



THE CITY RECORD

Official Journal of The City of New York

THE CITY RECORD
U.S.P.S. 0114-660

Printed on paper containing
40% post-consumer material

VOLUME CXXXIV NUMBER 88

MONDAY, MAY 7, 2012

PRICE \$4.00

TABLE OF CONTENTS

PUBLIC HEARINGS & MEETINGS

Board Meetings	1213
City Council	1213
City Planning Commission	1214
Community Boards	1214
Board of Correction	1214
Employees Retirement System	1214
Finance	1214
Franchise and Concession Review Committee	1214
Information Technology and Telecommunications	1214

Landmarks Preservation Commission	1214
Mayor's Office of Operations	1215
Transportation	1216
PROPERTY DISPOSITION	
Citywide Administrative Services	1216
<i>Asset Management</i>	1216
<i>Auction</i>	1216
<i>Municipal Supply Services</i>	1216
<i>Sale by Sealed Bid</i>	1216
Police	1216
PROCUREMENT	
Administration for Children's Services	1217
Citywide Administrative Services	1217

<i>Municipal Supply Services</i>	1217
<i>Vendor Lists</i>	1217
Design and Construction	1217
Environmental Protection	1217
Health and Hospitals Corporation	1217
Health and Mental Hygiene	1217
<i>Agency Chief Contracting Officer</i>	1217
Parks and Recreation	1217
<i>Revenue and Concessions</i>	1217
School Construction Authority	1217
<i>Contract Administration</i>	1217
<i>Contract Services</i>	1217
Youth and Community Development	1217

AGENCY RULES

Board of Standards and Appeals 1218

SPECIAL MATERIALS

Comptroller 1227
Housing Preservation and Development 1227
Office of the Mayor 1227
Changes in Personnel 1227

LATE NOTICES

Citywide Administrative Services 1228
Design and Construction 1228
Health and Mental Hygiene 1228
Human Resources Administration 1228
Information Technology and Telecommunications 1228

THE CITY RECORD

MICHAEL R. BLOOMBERG, Mayor

EDNA WELLS HANDY, Commissioner, Department of Citywide Administrative Services.
ELI BLACHMAN, Editor of The City Record.

Published Monday through Friday, except legal holidays by the Department of Citywide Administrative Services of the City of New York under Authority of Section 1066 of the New York City Charter.

Subscription—\$500 a year; daily, \$4.00 a copy (\$5.00 by mail) Periodicals Postage Paid at New York, N.Y.
POSTMASTER: Send address changes to THE CITY RECORD, 1 Centre Street, 17th Floor, New York, N.Y. 10007 - 1602

Editorial Office
1 Centre Street, 17th Floor
New York N.Y. 10007-1602
Telephone (212) 669-8252

Subscription Changes/Information
1 Centre Street, 17th Floor
New York N.Y. 10007-1602
Telephone (212) 669-8252

The City of New York Home Page
provides Internet access via the world
wide web to THE DAILY CITY RECORD
<http://www.nyc.gov/cityrecord>

PUBLIC HEARINGS AND MEETINGS

See Also: Procurement; Agency Rules

BOARD MEETINGS

NOTICE OF MEETINGS

City Planning Commission

Meets in Spector Hall, 22 Reade Street, New York, New York 10007, twice monthly on Wednesday, at 10:00 A.M., unless otherwise ordered by the Commission.

City Council

Meets by Charter twice a month in Councilman's Chamber, City Hall, Manhattan, New York 10007, at 1:30 P.M.

Contract Awards Public Hearing

Meets in Spector Hall, 22 Reade Street, Main Floor, Manhattan, weekly, on Thursday, commencing 10:00 A.M., and other days, times and location as warranted.

Design Commission

Meets at 253 Broadway, 5th Floor, New York, New York 10007. For meeting schedule, please visit nyc.gov/designcommission or call (212) 788-3071.

Department of Education

Meets in the Hall of the Board for a monthly business meeting on the Third Wednesday, of each month at 6:00 P.M. The Annual Meeting is held on the first Tuesday of July at 10:00 A.M.

Board of Elections

32 Broadway, 7th Floor, New York, NY 10004, on Tuesday, at 1:30 P.M. and at the call of the Commissioner.

Environmental Control Board

Meets at 40 Rector Street, OATH Lecture Room, 14th Floor, New York, NY 10006 at 9:15 A.M., once a month at the call of the Chairman.

Board of Health

Meets in Room 330, 125 Worth Street, Manhattan, New York 10013, at 10:00 A.M., at the call of the Chairman.

Health Insurance Board

Meets in Room 530, Municipal Building, Manhattan, New York 10007, at call of the Chairman.

Board of Higher Education

Meets at 535 East 80th Street, Manhattan, New York 10021, at 5:30 P.M., on fourth Monday in January, February, March, April, June, September, October, November and December. Annual meeting held on fourth Monday in May.

Citywide Administrative Services

Division Of Citywide Personnel Services will hold hearings as needed in Room 2203, 2 Washington Street, New York, N.Y. 10004.

Commission on Human Rights

Meets on 10th floor in the Commission's Central Office, 40 Rector Street, New York, New York 10006, on the fourth Wednesday of each month, at 8:00 A.M.

In Rem Foreclosure Release Board

Meets in Spector Hall, 22 Reade Street, Main Floor, Manhattan, Monthly on Tuesdays, commencing 10:00 A.M., and other days, times and location as warranted.

Franchise And Concession Review Committee

Meets in Spector Hall, 22 Reade Street, Main Floor, Manhattan, Monthly on Wednesdays, commencing 2:30 P.M., and other days, times and location as warranted.

Real Property Acquisition And Disposition

Meets in Spector Hall, 22 Reade Street, Main Floor, Manhattan, bi-weekly, on Wednesdays, commencing 10:00 A.M., and other days, times and location as warranted.

Landmarks Preservation Commission

Meets in the Hearing Room, Municipal Building, 9th Floor North, 1 Centre Street in Manhattan on approximately three Tuesday's each month, commencing at 9:30 A.M. unless otherwise noticed by the Commission. For current meeting dates, times and agendas, please visit our website at www.nyc.gov/landmarks.

Employees' Retirement System

Meets in the Boardroom, 22nd Floor, 335 Adams Street, Brooklyn, New York 11201, at 9:30 A.M., on the third Thursday of each month, at the call of the Chairman.

Housing Authority

Board Meetings take place every other Wednesday at 10:00 A.M. in the Board Room on the 12th Floor of 250 Broadway, New York, New York (unless otherwise noted). For Board Meeting dates and times, please visit NYCHA's Website at nyc.gov/nycha or contact the Office of the Secretary at (212) 306-6088. Copies of the Calendar are available on NYCHA's Website or can be picked up at the Office of the Secretary at 250 Broadway, 12th Floor, New York, New York, no earlier than 3:00 P.M. on the Friday before the upcoming Wednesday Board Meeting. Copies of the Disposition are also available on NYCHA's Website or can be picked up at the Office of the Secretary no earlier than 3:00 P.M. on the Thursday after the Board Meeting. Any changes to the schedule will be posted here and on NYCHA's Website to the extent practicable at a reasonable time before the meeting. These meetings are open to the public. Pre-registration at least 45 minutes before the scheduled Board Meeting is required by all speakers. Comments are limited to the items on the Calendar. Speaking time will be limited to three minutes. The public comment period will conclude upon all speakers being heard or at the expiration of 30 minutes allotted by law for public comment, whichever occurs first. Any person requiring a reasonable accommodation in order to participate in the Board Meeting, should contact the Office of the Secretary at (212) 306-6088 no later than five business days before the Board Meeting. For additional information, please visit NYCHA's Website or contact (212) 306-6088.

