

# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

REGULAR MEETING  
TUESDAY MORNING, MARCH 8, 2016  
10:00 A.M.

<b><i>SOC – DECISIONS</i></b>		
<b>1.</b>	<b>595-44-BZ</b>	<p>Montgomery McCracken Walker &amp; Rhoads, LLP <b>30 Central Park South, Manhattan</b> Extension of Term (§11-411) of a previously approved variance which permitted Office Use (UG 6) which expired on July 12, 2015. R10H zoning district. <b>Community Board #5M</b></p> <hr/> <p><b>Examiner: Carlo Costanza (212) 386-0068</b></p> <hr/> <p><b>Status: Granted – 3/8/16</b></p>
<b>2.</b>	<b>97-08-BZ</b>	<p>Eric Palatnik P.C. <b>84 Sandford Street, Brooklyn</b> Extension of Time to obtain a Certificate of Occupancy of a previously approved Special Permit (§73-19) permitting the legalization of an existing school (UG 3), which expired on March 16, 2012; Waiver of the Rules. M1-1 district. <b>Community Board #3BK</b></p> <hr/> <p><b>Examiner: Carlo Costanza (212) 386-0068</b></p> <hr/> <p><b>Status: Granted – 3/8/16</b></p>

<b><i>SOC – CONTINUED HEARINGS</i></b>		
<b>3.</b>	<b>526-76-BZ</b>	<p>Vito J Fossella, P.E. <b>1492 Victory Boulevard, Staten Island</b> Amendment of a previously approved variance which permitted the conversion of a three story building consisting of two family residence and a store into a three story office building which expired on December 21, 1981. The Amendment seeks to eliminate the term. R2 zoning district. <b>Community Board #3SI</b></p> <hr/> <p><b>Examiner: Carlo Costanza (212) 386-0068</b></p> <hr/> <p><b>Status: Adjourned, Continued Hearing – 4/26/16</b></p>

\*\*\*\*\*DISCLAIMER\*\*\*\*\*

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<b><i>SOC – CONTINUED HEARINGS</i></b>		
4.	382-80-BZ	<p>Law Office of Fredrick A. Becker <b>316-318 East 91<sup>st</sup> Street, Manhattan</b> Extension of Term of a previously approved variance permitting the operation of a theater (UG 8) on the mezzanine and second floor of an existing building which expired on July 1, 2015. R8B zoning district. <b>Community Board #8M</b></p> <p><b>Examiner: Carlo Costanza (212) 386-0068</b></p> <p><b>Status: Closed, Decision – 4/12/16</b></p>
5.	826-86-BZ thru 828-86-BZ	<p>Eric Palatnik, P.C. <b>269-10 &amp; 270-10 Grand Central Parkway, Queens</b> Extension of Term of Special Permit (§73-11) permitting non-accessory radio towers and transmitting equipment on the roof of an existing thirty-three story building which expired on January 26, 2015. R3-2 zoning district. <b>Community Board #13Q</b></p> <p><b>Examiner: Carlo Costanza (212) 386-0068</b></p> <p><b>Status: Continued Hearing – 5/3/16</b></p>
6.	173-92-BZ	<p>Simons &amp; Wright LLC <b>220 East 86th Street, Manhattan</b> Extension of Term of a previously approved Special Permit (§73-36) permitting the operation of martial arts studio which expires on January 24, 2014; Amendment to permit the relocation of the facility from the 2nd floor to the cellar. C2-8A zoning district. <b>Community Board #8M</b></p> <p><b>Examiner: Carlo Costanza (212) 386-0068</b></p> <p><b>Status: Continued Hearing – 5/24/16</b></p>
7.	47-10-BZ	<p>Eric Palatnik, P.C. <b>895 Zerega Avenue aka 2351 Story Avenue, Bronx</b> Extension of Time to Complete Construction of a previously approved Variance (§72-21) permitting manufacturing use on a residential portion of a split zoning lot, which expired on April 12, 2011; Waiver of the Rules. M1-1/R3-2 zoning district. <b>Community Board #9BX</b></p> <p><b>Examiner: Carlo Costanza (212) 386-0068</b></p> <p><b>Status: Closed, Decision – 5/3/16</b></p>

