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## **262-01-A**

APPLICANT - Walter T. Gorman, P.E., for Breezy Point Cooperative, Inc., owner; James Gildea, lessee.

SUBJECT - Application August 27, 2001 - proposed addition of a one family room and greenhouse to an existing one family dwelling which does not front on a legally mapped street, is contrary to Section 36, Article 3 of the General City Law.

PREMISES AFFECTED - 41 Roosevelt Walk, east side, 180' north of Breezy Point Boulevard, Block 16350, Part of Lot 400, Borough of Queens.

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## **264-01-A**

APPLICANT - Zygmunt Staszewski, for Breezy Point Co-op Inc., owner; Kenneth Wallace, lessee.

SUBJECT - Application August 28, 2001 - proposed alteration of a one family dwelling not fronting on a legally mapped street, is contrary to Section 36, Article 3 of the General City Law.

PREMISES AFFECTED - 23 Queens Walk, east side, 310' north of Breezy Point Boulevard, Block 16350, Lot 400, Borough of Queens.

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**DECEMBER 4, 2001, 2:00 P.M.**

**NOTICE IS HEREBY GIVEN** of a public hearing, *Tuesday afternoon*, December 4, 2001, at 2 P.M., at 40 Rector Street, 6<sup>h</sup> Floor, New York, N.Y. 10006, on the following matters:

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## **ZONING CALENDAR**

### **197-01-BZ**

APPLICANT - Anthony M. Salvati, for George Dilis, owner.

SUBJECT - Application May 24, 2001 - under Z.R. §73-622 to permit the proposed one story enlargement at the rear of an existing one family dwelling, Use Group 1, located in an R4 zoning district, which does not comply with the zoning requirement for rear yard, which is contrary to Z.R. §23-00.

PREMISES AFFECTED - 951 81st Street, north side 223'-4" west of 10th Avenue, Block 5992, Lot 58, Borough of Brooklyn.

**COMMUNITY BOARD #10BK**

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### **207-01-BZ**

APPLICANT - Sheldon Lobel, P.C., for 110 Greenwich Street Associates, LLC, owner; Dolphin Fitness Greenwich Inc., lessee.

SUBJECT - Application June 7, 2001 - under Z.R. §73-36, to permit the legalization of the cellar and first floor of an existing thirteen story building, for use as a physical culture establishment (Use Group 9) located in an C6-9 zoning district.

PREMISES AFFECTED - 110 Greenwich Street, aka 2 Carlisle Street, west side, at the intersection of Carlisle Street, Block 53, Lot 33, Borough of Manhattan.

**COMMUNITY BOARD #1M**

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# CALENDAR

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## **208-01-BZ**

APPLICANT - Moshe M. Friedman, P.E., for Yehuda Peretz, owner.

SUBJECT - Application June 8, 2001 - under Z.R. §72-21, to permit proposed extension to an existing two story, one family dwelling, (Use Group 1) which creates non-compliance with respect to floor area, O.S.R., side yard, front yard and height, which is contrary to Z.R. §23-141(a), §23-48, §23-45 & §23-63(a).

PREMISES AFFECTED - 2802 Avenue N, southeast corner of East 28th Street, Block 7682, Lot 46, Borough of Brooklyn.

**COMMUNITY BOARD #14BK**

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## **216-01-BZ**

APPLICANT - Rampulla Associates Architects, for Rampulla Planning and Development, Inc., owner; Rampulla Associates Architects, LLP, lessee.

SUBJECT - Application June 14, 2001 - under Z.R. §72-21 to permit the legalization of the premises as a professional office (Use Group 6) located in an R3-1 zoning district, which is contrary to Z.R. §22-00.

PREMISES AFFECTED - 155 3rd Street, northwest corner of Rose Avenue, Block 4195, Lot 1, Borough of Staten Island.

**COMMUNITY BOARD #2S.I.**

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## **224-01-BZ**

APPLICANT - Rosenman & Colin, LLP, for Soho Grand Centre, LLC, owner.

SUBJECT - Application October 22, 2001 - under Z.R. §72-21, to permit the proposed construction of a 12-story building, with a hotel on the first through 12th floors, and retail use in the cellar and on the first floor, Use Groups 5 and 6, located in an M1-5B zoning district, which does not comply with the zoning requirements for floor area, height, setback and use regulations, is contrary to Z.R. §43-12, §43-43 and §42-14(D)(2)(b).

PREMISES AFFECTED - 159 Grand Street, bounded by Grand, Lafayette, Howard and Centre Streets, Block 234, Lot 11, Borough of Manhattan.

**COMMUNITY BOARD #2M**

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## **260-01-BZ**

APPLICANT - Law Offices of Howard Goldman for Jus Sara Jac Corp., LLC, owner; Waterview Nursing Care Center, lessee.

SUBJECT - Application August 24, 2001 - under Z.R. §72-21 to permit the proposed enlargement to a nursing home community facility, located in an R4 zoning district, which does not comply with F.A.R., height of the front wall and side yard setback, is contrary to Z.R. §24-551 and §24-521.

PREMISES AFFECTED - 119-15 27th Avenue, bounded by 27th Avenue, 119th Street, and 26th Avenue, Block 4291, Lot 20, Borough of Queens.

**COMMUNITY BOARD #7Q**

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*Pasquale Pacifico, Executive Director*

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# MINUTES

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## REGULAR MEETING

TUESDAY MORNING, NOVEMBER 13, 2001

10:00 A.M.

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

The minutes of the regular meetings of the Board held on Tuesday morning and afternoon, August 17, 2001, were approved as printed in the Bulletin of August 23, 2001, Volume 86, No. 34.

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## SPECIAL ORDER CALENDAR

### 366-32-BZ

APPLICANT - Rothkrug & Rothkrug, for Lorenzo Garcia, owner.