Parole Commission

Meets at its office, 100 Centre Street, Manhattan, New York 10013, on Thursday, at 10:30 A.M.

Board of Revision of Awards

Meets in Room 603, Municipal Building, Manhattan, New York 10007, at the call of the Chairman.

Board of Standards and Appeals

Meets at 40 Rector Street, 6th Floor, Hearing Room "E" on Tuesdays at 10:00 A.M. Review Sessions begin at 9:30 A.M. and are customarily held on Mondays preceding a Tuesday public hearing in the BSA conference room on the 9th Floor of 40 Rector Street. For changes in the schedule, or additional information, please call the Application Desk at (212) 513-4670 or consult the bulletin board at the Board's Offices, at 40 Rector Street, 9th Floor.

Tax Commission

Meets in Room 936, Municipal Building, Manhattan, New York 10007, each month at the call of the President.

CITY COUNCIL

NOTICE OF MEETINGS

NOTICE IS HEREBY GIVEN THAT the Council has scheduled the following public hearing on the matter indicated below:

The Subcommittee on Landmarks, Public Siting and Maritime Uses will hold a public hearing on the

following matter in the Council Committee Room, 250 Broadway, 16th Floor, New York City, New York 10007, commencing at 11:00 A.M. on Tuesday, May 8, 2012:

BATTERY MARITIME BUILDING LEASE
MANHATTAN CB - 1 20125571 PNM
Application pursuant to §1301(2)(f) of the New York City Charter concerning the proposed maritime lease at the Battery Maritime Building between the Department of Small Business Services and the Governors Island Corporation d/b/a The Trust for Governors Island.
a25-m8

NOTICE IS HEREBY GIVEN THAT the Council has scheduled the following public hearings on the matters indicated below:

The Subcommittee on Zoning and Franchises will hold a public hearing on the following matters in the Council Committee Room, 250 Broadway, 16th Floor, New York City, New York 10007, commencing at 9:30 A.M. on Tuesday, May 8, 2012:

MAMAJUANA CAFÉ
MANHATTAN CB - 12 20125338 TCM
Application pursuant to Section 20-226 of the Administrative Code of the City of New York, concerning the petition of Vida Café Inc., d/b/a Mamajuana Café, for a revocable consent to continue to maintain and operate an unenclosed sidewalk café located at 247 Dyckman Street.

SERAFINA
MANHATTAN CB - 2 20125364 TCM
Application pursuant to Section 20-226 of the Administrative Code of the City of New York, concerning the petition of Serafina Meatpacking LLC, d/b/a Serafina, for a revocable consent to establish, maintain and operate an unenclosed sidewalk café located at 79th Avenue.

MILL BASIN
BROOKLYN CB - 18 C 070512 MMK
Application submitted by the Department of Small Business Services pursuant to Sections 1302, 197-c and 199 of the New York City Charter and Section 5-430 et seq. of the New York City Administrative Code for an amendment to the City Map involving:

- the narrowing, by elimination, discontinuance and closing, of a portion of Flatbush Avenue between Avenue U and Pelican Street;
- the elimination, discontinuance and closing of Marginal Street, Wharf or Place bounded by Flatbush Avenue, Shore Parkway and Mill Basin (such Marginal Street, Wharf or Place, where the same is shown on any existing plans for the waterfront or portion thereof, shall be incorporated, as modified herein, into the City Map, in accordance with Section 1302(a) of the New York City Charter);
- and the adjustment of grades necessitated thereby,

including authorization for any disposition or acquisition of real property related thereto, in accordance with Map Nos. Z-2703 and Z-2704, dated July 30, 2008 and signed by the Borough President.

MILL BASIN

BROOKLYN CB - 18 C 120108 ZMK
Application submitted by NYC Department of Small Business Services pursuant to Sections 197-c and 201 of the New York City Charter for the amendment of the Zoning Map, Section Nos. 29a and 29c, changing from a C3 District to a C8-1 District property bounded by a line perpendicular to the northeasterly street line of Flatbush Avenue distant 1290 feet northwesterly (as measured along the street line) from the point of intersection of the northeasterly street line of Flatbush Avenue and the northerly street line of Shore Parkway, a line 100 feet northeasterly of Flatbush Avenue, and passing through a point on the northeasterly street line of Flatbush Avenue distant 1290 feet northwesterly (as measured along the street line) from the point of intersection of the northeasterly street line of Flatbush Avenue and the northerly street line of Shore Parkway, a line 400 feet

northeasterly of Flatbush Avenue, a line perpendicular to the northeasterly street line of Flatbush Avenue distant 420 feet northwesterly (as measured along the street line) from the point of intersection of the northeasterly street line of Flatbush Avenue and the northerly street line of Shore Parkway, and Flatbush Avenue, as shown on a diagram (for illustrative purposes only) dated November 28, 2011.

MILL BASIN

BROOKLYN CB - 18 **N 120109 ZAK**
Application submitted by NYC Department of Small Business Services for the grant of an authorization pursuant to Section 62-822(a)(1) of the Zoning Resolution to modify the location requirements of Sections 62-511 (Location of visual corridors) and 62-56 (Requirements for Upland Connections) and the minimum dimension requirements of Section 62-53 (Requirements for Shore Public Walkways); in connection with a proposed waterfront zoning lot subdivision, on property bounded by Mill Basin, Four Sparrow Marsh Park, and Flatbush Avenue (Block 8591, Lots 125, 175, 980 and p/o Lot 100) in a C3 and C8-1 Districts.

MILL BASIN

BROOKLYN CB - 18 **C 120111 PPK**
Application submitted by the NYC Department of Small Business Services (DSBS), pursuant to Section 197-c of the New York City Charter for disposition to the New York City Economic Development Corporation (EDC) of city-owned property located at 2875 Flatbush Avenue (Block 8591, p/o Lot 100, p/o Lot 125, and p/o Lot 175), which includes the disposition of an easement over p/o Lot 100 and a restriction prohibiting Use Group 16 on Block 8591, p/o Lot 100 and p/o Lot 125.

The Subcommittee on Landmarks, Public Siting and Maritime Uses will hold a public hearing in the Council Committee Room, 250 Broadway, 16th Floor, New York City, New York 10007, commencing at 11:00 A.M. on Tuesday, May 8, 2012.

The Subcommittee on Planning, Dispositions and Concessions will hold a public hearing on the following matter in the Council Committee Room, 250 Broadway, 16th Floor, New York City, New York 10007, commencing at 1:00 P.M. on Tuesday, May 8, 2012:

92 WEST TREMONT AVENUE

BRONX CB - 5 **C 120107 HAX**
Application submitted by the Department of Housing Preservation and Development (HPD):

- pursuant to Article 16 of the General Municipal Law of New York State for:
 - the designation of property located at 92 West Tremont Avenue (Block 2867, Lot 125) as an Urban Development Action Area; and
 - An Urban Development Action Area project for such area;
- pursuant to Section 197-c of the New York City Charter for the disposition of such property to a developer selected by HPD;

to facilitate the development of a six-story building with approximately 61 dwelling units to be developed under HPD's Low Income Rental Program.

m2-8

CITY PLANNING COMMISSION

■ PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN THAT RESOLUTIONS Have been adopted by the City Planning Commission Scheduling public hearings on the following matters to be held at Spector Hall, 22 Reade Street, New York, New York, on Wednesday, May 9, 2012 at 10:00 A.M.