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<b><i>SOC – NEW CASES</i></b>		
8.	732-41-BZ	<p>Eric Palatnik, P.C. <b>100-17 Beach Channel Drive, Queens</b> Amendment (§11-411) seek to reopen and amend a previously granted variance for residence Use Group 16 gasoline service station with accessory uses, located within an R4 zoning district. <b>Community Board #14Q</b></p> <p><b>Examiner: Carlo Costanza (212) 386-0068</b></p> <p><b>Status: Closed, Decision – 5/24/16</b></p>
9.	636-54-BZ	<p>Akerman, LLP <b>9612 Seaview Avenue, Brooklyn</b> Extension of Term and Waiver (11-411) to extend the term of the previously granted variance allowing the operation n automotive service station expiring October 16, 2011. C1-3 zoning district. <b>Community Board #18BK</b></p> <p><b>Examiner: Carlo Costanza (212) 386-0068</b></p> <p><b>Status: Continued Hearing – 4/26/16</b></p>
10.	1092-79-BZ	<p>Greenberg Traurig, LLP <b>112 Charlton Street aka 547 Greenwich Street, Manhattan</b> Amendment of a previously variance to facilitate the transfer of unused development rights from the variance site for incorporation into a new as-of-right development. M1-6(HDA) zoning district. <b>Community Board #2M</b></p> <p><b>Examiner: Carlo Costanza (212) 386-0068</b></p> <p><b>Status: Granted – 3/8/16</b></p>
11.	173-93-BZ	<p>Eric Palatnik, P.C. <b>32-23 Queens Boulevard aka 43-11 32<sup>nd</sup> Place, Queens</b> Amendment of a previously approved variance permitting a community facility with accessory parking. The amendment seeks to incorporate the unused development rights into a new as of right hotel. M1-4 zoning district. <b>Community Board #2Q</b></p> <p><b>Examiner: Carlo Costanza (212) 386-0068</b></p> <p><b>Status: Closed, Decision – 4/5/16</b></p>

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<b><i>SOC – NEW CASES</i></b>		
<b>12.</b>	<b>189-09-BZ</b>	<p>Eric Palatnik, P.C. <b>3067 Richmond Terrace, Staten Island</b> Extension of Time to Complete Construction of a previously approved Variance (§72-21) permitting the legalization of an existing mosque and Sunday school (Nor Al-Islam Society), contrary to use and maximum floor area ratio (§§42-00 and 43-12) and construction with the bed of a mapped street, which expired on May 10, 2015; Amendment to permit minor changes to the interior layout. M3-1 zoning district. <b>Community Board #1SI</b></p> <p style="color: green;"><b>Examiner: Carlo Costanza (212) 386-0068</b></p> <p style="color: red;"><b>Status: Continued Hearing – 5/24/16</b></p>
<b>13.</b>	<b>87-12-BZ</b>	<p>Troutman Sanders, LLP <b>1720-1728 Sheepshead Bay Road, Brooklyn</b> Amendment (73-36) to permit a change in ownership of the PCE from Bally total fitness. C2-2/R4 zoning district. <b>Community Board #15BK</b></p> <p style="color: green;"><b>Examiner: Carlo Costanza (212) 386-0068</b></p> <p style="color: red;"><b>Status: Closed, Decision – 4/12/16</b></p>
<b>14.</b>	<b>313-12-BZ</b>	<p>Troutman Sanders, LLP <b>1009 Flatbush Avenue, Brooklyn</b> Amendment of a previously approved Special Permit (§73-36) which permitted the operation of a Physical Culture Establishment. The Amendment is to permit the change in ownership from "Bally Total Fitness" to 24 Hour Fitness, Inc. and to reflect change in signage. C4-2/C4-4A zoning district. <b>Community Board #14BK</b></p> <p style="color: green;"><b>Examiner: Carlo Costanza (212) 386-0068</b></p> <p style="color: red;"><b>Status: Closed, Decision – 4/12/16</b></p>

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<b><i>APPEAL – DECISIONS</i></b>		
15.	<b>65-15-BZ &amp; 66-15-A</b>	<p>Akerman, LLP <b>361 Central Park West, Manhattan</b> Variance (§72-21) to permit the conversion of an existing landmarked vacant church building into a 39 unit residential building. Companion case: 66-15-A for an Appeal pursuant to MDL 310 of MDL 30.2. R10A zoning district. <b>Community Board #7M</b></p> <hr/> <p><b>Examiner: Joshua Saal (212) 386-0081</b></p> <hr/> <p><b>Status: Continued Hearing – 6/2/16</b></p>
16.	<b>223-15-A</b>	<p>Lauria Associates <b>638 Sharrotts Road, Block Staten Island</b> Proposed construction of a one story 15,000 square foot building with mezzanines throughout which does not have frontage on a legally mapped street contrary to Article 3, Section 36 of the General City Law. M1-1 Zoning District. <b>Community Board #3SI</b></p> <hr/> <p><b>Examiner: Toni Matias (212) 386-0085</b></p> <hr/> <p><b>Status: Granted – 3/8/16</b></p>