SUBJECT - Application March 20, 2001 - request for a waiver of the Rules of Practice and Procedure and reopening for an extension of time to obtain a certificate of occupancy.

PREMISES AFFECTED - 1385/95 Webster Avenue, west side of Webster Avenue, 772' north of East 169th Street, Block 2887, Lots 151 thru 155, Borough of The Bronx.

### COMMUNITY BOARD #4BX

APPEARANCES -

For Applicant: Adam W. Rothkrug.

For Administration: John Scrofani, Fire Department.

THE VOTE TO CLOSE HEARING -

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

N e g a t i v e :  
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**ACTION OF THE BOARD** - Laid over to December 4, 2001, at 10 A.M., for decision, hearing closed.

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### 502-60-BZ

APPLICANT - Rothkrug & Rothkrug, for 4452 Broadway

Realty Co., owner.

SUBJECT - Application February 27, 2001- request for a waiver of the Rules of Practice and Procedure and a reopening for an extension of term of the variance which expired January 20, 2001.

PREMISES AFFECTED - 4452/6 Broadway, a/k/a 88/90 Fairview Avenue s/e/s of Broadway and Fairview Avenue, Block 2170, Lot(s) 400, 62, Borough of Manhattan.

### COMMUNITY BOARD #12M

APPEARANCES -

For Applicant: Adam W. Rothkrug.

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

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### 529-69-A

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

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

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

### COMMUNITY BOARD #4M

APPEARANCES -

For Applicant: Elliot Glass.

For Administration: John Scrofani, Fire Department.

THE VOTE TO CLOSE HEARING -

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

N e g a t i v e :  
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**ACTION OF THE BOARD** - Laid over to November 20, 2001, at 10 A.M., for decision, hearing closed.

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### 659-76-A

APPLICANT - Walter T. Gorman, P.E., for Dr. Allan Mirkin., owner, Rockaway Chamber of Commerce, lessee.

SUBJECT - Application June 12, 2001 - reopening for an extension of term of variance which expires November 9, 2001.

PREMISES AFFECTED - 253 Beach 116th Street, w/s 240'south of Newport Avenue, Block 16212, Lot 19, Borough of Queens.

### COMMUNITY BOARD #14Q

APPEARANCES -

For Applicant: Arthur Sullivan.

For Administration: John Scrofani, Fire Department.

**ACTION OF THE BOARD** - Laid over to December

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# MINUTES

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18, 2001, at 10 A.M., for continued hearing.

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**1131-79-BZ**

APPLICANT - Howard Z. Zipser, for Infinity Broadcasting East, Inc., CBS Broadcasting, Inc., owners.

SUBJECT - Application July 5, 2001 - reopening for an amendment to the resolution.

PREMISES AFFECTED - 550 King Avenue, a/k/a High Island, 1200' north of Terrace Street, Block 5649, Lot 120, Borough of The Bronx.

**COMMUNITY BOARD #10BX**

APPEARANCES -

For Applicant: Howard A. Zipser and Steven Sinacori.

THE VOTE TO CLOSE HEARING -

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

N e g a t i v e :  
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**ACTION OF THE BOARD** - Laid over to December 4, 2001, at 10 A.M., for decision, hearing closed.

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**278-86-BZ**

APPLICANT - Carl A. Sulfaro, Esq. For White Castle Systems, Inc., owner.

SUBJECT - Application June 5, 2001 - reopening for an extension of term of a variance which expires November 25, 2001.

PREMISES AFFECTED- 1677 Bruckner Boulevard, N/S Blockfront Between Metcalf Avenue Freley Avenue, Block 3721, Lot 1, Borough of The Bronx.

**COMMUNITY BOARD #9BX**

APPEARANCES -

For Applicant: Carl A. Sulfaro.

For Administration: John Scrofani, Fire Department.

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

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**8-87-BZ**

APPLICANT - Walter T. Gorman, P.E. for Andre & Jose Vasquez, owner, D/B/A Broadway Hand Carwash, lessee.

SUBJECT - Application July 16, 2001 - request for a waiver of the Rules of Practice and Procedure, reopening for an extension of time to obtain the certificate of occupancy which expired June 8, 2000.

PREMISES AFFECTED - 4778/82 Broadway, East side Broadway, 225' North of Dyckman Street, Block 2233, Lot 10, Borough of Manhattan.

**COMMUNITY BOARD #12M**

APPEARANCES -

For Applicant: Arthur Sullivan.

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

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**53-91-BZ**

APPLICANT - Gerald J. Caliendo, RA AIA for Dominick Pinto., owner.

SUBJECT - Application July 20, 2001- request for a waiver of the Rules of Practice and Procedure and reopening for an extension of time to obtain the certificate of occupancy which expired August 20, 1997.

PREMISES AFFECTED - 23-27/27A Steinway Street, Westside of Steinway Street 75.78' north of 23rd Road, Block 793, Lot 64, Borough of Queens.

**COMMUNITY BOARD #1Q**

APPEARANCES -

For Applicant: Gerald Caliendo.

For Administration: John Scrofani, Fire Department.

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

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**122-92-A**

APPLICANT - Gary Lenhart, R.A., for Breezy Point Cooperative, Inc., owner, John & Kathleen Naus, Lessee.

SUBJECT - Application July 30, 2001 - reopening for an amendment to the resolution.

PREMISES AFFECTED - 236 Roxbury Avenue, southeast corner Roxbury Boulevard, Block 16340, Lots P/O 50, Borough of Queens.

**COMMUNITY BOARD #14Q**

APPEARANCES -

For Applicant: Gary Lenhart.

For Administration: John Scrofani, Fire Department.

THE VOTE TO CLOSE HEARING -

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

N e g a t i v e :  
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**ACTION OF THE BOARD** - Laid over to December 4, 2001, at 10 A.M., for decision, hearing closed.