BOROUGH OF QUEENS

No. 1

SILVERCREST SENIOR HOUSING

CD 8 **C 110042 ZSQ**
IN THE MATTER OF an application submitted by Silvercrest Center for Nursing and Rehabilitation pursuant to Sections 197-c and 201 of the New York City Charter, for the grant of a special permit pursuant to Section 74-902 of the Zoning Resolution to modify the requirements of Section 24-111 (Maximum floor area ratio for certain community facility uses) to permit the allowable community facility floor area ratio of Section 24-11 (Maximum Floor Area Ratio and Percentage of Lot Coverage) to apply to a 6-story non-profit with sleeping accommodations on property located at 144-45 87th Avenue a.k.a. 86-19 144th Street (Block 9724, Lots 96 and 196), in an R4-1 District.

Plans for this proposal are on file with the City Planning Commission and may be seen in Room 3N, 22 Reade Street, New York, NY, 10007.

No.2

83 WALKER STREET

CD 1 **C 100149 ZSM**
IN THE MATTER OF an application submitted by 83 Walker LLC pursuant to Sections 197-c and 201 of the New York City Charter, for the grant of a special permit pursuant to Section 74-712 of the Zoning Resolution to modify the height regulations of Sections 23-633 (Street wall location and height and setback regulations in certain districts) and 23-692 (Height limitations for narrow buildings or enlargements) to facilitate the development of a nine-story residential building, on property located at 83 Walker Street (Block 195, Lot 12), in a C6-2A District within the Tribeca East Historic District.

Plans for this proposal are on file with the City Planning Commission and may be seen in Room 3N, 22 Reade Street, New York, N.Y. 10007.

YVETTE V. GRUEL, Calendar Officer
City Planning Commission
22 Reade Street, Room 2E
New York, New York 10007
Telephone (212) 720-3370

a26-m9

COMMUNITY BOARDS

■ PUBLIC HEARINGS

PUBLIC NOTICE IS HEREBY GIVEN THAT the following matters have been scheduled for public hearing by Community Boards:

BOROUGH OF STATEN ISLAND

COMMUNITY BOARD NO. 01 - Monday, May 7, 2012 at 8:00 P.M., Community Board Office, 1 Edgewater Plaza - Suite 217, Staten Island, NY

Agenda

BSA# 37-93-BZ

Extend the term of an existing variance for a physical cultural establishment at 2040 Forest Avenue.

BSA# 718-56-BZ

Extend the term of an existing variance for an automotive station at 741 Forest Avenue.

BSA# 12-91-BZ

Renew previous zoning variance which expires on April 12, 2012, minor amendments to the previous approval and request to extinguish the term of the variance and modify conditions.

Department of City Planning revised Waterfront Revitalization Program.

m3-7

PUBLIC NOTICE IS HEREBY GIVEN THAT the following matters have been scheduled for public hearing by Community Boards:

BOROUGH OF QUEENS

COMMUNITY BOARD NO. 11 - Monday, May 7, 2012 at 7:30 P.M., M.S. 158, 46-35 Oceania Avenue, Bayside, NY

BSA# 60-12-BZ

An application submitted to the NYC Board of Standards and Appeals requesting permission to build in the bed of a mapped street at 240-27 (40th Avenue), Douglaston, Queens.

BSA# 59-12-BZ

An application submitted to the NYC Board of Standards and Appeals requesting to build within the required front yard at 240-27 Depew Avenue, Douglaston, Queens.

An application submitted to the NYC Board of Standards and Appeals for a special permit for the existing physical culture establishment located at 41-19 Bell Boulevard, Bayside, N.Y.

m1-7

BOARD OF CORRECTION

■ MEETING

Please take note that the next meeting of the Board of Correction will be held on May 14, 2012 at 9:00 A.M., in the conference room of the Board of Correction. Located at: 51 Chambers Street, Room 929, New York, NY 10007.

At that time there will be a discussion of various issues concerning New York City's correctional system.

m7-14

EMPLOYEES RETIREMENT SYSTEM

■ REGULAR MEETING

Please be advised that the next Regular Meeting of the Board of Trustees of the New York City Employees' Retirement System has been scheduled for Thursday, May 10, 2012 at 9:30 A.M. to be held at the New York City Employees' Retirement System, 335 Adams Street, 22nd Floor Boardroom, Brooklyn, NY 11201-3751.

m3-9

FINANCE

TREASURY

■ MEETING

BANKING COMMISSION MEETING

PLEASE TAKE NOTICE THAT THERE WILL BE A Meeting of the Banking Commission on Wednesday, May 9, 2012 at 2:00 P.M. in the Conference Room at 210 Joralemon Street, 5th Floor, Brooklyn.

a30-m8

FRANCHISE AND CONCESSION REVIEW COMMITTEE

■ MEETING

PUBLIC NOTICE IS HEREBY GIVEN THAT the Franchise and Concession Review Committee will hold a Public Meeting

on Wednesday, May 9, 2012, at 2:30 P.M., at 22 Reade Street, Spector Hall, Borough of Manhattan.

NOTE: Individuals requesting Sign Language Interpreters should contact the Mayor's Office of Contract Services, Public Hearings Unit, 253 Broadway, 9th Floor, New York, NY 10007, (212) 788-7490, no later than SEVEN (7) BUSINESS DAYS PRIOR TO THE PUBLIC MEETING. TDD users should call VERIZON relay service.

a30-m9

INFORMATION TECHNOLOGY AND TELECOMMUNICATIONS

FRANCHISE ADMINISTRATION

■ PUBLIC HEARINGS

NOTICE OF A FRANCHISE AND CONCESSION REVIEW COMMITTEE ("FCRC") PUBLIC HEARING to be held on Monday, May 7, 2012 commencing at 2:30 P.M. at 22 Reade Street, Borough of Manhattan in the matter of approval of a change of control of mobile telecommunications franchisee Mobilitie Investments II, LLC ("Mobilitie") arising from the sale of all of the equity interests of Mobilitie by the parent company of Mobilitie, Mobilitie Holdings II, LLC to SBA Monarch Acquisition, LLC. Mobilitie's franchise from the City of New York ("the City") grants the non-exclusive right to install, operate and maintain telecommunications equipment and facilities on City owned and managed street light poles, traffic light poles, highway sign support poles and certain utility poles ("utility" being defined as it is defined in 47 U.S.C. Section 224). The franchise runs until November 14, 2019. The franchisee is limited to the use of 3,000 poles City-wide during the term of the franchise.

Copies of organizational charts reflecting the controlling ownership of the franchisee before and after the above-described change of control (including name changes for the franchisee and its parent), and a copy of Mobilitie's existing franchise agreement with the City, may be viewed at the Department of Information Technology and Telecommunications, 2 Metrotech Center, 4th Floor, Brooklyn, New York 11201, from April 16, 2012 through May 7, 2012, between the hours of 9:30 A.M. and 3:30 P.M., excluding Saturdays, Sundays and holidays. Hard copies of Mobilitie's franchise agreement with the City and copies of the organizational charts may be obtained, by appointment, at a cost of \$.25 per page. All payments shall be made at the time of pickup by check or money order made payable to the New York City Department of Finance. The franchise agreement and copies of the organizational charts may also be obtained in PDF form at no cost, by email request. Interested parties should contact Roxanne Chambers at (212) 788-6610 or by email at RChambers@doitt.nyc.gov.

NOTE: Individuals requesting sign language interpreters at the public hearing should contact the Mayor's Office of Contract Services, Public Hearing Unit, 253 Broadway, 9th Floor, New York, New York 10007, (212) 788-7490, no later than SEVEN (7) BUSINESS DAYS PRIOR TO THE PUBLIC HEARING. TDD users should call Verizon relay service.