<b><i>APPEAL – NEW CASES</i></b>		
17.	<b>244-15-A</b>	<p>Greenberg Traurig <b>677 Fifth Avenue, Manhattan</b> Appeal challenging NYC Department of Building's determination that a video display wall with in a new store, is a sign as per the definition of sign as provided in ZR Section 12-10 of the Zoning Resolution. C5-3 (Midtown-5th Avenue Sub district). <b>Community Board #5M</b></p> <hr/> <p><b>Examiner: Toni Matias (212) 386-0085</b></p> <hr/> <p><b>Status: Continued Hearing – 5/24/16</b></p>

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<b><i>APPEAL – NEW CASES</i></b>		
18.	262-15-A	<p>Eric Palatnik, P.C. <b>64 Sharrott Avenue, Staten Island</b> GCL 36 to permit the development of a one story, Use Group 6 Commercial Building located within an R3X/C1-1 zoning district, contrary to Article 3, Section 36 of the NYS General City Law. <b>Community Board #3SI</b></p> <p><b>Examiner: Toni Matias (212) 386-0085</b></p> <p><b>Status: Closed, Decision – 4/12/16</b></p>
19.	2016-1222-A thru 2016-1438-A	<p>Mayor’s Office of Housing Recovery Operations (“HRO”) <b>Various Sites in Brooklyn, Queens and Staten Island</b> Waiver of General City Law 35 for 2899 properties destroyed or substantially damaged by Hurricane Sandy filed by HRO on behalf of individual property owners enrolled in New York City’s Build-It-Back (“BIB”) program.</p> <p><b>Examiner: Joshua Saal (212) 386-0081</b></p> <p><b>Status: Granted – 3/8/16</b></p>
	2016-1439-A & 2016-1440-A	<p>Mayor’s Office of Housing Recovery Operations (“HRO”) <b>Various Sites in Brooklyn, Queens and Staten Island</b> Waiver of General City Law 35 for 2899 properties destroyed or substantially damaged by Hurricane Sandy filed by HRO on behalf of individual property owners enrolled in New York City’s Build-It-Back (“BIB”) program.</p> <p><b>Examiner: Joshua Saal (212) 386-0081</b></p> <p><b>Status: Withdrawn – 3/8/16</b></p>
	2016-1441-A thru 2016-2646-A	<p>Mayor’s Office of Housing Recovery Operations (“HRO”) <b>Various Sites in Brooklyn, Queens and Staten Island</b> Waiver of General City Law 35 for 2899 properties destroyed or substantially damaged by Hurricane Sandy filed by HRO on behalf of individual property owners enrolled in New York City’s Build-It-Back (“BIB”) program.</p> <p><b>Examiner: Joshua Saal (212) 386-0081</b></p> <p><b>Status: Granted – 3/8/16</b></p>

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TUESDAY MORNING, MARCH 8, 2016  
10:00 A.M.

<b><i>APPEAL – NEW CASES</i></b>		
	<b>2016-2647-A</b>	Mayor’s Office of Housing Recovery Operations (“HRO”) <b>Various Sites in Brooklyn, Queens and Staten Island</b> Waiver of General City Law 35 for 2899 properties destroyed or substantially damaged by Hurricane Sandy filed by HRO on behalf of individual property owners enrolled in New York City’s Build-It-Back (“BIB”) program. <b>Examiner: Joshua Saal (212) 386-0081</b> <b>Status: Withdrawn – 3/8/16</b>
	<b>2016-2648-A thru 2016-4120-A</b>	Mayor’s Office of Housing Recovery Operations (“HRO”) <b>Various Sites in Brooklyn, Queens and Staten Island</b> Waiver of General City Law 35 for 2899 properties destroyed or substantially damaged by Hurricane Sandy filed by HRO on behalf of individual property owners enrolled in New York City’s Build-It-Back (“BIB”) program. <b>Examiner: Joshua Saal (212) 386-0081</b> <b>Status: Granted – 3/8/16</b>