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**174-92-BZ**

APPLICANT - Gerald J. Caliendo, RA AIA for Dominick Pinto., owner.

SUBJECT - Application July 20, 2001 - request for a waiver of the Rules of Practice and Procedure and reopening for an extension of time to obtain the certificate

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# MINUTES

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of occupancy which expired August 20, 1997.  
PREMISES AFFECTED - 23-29/29A Steinway Street, eastside of Steinway Street 75.78' north of 23rd Road, Block 793, Lot 63g, Borough of Queens.

**COMMUNITY BOARD #1Q**

APPEARANCES -

For Applicant: Gerald Caliendo.

For Administration: John Scrofani, Fire Department.

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

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**175-92-BZ**

APPLICANT - Gerald J. Caliendo, RA AIA for Dominick Pinto., owner.

SUBJECT - Application July 20, 2001- request for a waiver of the Rules of Practice and Procedure, reopening for an extension of time to obtain the certificate of occupancy which expired August 20, 1997.

PREMISES AFFECTED - 23-31/31A Steinway Street, Westside of Steinway Street 75.78' north of 23rd Road, Block 793, Lot 62, Borough of Queens.

**COMMUNITY BOARD #1Q**

APPEARANCES -

For Applicant: Gerald Caliendo.

For Administration: John Scrofani, Fire Department.

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

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**176-92-BZ**

APPLICANT - Gerald J. Caliendo, RA AIA for Dominick Pinto., owner.

SUBJECT - Application July 20, 2001- request for a waiver of the Rules of Practice and Procedure, reopening for an extension of time to obtain the certificate of occupancy which expired August 20, 1997.

PREMISES AFFECTED - 23-33/33A Steinway Street, Eastside of Steinway Street 75.78' north of 23rd Road, Block 793, Lot 60, Borough of Queens.

**COMMUNITY BOARD #1Q**

APPEARANCES -

For Applicant: Gerald Caliendo.

For Administration: John Scrofani, Fire Department.

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

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**177-92-BZ**

APPLICANT - Gerald J. Caliendo, RA AIA for Dominick Pinto., owner.

SUBJECT - Application July 20, 2001- request for a

waiver of the Rules of Practice and Procedure and reopening for an extension of time to obtain the certificate of occupancy which expired August 20, 1997.

PREMISES AFFECTED - 23-35/35A Steinway Street, Eastside of Steinway Street 75.78' north of 23rd Road, Block 793, Lot 52, Borough of Queens.

**COMMUNITY BOARD #1Q**

APPEARANCES -

For Applicant: Gerald Caliendo.

For Administration: John Scrofani, Fire Department.

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

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**173-93-BZ**

APPLICANT - Sheldon Lobel, P.C. for YMCA of Greater NY/Long Island City., owner

SUBJECT - Application June 19, 2001 - reopening for an amendment to the resolution.

PREMISES AFFECTED - 32-23 Queens Boulevard, northeast corner of intersection at Queens Boulevard, Block 224, Lots 24(9,13,24), Borough of Queens.

**COMMUNITY BOARD #2Q**

APPEARANCES -

For Applicant: Sheldon Lobel and Lyra Altman.

For Administration: John Scrofani, Fire Department.

THE VOTE TO CLOSE HEARING -

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

N e g a t i v e :  
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**ACTION OF THE BOARD** - Laid over to December 4, 2001, at 10 A.M., for decision, hearing closed.

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**26-94-BZ**

APPLICANT - Rampulla Associates Architects, for CDC Realty L.L.C., owner.

SUBJECT - Application April 13, 2001 - request for a waiver of the Rules of Practice and Procedure and a reopening for an extension of term of the variance which expired March 5, 2001.

PREMISES AFFECTED - 141 Mansion Avenue, Intersection of Mansion Avenue and McKee Avenue, Block 5201, Lot 33, Borough of Staten Island.

**COMMUNITY BOARD #3SI**

APPEARANCES -

For Applicant: Philip Rampulla.

For Administration: John Scrofani, Fire Department.

THE VOTE TO CLOSE HEARING -

Affirmative: Chairman Chin, Vice-Chair Babbar,

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# MINUTES

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Commissioner Korbey and Commissioner Caliendo.....4

N e g a t i v e :  
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**ACTION OF THE BOARD** - Laid over to December 4, 2001, at 10 A.M., for decision, hearing closed.

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## **173-94-BZ**

APPLICANT - New York City Board of Standards and Appeals.

SUBJECT - For possible rescindment of the resolution.

PREMISES AFFECTED - 165-10 144th Road, southeast corner of Rockaway Boulevard, Block 13271, Lot 17, Borough of Queens.

### **COMMUNITY BOARD #13Q**

APPEARANCES -

For Applicant: Adam W. Rothkrug.

For Administration: John Scrofani, Fire Department.

**ACTION OF THE BOARD** - Laid over to January 8, 2002, at 10 A.M., for continued hearing.

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## **107-95-BZ**

APPLICANT - Sheldon Lobel, P.C., for Confectionary Realty Corp., owner.

SUBJECT - Application April 9, 2001 - reopening for an extension of time to obtain a certificate of occupancy which expired March 7, 2001.

PREMISES AFFECTED - 290/98 Dyckman Street, corner of Dyckman Street and Henshaw Street, Block 2246, Lot 28, Borough of Manhattan.

### **COMMUNITY BOARD #12M**

APPEARANCES -

For Opposition: John Scrofani, Fire Department.

**ACTION OF THE BOARD** - Laid over to January 29, 2002, at 10 A.M., for continued hearing.

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## **205-98-BZ**

APPLICANT - Philip P. Agusta, for Dr. Haresh Shah, D.D.S., owner.

SUBJECT - Application June 6, 2001 - reopening for an amendment to the resolution.