The Hearing may be cablecast on NYC Media Group channels.

a13-m7

LANDMARKS PRESERVATION COMMISSION

■ PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN that pursuant to the provisions of Title 25, chapter 3 of the Administrative Code of the City of New York (Sections 25-307, 25-308, 25-309, 25-313, 25-318, 25-320) (formerly Chapter 8-A, Sections 207-6.0, 207-7.0, 207-12.0, 207-17.0, and 207-19.0), on Tuesday, **May 8, 2012 at 9:30 A.M.** in the morning of that day, a public hearing will be held in the Conference Room at 1 Centre Street, 9th Floor, Borough of Manhattan with respect to the following properties and then followed by a public meeting. Any person requiring reasonable accommodation in order to participate in the hearing or attend the meeting should call or write the Landmarks Commission no later than five (5) business days before the hearing or meeting.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF BROOKLYN 13-0937 - Block 266, lot 30-210 Joralemon Street - Borough Hall Skyscraper Historic District
A neo-Classical style civic building designed by McKenzie Voorhees & Gmelin and built in 1923-26. Application is to modify window openings at the ground floor, replace second story windows and install awnings and signage.
Community District 2.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF BROOKLYN 12-8078 - Block 244, lot 17-177 Montague Street - Former Brooklyn Trust Company Bank - Individual Landmark, Interior Landmark
A neo-Italian Renaissance style bank building and banking hall designed by York & Sawyer and built in 1913-16. Application is to install HVAC units at the roof and HVAC controls within the banking hall. Community District 2.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF BROOKLYN 12-9037 - Block 247, lot 35-214-216 Hicks Street, aka 82-84 Montague Street - Brooklyn Heights Historic District
A commercial building designed by Murray Klein and built in 1930. Application is to alter an existing storefront, and install new storefront infill. Community District 2.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF BROOKLYN 12-6998 - Block 2120, lot 36-368 Adelphi Street - Fort Greene Historic District An Italianate style rowhouse built c. 1858. Application is to

legalize the removal of ironwork without Landmarks Preservation Commission permits and install new ironwork. Community District 2.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF BROOKLYN 12-8403 - Block 2090, lot 37-206 Adelphi Street - Fort Greene Historic District
An Italianate style frame rowhouse built circa 1866. Application is to demolish an existing rear yard addition and construct a new rear yard addition. Zoned R6B. Community District 2.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF BROOKLYN 12-8323 - Block 2090, lot 44-220 Adelphi Street - Fort Greene Historic District
A highly altered Italianate style rowhouse built in the 1860s. Application is to demolish the existing rear yard addition and construct a new rear yard addition. Zoned R6B. Community District 2.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF BROOKLYN 12-2897 - Block 312, lot 8-285 Clinton Street - Cobble Hill Historic District
A Greek Revival style rowhouse built between 1845 and 1854. Application is to legalize the construction of a rear yard addition without Landmarks Preservation Commission permits. Zoned R6. Community District 6.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF BROOKLYN 12-8582 - Block 1061, lot 53-223 Berkeley Place - Park Slope Historic District
A neo-Grec style rowhouse with Italianate style features built in 1874. Application is to construct a rear addition. Zoned R7B. Community District 6.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 12-7776 - Block 149, lot 29-287 Broadway - 287 Broadway Building - Individual Landmark
An Italianate/Second Empire style bank and office building designed by John B. Snook and built in 1871-1872. Application is for structural and facade work to right the leaning building, and to raise the rooftop cresting, install storefront infill and a ramp. Zoned C6-4A. Community District 1.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 12-6956 - Block 46, lot 3-100 Broadway - American Surety Company Building - Individual Landmark
A neo-Renaissance style office building built in 1894-96 designed by Bruce Price, and enlarged in the 1920s with additions designed by Herman Lee Meader. Application is to install signage. Zoned C5-5. Community District 1.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 12-5412 - Block 220, lot 35-46 Laight Street - Tribeca North Historic District
An Italianate style tenement building designed by William H. Waring and built in 1874. Application is for installation of new ground floor infill, extension of a chimney, alterations at the roof level, and installation of air-conditioning equipment without permits. Zoned M1-5. Community District 1.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 13-0434 - Block 228, lot 7-371 Canal Street - SoHo-Cast Iron Historic District
A cast-iron store building designed by Samuel Warner and built in 1883-84. Application is to alter the cast iron facades and reinforce the fire escape. Community District 2.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 13-0939 - Block 7510, lot 475-60 Grand Street - SoHo-Cast Iron Historic District
A neo-Classical style building designed by Cleverdon and Putzel and built in 1895-96. Application is to install a painted wall sign. Zoned M1-5B. Community District 2.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 12-8104 - Block 487, lot 30-83 Wooster Street - SoHo-Cast Iron Historic District
A neo-Grec style store and loft building designed by J.B. Snook and built in 1876. Application is to modify storefront infill and the loading dock to provide barrier free access. Community District 2.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 13-0884 - Block 544, lot 72-27 East 4th Street - NoHo Historic District Extension
A garage and repair shop designed by Herman Kron and built in 1945-46. Application is to demolish existing building and construct a new building. Zoned M1-5B. Community District 2.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 12-9612 - Block 640, lot 66-24 Bethune Street - Greenwich Village Historic District
A Greek Revival style rowhouse built in 1844-45. Application is to reconstruct the facade. Community District 2.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 12-7860 - Block 588, lot 12-30 Grove Street - Greenwich Village Historic District
A vernacular Greek Revival style townhouse with early Italianate style and transitional features built in 1851-52. Application is construct rooftop and rear yard additions and alter the ironwork. Zoned R6. Community District 2.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 12-9115 - Block 620, lot 1-520-524 Hudson Street, aka 243-247 West 10th Street - Greenwich Village Historic District
An apartment building designed by Samuel Roth and built in 1947. Application is to install storefront infill and excavate the cellar. Community District 2.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 12-9605 - Block 591, lot 4-88-90 7th Avenue South, aka 305-307 Bleecker Street - Greenwich Village Historic District
An Art Deco style building built in 1931. Application is to install storefront infill. Community District 2.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 12-9114 - Block 622, lot 38-278 West 11th Street - Greenwich Village Historic District
An Italianate style house built in 1853 and altered. Application is to construct a stoop and alter windows, and construct a rear yard addition. Zoned R6. Community District 2.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 11-3893 - Block 644, lot 51 & 52-10-12 Little West 12th Street - Gansevoort Market Historic District
Two vernacular rowhouses built circa 1849. Application is to legalize the installation of storefront infill, signage, and the construction of a rear yard addition, without Landmarks Preservation Commission permits. Zoned M1-5. Community District 2.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 12-7343 - Block 744, lot 20-333 West 20th Street - Chelsea Historic District
A rowhouse built in 1855, and altered in 1893. Application is to construct a rear yard addition. Zoned R7B. Community District 4.

ADVISORY REPORT
BOROUGH OF MANHATTAN 13-0241 - Block 1257, lot 2-Bryant Park - Scenic Landmark
A formal French-style garden designed in 1933 by Lusby Simpson and reconstructed and partially redesigned by Hanna/Olin in 1988-91. Application is to establish a master plan governing seasonal installations. Community District 5.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 13-0066 - Block 1378, lot 70-825 Fifth Avenue - Upper East Side Historic District
A neo-Classical style apartment building designed by J.E.R. Carpenter and built in 1926. Application is to reconstruct balconies and railings. Community District 8.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 13-0199 - Block 1408, lot 20-149 East 73rd Street - Upper East Side Historic District Extension
A Renaissance Revival style apartment building designed by J. E. R. Carpenter and built in 1924. Application is to establish a Master Plan governing the future installation of windows. Community District 8.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 12-9093 - Block 1409, lot 50-170 East 75th Street - Upper East Side Historic District Extension
An Art and Craft style rowhouse designed by Hill and Stout and built in 1880-81, and converted into an automobile stable in 1902.. Application is to construct additions. Zoned C1-8X. Community District 8.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 12-8722 - Block 1504, lot 29-63 East 92nd Street - Carnegie Hill Historic District
A rowhouse built in 1886 and altered in the neo-Colonial style in 1928 by Edward Webber. Application is to construct rooftop and rear yard additions and alter front and rear facades. Zoned R8B. Community District 8.