<b><i>BZ – DECISIONS</i></b>		
<b>20.</b>	<b>60-14-BZ</b>	Law Office of Jay Goldstein, PLLC <b>141-41 72nd Avenue, Queens</b> Variance (§72-21) to enlarge a community facility ( <i>Sephardic Congregation</i> ), contrary to floor lot coverage rear yard, height and setback (24-00). R4-1 zoning district. <b>Community Board #8Q</b> <b>Examiner: Rory Levy (212) 386-0082</b> <b>Status: Granted – 3/8/16</b>

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<b><i>BZ – CONTINUED HEARINGS</i></b>		
21.	30-12-BZ	<p>Board of Standards and Appeals <b>142-41 Roosevelt Avenue, Queens</b> Remanded back to Board of Standards and Appeals; seeks a judgment vacating the resolution issued on January 15, 2013 and filed on January 17, 2013. R6-/C2-2 zoning district. <b>Community Board #7Q</b></p> <p><b>Examiner: Toni Matias (212) 386-0085</b></p> <p><b>Status: Closed, Decision – 5/3/16</b></p>
22.	231-14-BZ	<p>Sheldon Lobel, P.C. <b>124 West 23rd Street, Manhattan</b> Special Permit (§73-36) to legalize the operation of a physical culture establishment (<i>Orangetheory Fitness</i>) within a portion of an existing commercial building. C6-3X zoning district. <b>Community Board #4M</b></p> <p><b>Examiner: Rory Levy (212) 386-0082</b></p> <p><b>Status: Closed, Decision – 4/12/16</b></p>
23.	318-14-BZ	<p>Walter T. Gorman, P.E., P.C. <b>1672-1680 86th Street aka 1-17 Bay 14th Street, Brooklyn</b> Re-Instatement (§11-411) previously approved variance which permitted the operation of an Automotive Service Station (UG 16B) with accessory uses which expired on October 27, 1987; Waiver of the Rules. C1-2 in R5 zoning district. <b>Community Board #11BK</b></p> <p><b>Examiner: Carlo Costanza (212) 386-0068</b></p> <p><b>Status: Closed, Decision – 6/2/16</b></p>
24.	71-15-BZ	<p>548 W 22 Holding LLC <b>548 West 22nd Street, Manhattan</b> Variance (§72-21) the conversion and enlargement of the existing 4-story building, build around 1920 on a fragile foundation system for manufacturing use and later converted to an art Museum to a 20-story mixed-use building with commercial uses on the ground floor and residential use. M1-5/C6-3/SWCD zoning district. <b>Community Board #4M</b></p> <p><b>Examiner: Joshua Saal (212) 386-0081</b></p> <p><b>Status: Closed, Decision – 5/17/16</b></p>

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# NEW YORK CITY BOARD OF STANDARDS AND APPEALS

REGULAR MEETING

TUESDAY AFTERNOON, MARCH 8, 2016

1:00 P.M.

<b><i>BZ – NEW CASES</i></b>		
<b>1.</b>	<b>126-15-BZ</b>	<p>Sheldon Lobel, P.C.  <b>1782 East 27<sup>th</sup> Street, Brooklyn</b>                      Special Permit (§73-622) to permit the enlargement of a single family home. R3-2 zoning district.  <b>Community Board #15BK</b></p> <hr/> <p><b>Examiner: Henry Segovia (212) 386-0074</b></p> <hr/> <p><b>Status: Continued Hearing – 5/3/16</b></p>
<b>2.</b>	<b>177-15-BZ</b>	<p>Philip L. Rampulla, AIA  <b>432 Albourne Avenue, Staten Island</b>                      Variance (§72-21) to permit the development of a new two family dwelling contrary to required side yards and permit a 3rd parking space to be located between the building wall and the street wall. R3-X, SRD, GMD zoning district.  <b>Community Board #3SI</b></p> <hr/> <p><b>Examiner: Tracie Behnke (212) 386-0086</b></p> <hr/> <p><b>Status: Closed, Decision – 4/12/16</b></p>
<b>3.</b>	<b>253-15-BZ</b>	<p>Law Office of Jay Goldstein  <b>997 East 22<sup>nd</sup> Street, Brooklyn</b>                      Special Permit (73-622) for the enlargement of an existing single family home contrary to floor area and open space (ZR 23-141); and less than the minimum rear yard (ZR 23-47). R2 zoning district.  <b>Community Board #14BK</b></p> <hr/> <p><b>Examiner: Henry Segovia (212) 386-0074</b></p> <hr/> <p><b>Status: Continued Hearing – 5/3/16</b></p>

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