PREMISES AFFECTED - 257-10/18 Union Turnpike, south side of Union Turnpike 75.65' east of 257<sup>th</sup> Street, Block 8694, Lots 27 and 28, Borough of Queens.

### **COMMUNITY BOARD #13Q**

APPEARANCES -

For Applicant: Julia Colin.

For Administration: John Scrofani, Fire Department.

THE VOTE TO CLOSE HEARING -

Affirmative: Chairman Chin, Vice-Chair Babbar,

Commissioner Korbey and Commissioner Caliendo.....4

N e g a t i v e :  
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**ACTION OF THE BOARD** - Laid over to December 4, 2001, at 10 A.M., for decision, hearing closed.

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## **191-00-BZ**

APPLICANT - Fischbein Badillo Wagner Harding for NYC Industrial Development Agency, owner; 184 Kent Avenue Associates, lessee.

SUBJECT - Application June 25, 2001 - reopening for an amendment to the resolution.

PREMISES AFFECTED - 184 Kent Avenue, northwest corner of intersection of N. 3rd Street and Kent Avenue, Block 2348, Lot 1, Borough of Brooklyn.

### **COMMUNITY BOARD #1BK**

APPEARANCES -

For Applicant: Howard Hornstein and Barbara Hair.

For Opposition: John Scrofani, Fire Department.

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

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## **227-01-A**

APPLICANT - Zygmunt Staszewski for Breezy Point Cooperative, Inc., owner.

SUBJECT - Application June 27, 2001 - proposed addition of a second floor to an existing one family dwelling, not fronting on a legally mapped street is contrary to Section 36, Article 3 of the General City Law.

PREMISES AFFECTED - 958 Bayside, south side, 105' east of Beach 209th Street, Block 16350, Lot 300, Borough of Queens.

APPEARANCES -

For Applicant: Michael Harley.

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

**ACTION OF THE BOARD** - Appeal granted on condition.



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# MINUTES

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THE VOTE TO CLOSE HEARING -

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

N e g a t i v e :  
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THE VOTE TO GRANT -

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

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

WHEREAS, the decision of the Queens Borough Commissioner, dated June 14, 2001, acting on ALT 1. Application No. 401224796, reads:

Z-1.

“The street giving access to the existing building to be altered is not duly placed on the official map of the City of New York, therefore:

- 1) A Certificate of Occupancy may not be issued a per Article 3, Section 36 of the General City Law.
- 2) Existing dwelling to be altered does not have at least 8% of total perimeter of the building fronting directly on a legally mapped street or frontage space is contrary to Section 27-291 of the Administrative Code.”

WHEREAS, by the letter dated July 5, 2001, the Fire Department has reviewed the above project and has no objections; and

WHEREAS, the applicant has submitted adequate evidence to warrant this approval under certain conditions.

*Resolved*, that the decision of the Queens Borough Commissioner, dated June 14, 2001, acting on ALT 1. Application No. 401224796, is modified under the power vested in the Board by §36 of the General City Law, and that this appeal is granted, limited to the decision noted above, on condition that construction shall substantially conform to the drawing filed with the application marked, “Received, July 24, 2001”-(1) sheet; and that the proposal comply with all applicable R4 zoning district requirements; that all applicable laws, rules, and regulations shall be complied with; on further condition;

THAT the development, as approved, is subject to verification by the Department of Buildings for compliance with all other applicable provisions of the Zoning Resolution, the Administrative Code and any other relevant laws under the jurisdiction of the Department.

Adopted by the Board of Standards and Appeals, November 13, 2001.

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**220-01-A**

APPLICANT - Glen V. Cutrona, AIA, for Thomas A. Maira, owner.

SUBJECT - Application June 20, 2001 - proposed construction of a two family dwelling, located within the bed of a mapped street, is contrary to Section 35, Article 3 of the General City Law.

PREMISES AFFECTED - 10 Everton Avenue, northwest side of Woodrow Road, 52.57' southwest of the corner formed by the intersection of Everton Avenue and Woodrow Road, Block 6045, Lot 4, Borough of Staten Island.

APPEARANCES -

For Applicant: Glen V. Cutrona.

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

**ACTION OF THE BOARD** - Laid over to December 18, 2001, at 11 A.M., for continued hearing.

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**222-01-A**

APPLICANT - Sheldon Lobel, P.C., for Forest Hills NY CVS, LLC, Long-term, lessee.

SUBJECT - Application June 25, 2001 - proposed building to be erected within the bed of a mapped street, is contrary to Section 35, Article 3 of the General City Law.

PREMISES AFFECTED - 101-110 Metropolitan Avenue, between 71st Avenue and 70th Drive, Block 3896, Lots 33 and 42, Borough of Queens.

APPEARANCES -

For Applicant: Janice Cahalane.

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

THE VOTE TO CLOSE HEARING -

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

N e g a t i v e :  
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**ACTION OF THE BOARD** - Laid over to December 4, 2001, at 11 A.M., for decision, hearing closed.

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**225-01-A**

APPLICANT - Joseph A. Sherry for Breezy Point Cooperative, Inc., owner; Catherin Brennan, lessee.

SUBJECT - Application June 26, 2001 - proposed enlargement to an existing one family dwelling building not fronting on a legally mapped street is contrary to Article 3, Section 36, of the General City Law, also an interpretation of Z.R. §23-541 and §23-532 and how they

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# MINUTES

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relate to rear yard requirements.

PREMISES AFFECTED - 8 Gotham Walk, west side, 75.46' south of Oceanside Avenue, Block 16350, Lot 400, Borough of Queens.

APPEARANCES -

For Applicant: Loretta Papa.

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

THE VOTE TO CLOSE HEARING -

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

N e g a t i v e :  
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**ACTION OF THE BOARD** - Laid over to December 4, 2001, at 11 A.M., for decision, hearing closed.

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## 247-01-A

APPLICANT - Joseph A. Sherry for Breezy Point Cooperative, Inc., owner; William D. Scieurba, lessee.