ADVISORY REPORT
BOROUGH OF MANHATTAN 13-1115 - Block 2106, lot 1-2301 Amsterdam Avenue - Highbridge Play Center - Individual Landmark
An Art Moderne style pool complex designed by architect Aymar Embury II, landscape architects Gilmore D. Clarke and Allyn R. Jennings, and civil engineers W. Earle Andres and William H. Latham, and built in 1934-36. Application is to demolish a mezzanine and install new infill within the breezeway. Community District 12.

a25-m8

NOTICE IS HEREBY GIVEN THAT PURSUANT to the provisions of 3020 of the New York City Charter and Chapter 3 of Title 24 of the Administrative Code of the City of New York (Sections 25-303 and 25-313) that on **Tuesday, May 15, 2012 at 9:00 A.M.**, at the Landmarks Preservation Commission will conduct a *public hearing* in the Public Meeting Room of the Landmarks Preservation Commission, located at The Municipal Building, 1 Centre Street, 9th Floor North, City of New York with respect to the following proposed Landmarks and Landmark Sites. Any person requiring reasonable accommodation in order to participate in the hearing should call or write the Landmarks Preservation Commission, [Municipal Building, 1 Centre Street, 9th Floor North, New York, NY 10007, (212) 669-7700] no later than five (5) business days before the hearing. There will also be a public meeting on that day.

ITEMS TO BE HEARD

PUBLIC HEARING ITEM NO.1
LP-2087
BRINKERHOFF CEMETERY, 69-65 182nd Street, (aka 69-63 182nd Street), Queens.
Landmark Site: Borough of Queens Tax Map Block 7135, Lots 54 and 60
[COMMUNITY DISTRICT 8]

PUBLIC HEARING ITEM NO. 2
LP-2518
BOWERY BANK OF NEW YORK BUILDING, 124-126 Bowery (aka 230 Grand Street), Manhattan
Landmark Site: Borough of Manhattan Tax Map Block 470, Lot 64

[COMMUNITY DISTRICT 2]

PUBLIC HEARING ITEM NO. 3
LP-2520
FIREHOUSE, ENGINE COMPANY 83, HOOK & LADDER 29, 618 East 138th Street (aka 618-620 East 138th Street), Bronx
Landmark Site: Borough of the Bronx Tax Map Block 2550, Lot 28
[COMMUNITY DISTRICT 1]

PUBLIC HEARING ITEM NO. 4
LP-2521
FIREHOUSE, ENGINE COMPANY 41, 330 East 150th Street, Bronx.
Landmark Site: Borough of the Bronx Tax Map Block 2331, Lot 33
[COMMUNITY DISTRICT 1]

PUBLIC HEARING ITEM NO. 5
LP-2522
FIREHOUSE, ENGINE COMPANY 305, HOOK and LADDER COMPANY 151, 111-02 TO 111-04 Queens Boulevard (aka 111-50 75th Avenue), Queens.
Landmark Site: Borough of Queens Tax map Block 3294, Lot 20
[Community District 6]

m1-14

MAYOR'S OFFICE OF OPERATIONS

REPORT AND ADVISORY BOARD REVIEW COMMISSION

NOTICE

PUBLIC HEARING NOTICE

The Report and Advisory Board Review Commission will hold its first public hearing to solicit public feedback on whether the Commission should waive the 21 reporting requirements and advisory boards listed below.

- **DATE:** Friday, May 11, 2012
- **TIME:** 2:00 P.M.
- **PLACE:** Department of City Planning, Spector Hall
22 Reade Street
MANHATTAN

Members of the public may also provide comments to Commission staff by email (ReportsandBoards@cityhall.nyc.gov), or by mail: The Report and Advisory Board Commission, Mayor's Office of Operations, Attn: Alexis Offen, 253 Broadway, 10th Floor, New York, NY, 10007. As of April 20, 2012, all new comments sent by mail or email to the Commission will be posted on a weekly basis to www.nyc.gov/ReportsandBoards. Publishing of comments is subject to policies posted on the Commission's website.

Individuals requesting sign language interpreters or other reasonable accommodation for a disability at the public hearing should contact Rosa Reinat by emailing rreinat@cityhall.nyc.gov or by calling (212) 788-1400.

Press may contact the Mayor's Press Office at (212) 788-2958.

Background

In November 2010, New York City voters approved a Charter Revision Commission referendum proposal to review and assess the continued usefulness of certain reporting requirements and advisory boards. The Commission is chaired by the Director of the Mayor's Office of Operations and consists of representatives from the City Council, the Office of the Corporation Counsel, the Office of Management & Budget (OMB), and the Department of Information Technology and Telecommunications (DOITT).

More information about the Commission is available at www.nyc.gov/ReportsandBoards or by contacting the Commission staff at ReportsandBoards@cityhall.nyc.gov.

Items for Potential Waiver

Statutory provisions for the following can be found at www.nyc.gov/ReportsandBoards and the Charter and Administrative Code can be reviewed at the City Hall Library, 31 Chambers Street, Room 112, New York, NY, 10007:

Reports

1. Arson Strike Force Report (Administrative Code §15-303)
A report to be published annually on arson-related statistics.
2. Class Size Report (partial waiver) (Charter §522(c)-(f))
A report to be published twice a year comparing the number of classes by school, grade, and program to the number of students in the same categories, in order to show the average class size. Note: The Commission is considering a partial waiver of this report in order to change the frequency of the report from biannual to annual.
3. Criminal Justice Account Allocation of Funds Report (Administrative Code §5-605)
A report to be published annually on the allocation of funds from the criminal justice account and status of the implementation of the safe streets-safe city program.
4. Drug Enforcement/Drug Abuse Task Force Report (Administrative Code §3-111)
A report to be published quarterly on the task force's ongoing coordination activities, as well as a formal annual report on findings and recommendations of the task force.
5. Horse Drawn Cab Stand Report (Administrative Code §19-174)
A report to be published annually on existing locations of horse draw cab stands, as well as any

- proposals to establish or eliminate horse drawn cab stands.
6. Industrial and Commercial Incentive Program Report (Administrative Code §11-267)
A report to be published annually on the status of the Industrial and Commercial Incentive Program and its effects in the City.
 7. Outreach Programs Report (Charter §612(a)(7))
A report to be published quarterly on Department of Homeless Services or contractor outreach programs, and the number of chronically homeless individuals placed into permanent or temporary housing.
 8. Permanent Housing Needs Report (Charter §614)
A report to be published annually on expected needs for permanent housing and transitional housing and services in the upcoming fiscal year.
 9. Preliminary Mayor's Management Report (Charter §12)
A report to be published annually showing a mid-year snapshot of agency performance across all mayoral agencies.
 10. Sustainable Stormwater Management Plan Report (Administrative Code §24-526.1)
A report to be published biennially on the status of the sustainable stormwater management plan.
 11. Temporary and Non-Standard Classroom Report (Charter §522(b))
A report to be published annually on the use of non-standard classrooms within the public school system.
 12. Ultra Low Sulfur Diesel Fuel for Ferries Report (Administrative Code §19-307)
A report to be published annually on the use of ultra low sulfur diesel fuel and the best available technology for reducing the emission of pollutants for diesel fuel-powered City ferries.
 13. Use of Refuse Burning Equipment without Control Apparatus Report (Administrative Code §24-158)
A report to be published twice a year on the extent of compliance with the law prohibiting unauthorized incinerator use.
 14. Zoning and Planning Report (Charter §192(f))
A report to be published every four years on the planning agenda and zoning reform of the Department of City Planning.

