

192-14-A thru 198-14-A

APPLICANT – Rothkrug Rothkrug & Spector LLP, for Thomas Mantione, owner.

SUBJECT – Application August 15, 2014 – Proposed construction of buildings that do not front on a legally mapped street pursuant to Section 36 Article 3 of the General City Law. R3-2(SRD) zoning district.

PREMISES AFFECTED –

10 Winslow Place, Block 6373, Lot 40
12 Winslow Place, Block 6373, Lot 42
18 Winslow Place, Block 6373, Lot 43
20 Winslow Place, Block 6373, Lot 45
26 Winslow Place, Block 6373, Lot 145
30 Winslow Place, Block 6373, Lot 146
32 Winslow Place, Block 6373, Lot 147

Borough of Staten Island

COMMUNITY BOARD #3SI

ACTION OF THE BOARD – Application granted on condition.

THE VOTE TO GRANT –

Affirmative: Chair Perlmutter; Vice-Chair Hinkson,
Commissioner Ottley-Brown and Commissioner
Montanez.....4
Negative:.....0

THE RESOLUTION –

WHEREAS, the decisions of the Staten Island Borough Commissioner, dated July 15, 2014, acting on Department of Buildings Application Nos. 520200345, 520200354, 520200363, 520200372, 520200381, 520200390, and 520200407 read, in pertinent part:

The street giving access to the proposed building is not duly placed on the official map of the City of New York therefore:

- A) No Certificate of Occupancy can be issued pursuant to Article 3, Section 36 of [the] General City Law
- B) Proposed construction does not have at least 8% of the total perimeter of building fronting directly upon a legally mapped street or frontage space contrary to Section 502.1 of the 2008 NYC Building Code; and

WHEREAS, a public hearing was held on this application on December 16, 2014, after due notice by publication in *The City Record*, with continued hearings on January 5, 2015 and February 10, 2015, and then to decision on February 24, 2015; and

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

WHEREAS, Community Board 3, Staten Island, recommends approval of this application; and

WHEREAS, the subject consists of seven proposed zoning lots located west of Winslow Place, southwest of the intersection of Winslow Place and Amboy Road, within an R3-2 zoning district within the Special South Richmond Development District, in Staten Island; and

WHEREAS, the applicant states that the site does not front a mapped street, but that the seven proposed dwellings will front on Winslow Place, a two-way private road running from the south side of Amboy Road, a final mapped street, to the southern border of the proposed Lot 147; and

WHEREAS, Winslow Place is currently open, and will be paved to a width of 34'-6" with a sidewalk/landscaped area on the west side of street; and

WHEREAS, the applicant represents that each of the tentative lots will be subdivided from existing lots 38 and 145 of block 6373, and that each lot shall exceed the minimum required lot area (1700 sq. ft.) and minimum required width (18 ft.) for a zoning lot in an R3-2(SRD) zoning district for a single-family semi-detached house in that each of the tentative lots shall have a width of between 26.33 ft. and 30.93 ft., and shall have a depth of 130.72 ft., for a total lot area ranging from 3,441.86 sq. ft. to 3,513.1 sq. ft.; and

WHEREAS, by letter dated December 15, 2014, the FDNY advised the Board that the following conditions must be met: (1) the minimum curb to curb width of Winslow Place must be 34 ft.; (2) all of the proposed buildings must be fully sprinklered; and (3) a fire hydrant must be installed at the head of the dead end of Winslow Place; and

WHEREAS, on December 30, 2014, the applicant submitted a revised site plan showing the inclusion of a proposed hydrant near the dead end of Winslow Place; and

WHEREAS, by letter dated December 31, 2014, the FDNY advised the Board that Winslow Place does not meet minimum curb to curb street width requirements of 34 ft.; and

WHEREAS, by letter dated January 27, 2015, the applicant advised the Board that because Winslow Place, which is a record street and, therefore, a "public street," of substandard width, the proposed buildings must, pursuant to the 2008 Fire Code, be protected throughout by sprinkler system; and

WHEREAS, by letter dated January 27, 2015, the applicant further advised the Board that the site plan was revised to include the sprinklering requirement; and

WHEREAS, by letter dated January 27, 2015, the applicant further advised the Board that the minimum curb to curb width applicable to Fire Apparatus Access Roads do not pertain to Winslow Place, because Winslow Place is a public street and, as such, the paved width of Winslow Place is compliant with Fire Code provisions; and

WHEREAS, by letter dated February 11, 2015, the FDNY advised the Board that, based on the Applicant's submissions and the Board's February 10, 2015 hearing, it had no further objections to the Application; and

WHEREAS, accordingly, the Board has determined

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

Therefore it is Resolved, that the decisions of the Staten Island Borough Commissioner, dated July 15, 2014, acting on Department of Buildings Application Nos. 520200345; 520200354; 520200363; 520200372; 520200381; 520200390; 520200407 are modified by the power vested in the Board by Section 36 of the General City Law, and that this appeal is granted, limited to the decision noted above; *on condition* that construction will substantially conform to the drawings filed with the application marked "December 31, 2014" (1) sheet; and *on further condition*

THAT the proposal will comply with all applicable zoning district requirements and all other applicable laws, rules, and regulations;

THAT all required approvals from the Department of City Planning will be obtained prior to the issuance of building permits;

THAT the proposed buildings shall be fully sprinklered in accordance with BSA-approved plans;

THAT a fire hydrant shall be installed at the head of the dead end of Winslow Place;

THAT any conditions requested by the Fire Department shall be implemented before the Temporary Certificate of Occupancy and Certificate of Occupancy are issued;

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

THAT DOB will review the proposed plans to ensure compliance with all relevant provisions of the Zoning Resolution;

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

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

Adopted by the Board of Standards and Appeals on February 24, 2015.

**A true copy of resolution adopted by the Board of Standards and Appeals, February 24, 2015.
Printed in Bulletin Nos. 9-10, Vol. 100.**

Copies Sent

To Applicant

Fire Com'r.

Borough Com'r.