SUBJECT - Application August 7, 2001 - proposed enlargement to an existing one family dwelling, not fronting on a legally mapped street and located partially within the bed of a mapped street, which is contrary to Sections 35 and 36, Article 3 of the General City Law.

PREMISES AFFECTED - 195 Reid Avenue, east side, 45.51' north of Breezy Point Boulevard, Block 16350, Lot 400, Borough of Queens.

APPEARANCES -

For Applicant: Loretta Papa.

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

**ACTION OF THE BOARD** - Laid over to December 4, 2001, at 11 A.M., for continued hearing.

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## 248-01-A

APPLICANT - Joseph A. Sherry for Breezy Point Cooperative Inc., owner; Mary Leonard, lessee.

SUBJECT - Application August 7, 2001 - proposed enlargement to an existing one family dwelling not fronting on a legally mapped street, is contrary to Section 36, Article 3 of the General City Law.

PREMISES AFFECTED - 112 Beach 221st Street, west side, 200' south of Breezy Point Boulevard, Block 16350, Lot 400, Borough of Queens.

APPEARANCES -

For Applicant: Loretta Papa.

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

THE VOTE TO CLOSE HEARING -

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

N e g a t i v e :  
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**ACTION OF THE BOARD** - Laid over to December 4, 2001, at 11 A.M., for decision, hearing closed.

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## 251-01-A

APPLICANT - Gary Lenhart, R.A., for Breezy Point Cooperative Inc., owner; Tracey and Kevin Keane, lessees. SUBJECT - Application August 10, 2001 - proposed first story enlargement and the addition of a second story to an existing one family dwelling, not fronting on a legally mapped street and located within the bed of a mapped street, which is contrary to Sections 35 and 36, Article 3 of the General City Law.

PREMISES AFFECTED - 37 Market Street, intersection of Beach 202nd Street and Rockaway-Breezy Boulevard, Block 16350, Part of Lot 300, Borough of Queens.

APPEARANCES -

For Applicant: Gary Lenhart.

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

**ACTION OF THE BOARD** - Laid over to December 4, 2001, at 11 A.M., for continued hearing.

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*Pasquale Pacifico, Executive Director.*

Adjourned: 11:10 A.M.

# MINUTES

## REGULAR MEETING

TUESDAY AFTERNOON, NOVEMBER 13, 2001  
2:00 P.M.

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

## ZONING CALENDAR

### 218-00-BZ

#### CEQR # 01-BSA-028X

APPLICANT - Mothiur Rahman, for Lot 1555 Corp., owner.

SUBJECT - Application September 19, 2000 - under Z.R. §72-21, to permit the legalization of an existing public parking facility (Use Group 8) located in an R-6 zoning district, which is contrary to Z.R. §22-00.

PREMISES AFFECTED - 1555 Bruckner Boulevard, south side of Boynton Avenue, Block 3715, Lot 1, Borough of The Bronx.

#### COMMUNITY BOARD #9BX

APPEARANCES -

For Applicant: Mothiur Rahman.

**ACTION OF THE BOARD** - Application dismissed.

THE VOTE TO DISMISS -

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

N e g a t i v e :  
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Adopted by the Board of Standards and Appeals,  
November 13, 2001.

### 194-01-BZ

#### CEQR # 01-BSA-140K

APPLICANT - Augusta and Ross, for D & K Holding Corporation, owner.

SUBJECT - Application May 11, 2001 - under Z.R. §72-21, to permit the proposed development of a six story multiple dwelling, containing ground floor commercial (office and retail), and ten apartments on the upper floors (Use Groups 6 and 2) located in a C8-2 zoning district, which is contrary to Z.R. §32-00.

PREMISES AFFECTED - 440/42 South Fifth Street, south side, 161' East of Hewes Street, Block 2465, Lot 9, Borough of Brooklyn.

#### COMMUNITY BOARD #1BK

APPEARANCES -

For Applicant: Mitchell Ross.

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

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

THE VOTE TO GRANT -

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

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

WHEREAS, the decision of the Borough Commissioner, dated March 5, 2001 acting on Applic. No. 301115399 reads:

“1) Proposed Residential Building in the C8-2 zone is not permitted as per Section 32-00.”; and

WHEREAS, a public hearing was held on this application on August 7, 2001, after due notice by publication in *The City Record* and laid over to September 11, 2001, October 16, 2001 and then to November 13, 2001 for decision; and

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

WHEREAS, this is an application under Z.R. §72-21, to permit the proposed development of a six story multiple dwelling, containing ground floor commercial (office and retail) located in a C8-2 zoning district, which is contrary to Z.R. §32-00; and

WHEREAS, the subject premises is an irregular shaped, through zoning lot fronting 43'2" upon Montrose Avenue and 48' upon South 5<sup>th</sup> Street in the Williamsburg section of Brooklyn; and

WHEREAS, the site is developed with a vacant turn-of-the-century building originally designed as two distinct mixed-use residential and commercial/garage buildings; and

WHEREAS, the site has been vacant for 10 years; and

WHEREAS, the applicant proposes to replace the existing vacant structure with a six story, ten apartment multiple dwelling with ground floor commercial uses; and

WHEREAS, the applicant represents that the units are suitable for loft conversion with multiple bedrooms; and

WHEREAS, the subject zoning lot is an irregular through lot burdened by a substandard, obsolete and dilapidated structure, historically developed at the turn of the century as two distinct buildings, but later cojoined for nominal movement between the buildings; and

WHEREAS, the applicant represents that the horizontal integration is inadequate because floors do not

# MINUTES

line up, loading and unloading is substandard, and ceiling heights are low; and

WHEREAS, the applicant also represents that the vertical integration is inadequate in the two story end of the site as there is no elevator; and