Advisory Boards

1. Arson Strike Force (Administrative Code §15-301)
A multi-agency strike force to foster cooperation in controlling incidences of arson.
2. Consumers Council (Charter §2204)
A council representing consumer interests to advise the Department of Consumer Affairs on needed programs, reports, and cooperative efforts.
3. Drug Enforcement and Drug Abuse Task Force (Administrative Code §3-111)
A multi-agency task force to foster cooperation and coordination in the battle against drug use and in providing abuse services.
4. Inter-Agency Advisory Council on Towing (Administrative Code §20-521)
A council to make recommendations to the Department of Consumer Affairs concerning the criteria for issuing towing company licenses and participation in the rotation tow and directed accident programs.
5. NYC Commission for the Foster Care of Children (Administrative Code §21-118)
A commission to study and recommend programs and standards addressing phases, facilities, and services of foster care.
6. Resource Recovery Task Force (Charter §1403)
A Department of Environmental Protection and Department of Sanitation task force to advise and make recommendations on the planning and implementation of energy and materials recovery for solid and liquid wastes.
7. Tattoo Regulation Advisory Committee (Administrative Code §17-361)
A Department of Health and Mental Hygiene committee to advise the Commissioner on health issues relating to tattooing.

a20-m11

TRANSPORTATION

■ PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN, pursuant to law, that the following proposed revocable consents, have been scheduled for a public hearing by the New York City Department of Transportation. The hearing will be held at 55 Water Street, 9th Floor, Room 945 commencing at 2:00 P.M. on Wednesday, May 16, 2012. Interested parties can obtain copies of proposed agreements or request sign-language interpreters (with at least seven days prior notice) at 55 Water Street, 9th Floor SW, New York, NY 10041, or by calling (212) 839-6550.

#1 In the matter of a proposed revocable consent authorizing 46 West 69th Street LLC to continue to maintain and use a fenced-in area on the south sidewalk of West 69th Street, east of Columbus Avenue, in the Borough of Manhattan. The proposed revocable consent is for a term of ten years from July 1, 2012 to June 30, 2022 and provides among other terms and conditions for compensation payable to the City according to the following schedule:

For the period from July 1, 2012 to June 30, 2022 - \$25/annum.
the maintenance of a security deposit in the sum of \$3,500 and the insurance shall be in the amount of One Million Dollars (\$1,000,000) per occurrence, and Two Million Dollars (\$2,000,000) aggregate.

#2 In the matter of a proposed revocable consent authorizing 208 East 72nd Street LLC to continue to maintain and use a fenced-in area on the south sidewalk of East 72nd Street, east of Third Avenue, in the Borough of Manhattan. The

proposed revocable consent is for a term of ten years from July 1, 2012 to June 30, 2022 and provides among other terms and conditions for compensation payable to the City according to the following schedule:

For the period July 1, 2012 to June 30, 2013 - \$286
For the period July 1, 2013 to June 30, 2014 - \$294
For the period July 1, 2014 to June 30, 2015 - \$302
For the period July 1, 2015 to June 30, 2016 - \$310
For the period July 1, 2016 to June 30, 2017 - \$318
For the period July 1, 2017 to June 30, 2018 - \$326
For the period July 1, 2018 to June 30, 2019 - \$334
For the period July 1, 2019 to June 30, 2020 - \$342
For the period July 1, 2020 to June 30, 2021 - \$350
For the period July 1, 2021 to June 30, 2022 - \$358

the maintenance of a security deposit in the sum of \$5,000 and the insurance shall be in the amount of One Million Dollars (\$1,000,000) per occurrence, and Two Million Dollars (\$2,000,000) aggregate.

#3 In the matter of a proposed revocable consent authorizing Bottle Tower, Inc. to continue to maintain and use a stoop and a fenced-in area on the east sidewalk of Bedford Street, between Grove and Barrow Streets, in the Borough of Manhattan. The proposed revocable consent is for a term of ten years from July 1, 2012 to June 30, 2022 and provides among other terms and conditions for compensation payable to the city according to the following schedule:

For the period from July 1, 2012 to June 30, 2022 - \$25/annum.

the maintenance of a security deposit in the sum of \$2,500 and the insurance shall be in the amount of One Million Dollars (\$1,000,000) per occurrence, and Two Million Dollars (\$2,000,000) aggregate.

#4 In the matter of a proposed revocable consent authorizing Doves' Nest NYC, LLC to continue to maintain and use a stoop and a fenced-in area on the south sidewalk of West 10th Street, between Fifth Avenue and Sixth Avenue, in the Borough of Manhattan. The proposed revocable consent is for a term of ten years from July 1, 2012 to June 30, 2022 and provides among others terms and condition for compensation payable to the city according to the following schedule:

For the period from July 1, 2012 to June 30, 2022 - \$25/annum.

the maintenance of a security deposit in the sum of \$7,500 and the insurance shall be in the amount of One Million Dollars (\$1,000,000) per occurrence, and Two Million Dollars (\$2,000,000) aggregate.

#5 In the matter of a proposed revocable consent authorizing Texas Eastern Transmission Partners, LP to construct, maintain and use a 30-inch diameter natural gas pipeline in submerged lands within the New York City owned portion of the Hudson River, in the Borough of Manhattan. The proposed revocable consent is for a term of ten years from the date of Approval by the Mayor to June 30, 2022 and provides among other terms and conditions for compensation payable to the City:

The annual fee will be calculated pursuant to the Rules of the City of New York

the maintenance of a security deposit in the sum of \$22,000 and the insurance shall be in the amount of Two Million Dollars (\$2,000,000) per occurrence, and Thirty Five Million Dollars (\$35,000,000) aggregate.

#6 In the matter of a proposed revocable consent authorizing The Brooklyn Union Gas Company d/b/a National Grid USA to construct, maintain and use 30-inch gas main in the vicinity of Paerdegat Basin, between Bergen Avenue and Seaview Avenue, in the Borough of Brooklyn. The proposed revocable consent is for a term of ten years from the date of Approval by the Mayor to June 30, 2022 and provides among other terms and conditions for compensation payable to the City:

The annual fee will be calculated pursuant to the Rules of the City of New York

the maintenance of a security deposit in the sum of \$40,000 and the insurance shall be in the amount of Two Million Dollars (\$2,000,000) per occurrence, and Thirty Five Million Dollars (\$35,000,000) aggregate.

a26-m16

PROPERTY DISPOSITION

CITYWIDE ADMINISTRATIVE SERVICES

ASSET MANAGEMENT

■ AUCTION

PROPOSED SALE OF CERTAIN NEW YORK CITY REAL PROPERTY PARCELS BY PUBLIC AUCTION

PUBLIC NOTICE IS HEREBY GIVEN THAT The Department of Citywide Administrative Services, Asset Management proposes to offer the properties listed herein for sale at Public Auction.

In accordance with Section 384 of the New York City Charter, a

Public Hearing was held on March 6, 2012 for these properties at Spector Hall, 22 Reade Street, Main Floor, Borough of Manhattan.

These properties will be sold in accordance with the Standard Terms and Conditions of Sale dated January 18, 2012. An asterisk (*) appears adjacent to those parcels subject to Special Terms and Conditions. They have been approved for sale by the Mayor of the City of New York, and will be offered at public auction on May 10, 2012.

