



**BOROUGH OF STATEN ISLAND  
COMMUNITY BOARD #3**

1243 Woodrow Road - 2<sup>nd</sup> Floor

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**Land Use Committee  
Public Hearing Report**

**DATE:** September 13, 2023

**TIME:** 7:00 PM

**IN PERSON:** Yes

**VIRTUAL:** No

**SPEAKER:** Yes

**Committee Members Present**

Frank Morano, *Chairman of the Board*

Thomas Barlotta, *Chair*

Patrick Donahue

Gary Fleming

Jeff Geary

Celia Iervasi

Andrew V. Poznanski

Owen Reiter

Danny Venuto

**Committee Members Absent**

Wayne Rosenfeld

**Board Members Present**

Robert DiGennaro

John Felicetti

**Staff Present**

Charlene Wagner, *District Manager*

Stacey Wertheim, *Community Coordinator*

Susan LaForgia, *Community Coordinator*

**Guests**

Frank Rapacciuolo, Rep. Councilman Joseph Borelli

Jacqueline Velez, Architect, JMV Associates, LLC

Elyse Foladare, Eric Palatnik's office

Ronald Victorio, Architect

Angelo DiMaggio, Owner/Applicant

Marilou Malone, Area Resident

Maureen Dreher, Area Resident

Diane Rivela, Owner/Applicant

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**Public Contact Session** – No constituent concerns

**Agenda**

**BSA 2023-49-A; 24 Ross Lane BBL 5-5328-8;**

Rothkrug, Rothkrug & Spector, Applicant

It is proposed to legalize the one-family dwelling at the premises and obtain a Certificate of Occupancy. As developed and existing, the existing cellar, two-story, and attic dwelling conforms and complies with all requirements of the underlying R1-2(SRD) zoning district, including the provision of 3193.1 sq. ft. of floor area (0.20 FAR) that complies with the 0.60 maximum FAR permitted in the subject zoning district. In conjunction with the proposed legalization, it was determined that relief under General City Law § 36(2) would be required as the existing building fronts only on Ross Lane, an existing open record street that is not duly placed on the official New York City map.

**Whereas** BSA 2023-49-A was presented to the Community Board 3 (CB3) Land Use Committee for relief pursuant to GCL 36,

**Now, Therefore, be it Resolved**, A Motion was put forth to **approve** this application as presented.

**Vote:** In Favor 10; Opposed 0; Abstentions 1 (Geary)

Morano Y; Barlotta Y; Donahue Y; Fleming Y; Geary A; Iervasi Y; Poznanski Y; Reiter Y; Venuto Y; DiGennaro Y; Felicetti Y

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**2023-32-A thru 2023-34-A; 15, 23 & 29 Radigan Avenue; BBL 5-7046-119, 122, 123**

Eric Palatnik, Applicant

The proposed buildings will be two-story, two-family homes. They will be located partially in the bed of a mapped but unbuilt portion of Radigan Avenue, necessitating relief from the Board pursuant to Article III, Section 35 of the General City Law.

**Discussion**

The committee discussed the application, did not feel a hardship, and opposed building within the bed of a mapped street.

**Whereas**, BSA 2023-32-A thru 2023-34-A was presented to the Community Board 3 (CB3) Land Use Committee for relief pursuant to GCL 35; and

**Whereas** the Committee did not feel there was a hardship and disapproved of building within the bed of a mapped street,

**Now, Therefore, be it Resolved**, a Motion was put forth to **deny** this application as presented.

**Vote:** In Favor 10; Opposed 1 (Geary); Abstentions 0  
Morano Y; Barlotta Y; Donahue Y; Fleming Y; Geary N; Iervasi Y; Poznanski Y; Reiter Y;  
Venuto Y; DiGennaro Y; Felicetti Y

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**BSA 2022-28-A thru 30-A; 15, 17 & 19 Bedell Street; BBL 5-7702-134, 135, 136.**

Ron Victorio, Applicant

This appeal application is filed as per Section ZR 72-20 after receipt of objection from the Staten Island Borough Commissioner denying approval to complete construction in accordance with zoning rules and regulations existing at the time of commencement of the foundation construction. The objection finds that the three attached single-family dwelling units located within the R3X zoning district inside the Special South Richmond District are not allowable as of right as per Section ZR 22-10. Applicant asserts that the units were correctly approved and permitted before the zoning text change went into effect.

**Discussion**

The committee had numerous questions for the applicant regarding the dates of zone changes and whether vesting rights were met and asked for proof of vesting approval from the Department of Buildings. Committee members expressed their displeasure with the application and felt it was unsuitable for the community.

**Whereas** BSA 2022-28-A thru 30-A was presented to the Community Board 3 (CB3) Land Use Committee and

**Whereas** Based upon facts provided by the applicant together with the owner and

**Whereas** the Land Use Committee has taken the applicant's statements as accurate, the committee's only option is to not object to the building commencement of the three one-family attached homes.

**Now, Therefore, be it Resolved**, a Motion was put forth to **approve** this application as presented with reservations.

**Vote:** In Favor 11; Opposed 0; Abstentions 0  
Morano Y; Barlotta Y; Donahue Y; Fleming Y; Geary Y; Iervasi Y; Poznanski Y; Reiter Y;  
Venuto Y; DiGennaro Y; Felicetti Y

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**BSA 2022-88-BZ; 318 Seguire Avenue; BBL 5-6699-7;**

JMV Architects, Applicant

There are presently 2 existing buildings on the property. We are proposing to demolish one building and enlarge the other to allow for an as of right development (8,363 sq feet)

ambulatory diagnostic or treatment health care facility. Building would be 35 feet. Lot area is 10,067 sq ft. Twenty parking spaces will be provided. Attendant parking will be utilized. They are hereby requesting a Special Permit per Section 22-21, for the use of an Ambulatory diagnostic or treatment health care facilities listed in Use Group 4, limited to a maximum of 10,000 square feet of floor area in a R3X Zoning District.

**Discussion**

- The tandem parking plan is not feasible, nor is the valet service proposed sustainable.
- Street parking is minimal; residences surround it.
- Existing conditions include an illegally black-topped front yard and an illegally black-topped curb grass area, which is being used for parking.

**Whereas** BSA 2022-88-BZ was presented to the Community Board 3 (CB3) Land Use Committee; and

**Whereas** The Committee did not feel the applicant adequately utilized the lot size to provide a feasible parking plan,

**Now, Therefore, be it Resolved**, a Motion was put forth to **deny** this application as presented.

**Vote:** In Favor 8; Opposed 3 (Fleming, Geary, Iervasi); Abstentions 0  
Morano Y; Barlotta Y; Donahue Y; Fleming N; Geary N; Iervasi N; Poznanski Y; Reiter Y;  
Venuto Y; DiGennaro Y; Felicetti Y

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**Old Business:**

- Most of the scaffolding is down at IS34.
- City of Yes 'Carbon Neutrality' has been passed without any changes suggested by CB3. The City Council is sponsoring a bill to prohibit BESS in residential areas.

**New Business:**

- None

Respectfully submitted,



Thomas Barlotta, Chairman