WHEREAS, evidence in the record reflects that maintaining a conforming use will require extensive repairs and renovations but will result in no reasonable return and a conforming use is not possible because of the obsolete and substandard nature of the complex; and

WHEREAS, as mentioned above, the site has been vacant for ten years, but, from the mid 1930's to the early 1990's prior uses included, a store, parking lot, auto display and used auto sales with offices and apartments above; and

WHEREAS, from the 1880's through to the mid 1930's the site was in residential and horse stable use; and

WHEREAS, therefore, the Board finds that the site's history of development and existing conditions create an unnecessary hardship and a practical difficulty with the strict application of the Zoning Resolution; and

WHEREAS, evidence in the record, including a feasibility study, demonstrates that developing the site with a conforming use would not yield a reasonable return; and

WHEREAS, the application seeks only to introduce a mixed-use multiple dwelling which, the applicant represents is in keeping with the adjacent uses and most of the uses in the area; and

WHEREAS, the record suggests that the proposed ten apartments will not significantly impact on the availability of parking; and

WHEREAS, the applicant represents that the variance will not negatively impact the commercial activity in the area; and

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

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

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

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

WHEREAS, the Board has conducted an environmental review of the proposed action and has carefully considered all relevant areas of environmental concern; and

WHEREAS, the evidence demonstrates no foreseeable significant environmental impacts that would require the preparation of an Environmental Impact Statement.

*Therefore, it is Resolved* that the Board of Standards and Appeals issues a Conditional Negative Declaration duly published in *The City Record* August 15, 2001, under 6 NYCRR Part 617 and §6-07(b) of the Rules of Procedure for City Environmental Quality Review and makes each and every one of the required findings under Z.R. §72-21 and *grants* a variation in the application of the Zoning Resolution, limited to the objections cited, to permit the proposed development of a six story multiple dwelling, containing ground floor commercial (office and retail) located in a C8-2 zoning district, which is contrary to Z.R. §32-00, *on condition* that all work shall substantially conform to drawings as they apply to the objections above noted, filed with this application marked "Received, June 25, 2001"-(11) sheets; and *on further condition*;

THAT the development, as approved, is subject to verification by the Department of Buildings for compliance with all other applicable provisions of the Zoning Resolution, the Administrative Code and any other relevant laws under the jurisdiction of the Department; and

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

Adopted by the Board of Standards and Appeals, November 13, 2001.

## 195-01-BZ

### CEQR # 01-BSA-141K

APPLICANT - Agusta and Ross, for Warren Dingtott, owner.

SUBJECT - Application May 11, 2001 - under Z.R. §72-21, to permit the proposed eating and drinking establishment (Use Group 6) located in an R-4 zoning district, which is contrary to Z.R. §22-00.

PREMISES AFFECTED - 2519 West 22nd Street, east side, 84' north of Bay 53rd Street, Block 6949, Lot 17, Borough of Brooklyn.

### COMMUNITY BOARD #13BK

APPEARANCES -

For Applicant: Mitchell Ross.

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

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

THE VOTE TO GRANT -

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

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

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WHEREAS, the decision of the Borough Commissioner, dated April 17, 2001 acting on Applic. No. 301151839 reads:

1. "Proposed new building for eating and drinking establishment in R4 is contrary to Z.R. §22-00. Proposed commercial use in Residential zone is not permitted."; and

WHEREAS, a public hearing was held on this application on August 14, 2001, after due notice by publication in *The City Record* and laid over to September 11, 2001, October 16, 2001 and then to November 13, 2001 for decision; and

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

WHEREAS, this is an application under Z.R. §72-21, to permit the proposed eating and drinking establishment (Use Group 6) located in an R-4 zoning district, which is contrary to Z.R. §22-00; and

WHEREAS, the subject site is a small, triangular vacant lot, between the Belt Parkway to the north and the newly created C8-2 zone, which the applicant represents was created to facilitate a new adjacent commercial complex to the south fronting approximately 112 feet W. 22<sup>nd</sup> Street with a lot area of 2,959.35 sq. ft.; and

WHEREAS, the applicant represents that while the lot has never been developed, it now will front on the entrance ramp to a commercial complex from the Belt Parkway, which is being opened to facilitate a 130,000 square foot development and parking lot; and

WHEREAS, the applicant further represents that this entrance ramp will be opened and bring commercial traffic across the site and that due to the irregular lot shape, a conforming residential development would be impracticable, given its irregular configuration, forcing undesirable floor plans; and

WHEREAS, therefore, applicant proposes to build a one-story commercial building of 829 sq. ft. which will function as an eating and drinking establishment; and

WHEREAS, the record indicates that the newly created, neighboring C8-2 district and the surrounding area's commercial traffic and activity, will create an unnecessary hardship and a practical difficulty in developing a use in conformance with the strict application of the Zoning Resolution; and

WHEREAS, evidence in the record, including a feasibility study, demonstrates that developing the site with a conforming use would not yield a reasonable return; and

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

the new C8-2 zoning district and commercial uses in the surrounding area; and

WHEREAS, the record indicates that the subject proposal will not adversely affect uses in the adjacent residence district; and

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

WHEREAS, the owner is not responsible for the unique circumstances associated with the rezoning lot which give rise to a hardship in using the property in strict conformity to the Zoning Resolution; and

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

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

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

WHEREAS, the Board has conducted an environmental review of the proposed action and has carefully considered all relevant areas of environmental concern; and

WHEREAS, the evidence demonstrates no foreseeable significant environmental impacts that would require the preparation of an Environmental Impact Statement.