The brochure for this sale is available on the DCAS website at nyc.gov/dcas. Additionally, brochures are available at 1 Centre Street, 20th Floor South, New York, New York 10007, or by calling (212) 669-8888.

32 Parcels

Borough of The Bronx

Block	Lot(s)	Upset Price
3520	34	\$374,500

Borough of Brooklyn

Block	Lot(s)	Upset Price
1339	38	\$ 82,500
1465	29,42,43,44	\$262,500
1473	14	\$247,500
3432	42	\$101,500
5289	46	\$467,500
7208	302	\$780,000

Borough of Queens

Block	Lot(s)	Upset Price
3916	136	\$114,000
*10107	68,69,70	\$525,000
*10107	74,75,76	\$506,500
10108	316	\$615,000
10193	85	\$ 9,000
12041	99	\$ 28,500
14240	113	\$126,000
14243	1119	\$ 37,500
14243	1169 and 14246, 1169	\$ 36,000
*14246	1189	\$ 60,000
14251	1666	\$ 30,000
14253	1488,1492	\$195,000
14253	1512,1513,1514	\$169,000
14254	1638,1639,1640,2037	\$169,000
*15306	11	\$191,500
*15317	16	\$ 66,000
15600	325	\$ 51,000
15819	145	\$ 62,500
16066	50	\$ 66,000
16103	83,84	\$178,000
16290	999	\$403,500

Borough of Staten Island

Block	Lot(s)	Upset Price
1012	57	\$ 34,000
3671	15	\$ 49,000
6253	9	\$217,500
6353	42	\$487,500

m23-my10

MUNICIPAL SUPPLY SERVICES

■ SALE BY SEALED BID

SALE OF: 5 USED HOPPER BARGES.

S.P.#: 12020

DUE: May 10, 2012

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.

DCAS, Division of Municipal Supply Services, 18th Floor Bid Room, Municipal Building, New York, NY 10007.
For sales proposal contact Gladys Genoves-McCauley (718) 417-2156.

a27-m10

SALE OF: THREE YEAR CITYWIDE CONTRACT TO REMOVE AND/OR RECEIPT, AS REQUIRED, AND THE COMPLETE DESTRUCTION (OR RECYCLING TO PREVENT ILLICIT USE) OF USED BULLET AND/OR STAB-SLASH RESISTANT VESTS FROM JUNE 1, 2012 TO MAY 31, 2015.

S.P.#: 12021

DUE: May 17, 2012

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.

DCAS, Division of Municipal Supply Services, 18th Floor Bid Room, Municipal Building, New York, NY 10007.
For sales proposal contact Gladys Genoves-McCauley (718) 417-2156 for information.

m4-17

POLICE

OWNERS ARE WANTED BY THE PROPERTY CLERK DIVISION OF THE NEW YORK CITY POLICE DEPARTMENT.

The following listed property is in the custody, of the Property Clerk Division without claimants.

Recovered, lost, abandoned property, property obtained from prisoners, emotionally disturbed, intoxicated and deceased persons; and property obtained from persons incapable of caring for themselves.

Motor vehicles, boats, bicycles, business machines, cameras, calculating machines, electrical and optical property, furniture, furs, handbags, hardware, jewelry, photographic equipment, radios, robes, sound systems, surgical and musical instruments, tools, wearing apparel, communications equipment, computers, and other miscellaneous articles.

INQUIRIES
Inquiries relating to such property should be made in the Borough concerned, at the following office of the Property Clerk.

FOR MOTOR VEHICLES

(All Boroughs):

- * College Auto Pound, 129-01 31 Avenue, College Point, NY 11354, (718) 445-0100
- * Gowanus Auto Pound, 29th Street and 2nd Avenue, Brooklyn, NY 11212, (718) 832-3852
- * Erie Basin Auto Pound, 700 Columbia Street, Brooklyn, NY 11231, (718) 246-2029

FOR ALL OTHER PROPERTY

- * Manhattan - 1 Police Plaza, New York, NY 10038, (212) 374-4925.
- * Brooklyn - 84th Precinct, 301 Gold Street, Brooklyn, NY 11201, (718) 875-6675.
- * Bronx Property Clerk - 215 East 161 Street, Bronx, NY 10451, (718) 590-2806.
- * Queens Property Clerk - 47-07 Pearson Place, Long Island City, NY 11101, (718) 433-2678.
- * Staten Island Property Clerk - 1 Edgewater Plaza, Staten Island, NY 10301, (718) 876-8484.

j1-d31

PROCUREMENT

“Compete To Win” More Contracts! Thanks to a new City initiative - “Compete to Win” - the NYC Department of Small Business Services offers a new set of FREE services to help create more opportunities for minority and women-owned businesses to compete, connect and grow their business with the City. With NYC Construction Loan, Technical Assistance, NYC Construction Mentorship, Bond Readiness, and NYC Teaming services, the City will be able to help even more small businesses than before.

- Win More Contracts at nyc.gov/competetowin

“The City of New York is committed to achieving excellence in the design and construction of its capital program, and building on the tradition of innovation in architecture and engineering that has contributed to the City’s prestige as a global destination. The contracting opportunities for construction/construction services and construction-related services that appear in the individual agency listings below reflect that commitment to excellence.”

ADMINISTRATION FOR CHILDREN’S SERVICES

■ SOLICITATIONS

Human / Client Services

NON-SECURE DETENTION GROUP HOMES – Negotiated Acquisition – Judgment required in evaluating proposals - PIN# 06811N0004 – DUE 05-31-13 AT 2:00 P.M. – The Administration for Children’s Services, Division of Youth and Family Justice is soliciting applications from organizations interested in operating non-secure detention group homes in New York City. This is an open-ended solicitation; applications will be accepted on a rolling basis until 2:00 P.M. on 5/31/13.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/ blueprints; other information; and for opening and reading of bids at date and time specified above.
Administration for Children’s Services, 150 William Street, 9th Floor, New York, NY 10038.
Patricia Chabla (212) 341-3505; Fax: (212) 341-3625; patricia.chabla@dfa.state.ny.us

j1-n14

CITYWIDE ADMINISTRATIVE SERVICES

MUNICIPAL SUPPLY SERVICES

■ VENDOR LISTS

Goods

EQUIPMENT FOR DEPARTMENT OF SANITATION – In accordance with PPB Rules, Section 2.05(c)(3), an acceptable brands list will be established for the following equipment for the Department of Sanitation:

- A. Collection Truck Bodies
- B. Collection Truck Cab Chassis
- C. Major Component Parts (Engine, Transmission, etc.)