*Therefore, it is Resolved* that the Board of Standards and Appeals issues a Negative Declaration, under 6 NYCRR Part 617 and §6-07(b) of the Rules of Procedure for City Environmental Quality Review and makes each and every one of the required findings under Z.R. §72-21 and *grants* a variation in the application of the Zoning Resolution, limited to the objections cited, to permit the proposed eating and drinking establishment (Use Group 6) located in an R-4 zoning district, which is contrary to Z.R. §22-00, *on condition* that all work shall substantially conform to drawings as they apply to the objections above noted, filed with this application marked "Received, May 11, 2001"-(3) sheets; and *on further condition*;

THAT the site be kept graffiti and debris free;

THAT there shall be no installation of a drive-thru facility;

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

THAT the development, as approved, is subject to verification by the Department of Buildings for compliance with all other applicable provisions of the Zoning Resolution, the Administrative Code and any other relevant laws under the jurisdiction of the Department; and

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

Adopted by the Board of Standards and Appeals, November 13, 2001.

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**248-00-BZ**

APPLICANT - Sheldon Lobel, P.C., for Tile and Stone Warehouse Inc., owner.

SUBJECT - Application October 17, 2000 - under Z.R. §72-21, to permit the proposed construction of a building to be used as a retail/office and warehouse, in an area zoned for residential use (R-5) which is contrary to Z.R. §22-00. PREMISES AFFECTED - 2398 Stillwell Avenue, west side, between Bay 49th and Bay 50th Streets, Block 6904, Lots 19 and 31, Borough of Brooklyn.

**COMMUNITY BOARD #13BK**

APPEARANCES -

For Applicant: Sheldon Lobel and Eric Palatnik.

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

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

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**290-00-BZ**

APPLICANT - Joseph P. Morsellino, Esq., for FERP Associates, owner; Walgreens, lessee.

SUBJECT - Application December 1, 2000 - under Z.R. §72-21, to permit the proposed erection and maintenance of accessory business signs, for an existing drug use store, that exceed the maximum square footage permitted, which is contrary to Z.R. §32-641 and §32-643.

PREMISES AFFECTED - 149-28 14th Avenue, between 149th and 150th Streets, Block 4660, Lot 10, Borough of Queens.

**COMMUNITY BOARD #7Q**

APPEARANCES -

For Applicant: Joseph P. Morsellino.

THE VOTE TO CLOSE HEARING -

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

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

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**291-00-BZ**

APPLICANT - Sheldon Lobel, P.C., for Torah Academy High School of Brooklyn, owner.

SUBJECT - Application December 4, 2000 - under ZR §73-19 to permit the proposed use of the premises for a school (yeshiva), Use Group 3, located in a C8-3 (OP) zoning district, which is contrary to ZR §32-12, §32-31 & §22-13. PREMISES AFFECTED - 2316-2324 Coney Island Avenue, a/k/a 920 Avenue T, southwest corner, Block 7112, Lot 9, Borough of Brooklyn.

**COMMUNITY BOARD #15BK**

APPEARANCES -

For Applicant: Eric Palatnik.

For Opposition: Jeffery B. Gross, David Mammina, Aulleny Scavo, Florence S. Gross and Henry Stricoff.

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

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

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**304-00-BZ**

APPLICANT - Robert A. Caneco, R.A., for Robert Gullery, owner.

SUBJECT - Application December 20, 2000 - under Z.R. §72-21, to permit the proposed enlargement of an existing auto repair center (Use Group 16B) located in a C1-8 zoning district, which creates non-compliance with respect to floor area ratio and required parking, is contrary to Z.R. §33-122 and §36-21.

PREMISES AFFECTED - 2044 Hylan Boulevard, southeast corner of Adams Avenue, Block 3670, Lot 1, Borough of Staten Island.

**COMMUNITY BOARD #2SI**

APPEARANCES -

For Applicant: Roberta A. Canelo.

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

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

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**305-00-BZ**

APPLICANT - Robert A. Caneco, R.A., for Robert Gullery, owner.

SUBJECT - Application December 20, 2000 - under Z.R. §72-21, to permit the proposed parking lot (Use Group 8) accessory to an existing auto repair center, located in an R3-2 zoning district, which is contrary to Z.R. §22-10. PREMISES AFFECTED - 268 Adams Avenue, south side,

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100' east of Hylan Boulevard, Block 3672, Lot 14, Borough of Staten Island.

**COMMUNITY BOARD #2SI**

APPEARANCES -

For Applicant: Roberta A. Canelo.

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

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

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**8-01-BZ**

APPLICANT - Michael DeRuvo, for Bruno Savo - Savo Brothers, owner.

SUBJECT - Application January 11, 2001 - under Z.R. §72-21, to permit the proposed construction of a two family dwelling on a zoning lot which does not have the minimum required lot width and was not owned separately and individually from all other adjoining tracts of land, both on December 15, 1961 and on the date of the application for a building permit, which is contrary to Z.R. §23-32 and §23-33(b).

PREMISES AFFECTED - 352 Clifton Avenue, south side, 125' east of Reynolds Street, Block 2981, Lot 7, Borough of Staten Island.

**COMMUNITY BOARD #1SI**

APPEARANCES -

For Opposition: Marvin David.

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

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**54-01-BZ**

APPLICANT - Sheldon Lobel, P.C., for Michael & Fran Koegel, owner.

SUBJECT - Application February 20, 2001 - under Z.R. §73-622, to permit the proposed enlargement of an existing one family dwelling (Use Group 1) located in an R2 zoning district, which does not comply with the zoning requirements for F.A.R., O.S.R. and side yards and is contrary to Z.R. §23-141 & §23-461.

PREMISES AFFECTED - 2508 Avenue J, between Bedford Avenue and 26th Street, Block 7607, Lot 43, Borough of Brooklyn.

**COMMUNITY BOARD #14BK**

APPEARANCES -

For Applicant: Lyra Altman and David Sherman.

For Opposition: Edward Asy.

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

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

APPEARANCES -

For Applicant: Lyra Altman.

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

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

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**121-01-BZ**

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

SUBJECT - Application March 20, 2001 - under Z.R. §73-64/73-03, to permit the proposed construction of a new medical research and laboratory building (Use Group 3A) located in an R8 zoning district, which does not comply with the zoning requirements for height and setback regulations, rear yard and minimum distance between building, which is contrary to Z.R. §24-522, §24-382 and §24-652.

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

**COMMUNITY BOARD #6M**

APPEARANCES -

For Applicant: Jeremrah Candrina.

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

THE VOTE TO CLOSE HEARING -

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

Not Voting: Commissioner Caliendo.....1

N e g a t i v e :

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**ACTION OF THE BOARD** - Laid over to November 20, 2001, at 2 P.M., for decision, hearing closed.

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**130-01-BZ**

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

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

# MINUTES

rear yard equivalent which is contrary to Z.R. §24-11 and §24-382, respectively.

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

## **COMMUNITY BOARD #8M**

**APPEARANCES** -

For Applicant: Shelly Friedman, Jeff Holmes, M. Barry Schneider, Judith E. Schneider.

For Opposition: Elizabeth Mckee, Minnce Elias, Amy Baxter, Suzanne Falbush, Walter Watkins and Bargare Kroshton.

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

**ACTION OF THE BOARD** - Laid over to November 20, 2001, at 2 P.M., for continued hearing.

## **138-01-BZ**

**APPLICANT** - Geroge E. Berger, for Love Fellowship Tabernacle Inc., owner.

**SUBJECT** - Application April 12, 2001 - under Z.R. §72-21, to permit the legalization of an existing church (Use Group 4) located in an M1-1 zoning district, also an increase in the size of the building which will penetrate the sky exposure plane and extend into the required open space is contrary to Z.R. §43-301 and §43-43.

**PREMISES AFFECTED** - 464/74 Liberty Avenue, a.k.a. 179/87 Bradford Street, southeast corner, Block 3708, Lot 11, Borough of Brooklyn.

## **COMMUNITY BOARD #5BK**

**APPEARANCES** -

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

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

## **148-01-BZ**

**APPLICANT** -Fredrick A. Becker, Esq., for Broadway 32nd Street Realty Corp., owner; Juvenex Spa, lessee.

**SUBJECT** - Application April 19, 2001 - under Z.R. §73-36, to permit the proposed operation of a physical culture establishment (Use Group 9) located on the fourth and fifth floors of a six story building, which requires a special permit as per Z.R. §32-31.

**PREMISES AFFECTED** - 25 West 32nd Street, north side, 372' west of Fifth Avenue, Block 834, Lot 26, Borough of Manhattan

## **COMMUNITY BOARD #5M**

**APPEARANCES** -

For Applicant: Fredrick Becker.

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

**THE VOTE TO CLOSE HEARING** -

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

N e g a t i v e :  
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**ACTION OF THE BOARD** - Laid over to December 4, 2001, at 2 P.M., for decision, hearing closed.

## **149-01-BZ**

**APPLICANT** - Fischbein Badillo Wagner Harding, for Jane Street Realty LLC/William Devaney, owner.

**SUBJECT** - Application April 20, 2001 - under Z.R. §72-21, to permit the proposed inclusion of the first and cellar floor areas of an existing six story building for residential use, which does not comply with the zoning requirements floor area ratio, open space ratio, zoning rooms and bedrooms windows, which is contrary to Z.R. §23-14, §23-223, §23-553 and §23-861.

**PREMISES AFFECTED** - 88/90 Jane Street a/k/a 357-359 West 12th Street, between Washington and Greenwich Street, Block 641, Lots 1001-1006, Borough of Manhattan.

## **COMMUNITY BOARD #2M**

**APPEARANCES** -

For Applicant: Peter Geis.

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

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

## **150-01-A**

**APPLICANT** - Fischbein Badillo Wagner Harding, for Jane Street Realty LLC/William Devaney, owner.

**SUBJECT** - Application April 20, 2001 - proposed residential use must comply with Section 310 of the Multiple Dwelling Law regarding light, air and rear yard equivalent.

**PREMISES AFFECTED** - 88/90 Jane Street a/k/a 357-359 West 12th Street, between Washington and Greenwich Street, Block 641, Lots 1001-1006, Borough of Manhattan.

## **COMMUNITY BOARD #2M**

**APPEARANCES** -

For Applicant: Peter Geis.

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

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



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**190-01-BZ**

APPLICANT - Sheldon Lobel, P.C., for Fruma Schiffenbauer, owner.

SUBJECT - Application May 3, 2001 - under Z.R. §73-622 to permit proposed enlargement of an existing one family dwelling, Use Group 1, located in an R2 zoning district, which creates non-compliance with respect to F.A.R. and open space ratio, contrary to Z.R.23-141.

PREMISES AFFECTED - 2107 Avenue "M", between East 21st and East 22nd Streets, Block 7639, Lot 7, Borough of Brooklyn.

**COMMUNITY BOARD #14BK**

APPEARANCES -

For Applicant: Lyra Altman.

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

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

For Applicant: Harold Weinberg.

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

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

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*Pasquale Pacifico, Executive Director.*

Adjourned: 4:10 P.M.

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**199-01-BZ**

APPLICANT - Harold Weinberg, P.E., P.C., for Doris Mosseri, owner.

SUBJECT - Application May 31, 2001 - under Z.R. §72-21, to permit the proposed erection of horizontal and vertical enlargements, to an existing one family dwelling (Use Group 1) which do not comply with the zoning requirements for front yard, perimeter wall height, setback and sky-exposure plane, is contrary to Z.R. §23-45, §23-461, §23-631 and §54-31.

PREMISES AFFECTED - 440 Quentin Road, southwest corner of East 4th Street, between 3rd and 4th Streets, Block 6660, Lot 10, Borough of Brooklyn.

**COMMUNITY BOARD #15BK**

APPEARANCES -

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