Applications for consideration of equipment products for inclusion on the acceptable brands list are available from: Mr. Edward Andersen, Procurement Analyst, Department of Citywide Administrative Services, Office of Citywide Procurement, 1 Centre Street, 18th Floor, New York, NY 10007. (212) 669-8509.

j5-d31

DESIGN & CONSTRUCTION

■ AWARDS

Construction / Construction Services

HED-CLUB, DESIGN SERVICES AND SERVICES DURING CONSTRUCTION FOR THE CROTON WATER FILTRATION PLANT - VAN CORTLANDT PARK, THE BRONX – Negotiated Acquisition – PIN# 8502011PW0015P – AMT: \$3,099,321.00 – TO: Grimshaw Architects, P.C., 637 W. 27th Street, New York, NY 10001-1019. Procurement pursuant to Section 3-04 (b)(2) (ii) of the Procurement Policy Board Rules.

m7

ENVIRONMENTAL PROTECTION

■ SOLICITATIONS

Services (Other Than Human Services)

DWQ ANALYTICAL SUPPORT CONTRACT – Competitive Sealed Bids – PIN# 82612WSORGAN – DUE 05-23-12 AT 11:30 A.M. – Project No. ORGANLY-13. Document Fee: \$40.00. Project Manager, Sharon Neuman, (718) 595-5356. Vendor ID#: 47620.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/ blueprints; other information; and for opening and reading of bids at date and time specified above.
Department of Environmental Protection, 59-17 Junction Blvd., 17th Floor, Flushing, NY 11373. Greg Hall (718) 595-3236; ghall@dep.nyc.gov

m7

HEALTH AND HOSPITALS CORPORATION

The New York City Health and Hospitals Corporation is regularly soliciting bids for supplies and equipment at its Central Purchasing Offices, 346 Broadway, New York City, Room 516, for its Hospitals and Diagnostic and Treatment Centers. All interested parties are welcome to review the bids that are posted in Room 516 weekdays between 9:00 a.m. and 4:30 p.m. For information regarding bids and the bidding process, please call (212) 442-4018.

j1-d31

HEALTH AND MENTAL HYGIENE

AGENCY CHIEF CONTRACTING OFFICER

■ SOLICITATIONS

Human / Client Services

NEW YORK/NY III SUPPORTED HOUSING CONGREGATE – Competitive Sealed Proposals – Judgment required in evaluating proposals - PIN# 81608PO076300ROX00-R – DUE 09-18-12 AT 4:00 P.M. – The Department is issuing a RFP to establish 3,000 units of citywide supportive housing in newly constructed or rehabilitated single-site buildings for various homeless populations pursuant to the New York III Supported Housing agreement. The subject RFP will be open-ended and proposals will be accepted on an on-going basis. The RFP is available on-line at <http://www.nyc.gov/html/doh/html/acco/acco-rfp-nynyncongregate-20070117-form.shtml>. A pre-proposal conference was held on March 6, 2007 at 2:00 P.M. at 125 Worth Street, 2nd Floor Auditorium, New York, N.Y. Any questions regarding this RFP must be sent in writing in advance to Contracting Officer at the above address or e-mailed to the above address. All proposals must be hand delivered at the Agency Chief Contracting Officer, Gotham Center, CN#30A, 42-09 28th Street, 17th Floor, Queens, NY 11101-4132, no later than September 18, 2012.

As a minimum qualification requirement for (1) the serious and persistent mentally ill populations, the proposer must be incorporated as a not-for-profit organization, and (2) for the young adult populations, the proposer must document site control and identify the source of the capital funding and being used to construct or renovate the building.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/ blueprints; other information; and for opening and reading of bids at date and time specified above.
Health and Mental Hygiene, ACCO, Gotham Center, CN#30A, 42-09 28th Street, 17th Floor, Queens, NY 11101-4132. Huguette Beauport (347) 396-6633; hbeauport@health.nyc.gov

a6-s17

■ AWARDS

Human / Client Services

COLONOSCOPY SCREENING AND PATIENT NAVIGATION PROJECT – BP/City Council Discretionary – PIN# 12DM049001R0X00 – AMT: \$1,562,500.00 – TO: American Cancer Society, Inc. Eastern Division, 132 West 32nd Street, New York, NY 10001.

m7

PARKS AND RECREATION

REVENUE AND CONCESSIONS

■ SOLICITATIONS

Services (Other Than Human Services)

SPECIALTY MOBILE FOOD UNIT AT CEDAR GROVE BEACH, STATEN ISLAND – Request for Proposals – PIN# R16-2-CG – DUE 05-18-12 AT 3:00 P.M. – The New York City Department of Parks and Recreation (“Parks”) is issuing, as of the date of this notice, a request for proposals

for the sale of specialty food from a Mobile Food Unit at Cedar Grove Beach, Staten Island, N.Y.

TELECOMMUNICATION DEVICE FOR THE DEAF (TDD) 212-504-4115

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/ blueprints; other information; and for opening and reading of bids at date and time specified above.
Parks and Recreation, The Arsenal-Central Park, 830 Fifth Avenue, Room 407, New York, NY 10021. Evan George (212) 360-3495; Fax: (917) 849-6623; evan.george@parks.nyc.gov

m2-15

SCHOOL CONSTRUCTION AUTHORITY

CONTRACT ADMINISTRATION

■ SOLICITATIONS

Construction / Construction Services

STUDENT TOILETS UPGRADE – Competitive Sealed Bids – PIN# SCA12-14216D-1 – DUE 05-22-12 AT 11:00 A.M. – PS 245 at Holy Innocents (Brooklyn). Project Range: \$1,410,000.00 to \$1,490,000.00. Price of Documents: \$100.00.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/ blueprints; other information; and for opening and reading of bids at date and time specified above.
School Construction Authority, 30-30 Thomson Avenue, Long Island City, NY 11101. Kevantae Idlett (718) 472-8360; hidlett@nycsca.org

m7

CONTRACT SERVICES

■ SOLICITATIONS

Construction / Construction Services

NEW FOUR (4) STORY SCHOOL – Competitive Sealed Bids – PIN# SCA12-010678-1 – DUE 06-05-12 AT 3:00 P.M. – PS/IS 314 (Queens). Project Range: \$59,150,000.00 - \$62,300,000.00. Non-refundable bid documents charge: \$250.00, certified check or money order only. Make payable to the New York City School Construction Authority. Bidders must be pre-qualified by the SCA. Limited list bids will only be accepted from the following Construction Managers/Prime Contractors: Arnell Construction Corp.; Citnalta Construction Corp.; Iannelli Construction Co., Inc.; J. Petrocelli Construction Corp.; Leon D. DeMatteis Construction Corp.; Pavarini McGovern; Petracca And Sons, Inc.; Plaza Construction Corp.; Silverite Construction Co. Inc.; Skanska USA Building, Inc.; Turner Construction Company.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/ blueprints; other information; and for opening and reading of bids at date and time specified above.
School Construction Authority, 30-30 Thomson Avenue, Long Island City, NY 11101. Lily Persaud (718) 752-5852; Fax: (718) 472-0477; lpersaud@nycsca.org

m7

YOUTH AND COMMUNITY DEVELOPMENT

■ INTENT TO AWARD

Human / Client Services

YOUNG ADULT INTERNSHIP PROGRAM RENEWAL – Renewal – PIN# 260130XXXXXA – DUE 05-14-12 AT 5:00 P.M. – In accordance with Section 4-04(a) of the Procurement Policy Board Rules, the Department of Youth and Community Development (DYCD) intends to renew the following Young Adult Internship Program to provide services for disconnected youth ages 16-24 throughout New York City to provide job-training, paid internships, support, and follow up services. The contractor’s name, ID numbers, addresses and dollar amounts are indicated below. The term of the contracts shall be from July 1, 2012 to March 31, 2015.

26013060781A
BronxWorks
60 East Tremont Avenue, Bronx, New York 10453
\$590,400

26013060782A
Catholic Charities Neighborhood Services, Inc.
191 Joralemon Street, Brooklyn, New York 11201
\$673,956

26013060783A
Chinese American Planning Council
150 Elizabeth Street, New York, New York 10012
\$590,400

26013060784A
Chinese American Planning Council
150 Elizabeth Street, New York, New York 10012
\$590,400

26013060785A
Cypress Hills Local Development Corporation
625 Jamaica Avenue, Brooklyn, New York 11208
\$631,601

26013060786A
Ecumenical Community Development Organization
443 West 125th Street, New York, New York 10027
\$701,100

26013060787A
Federation Employment and Guidance Service, Inc.
315 Hudson Street, New York, New York 10013
\$701,100

26013060788A
Greater Ridgewood Youth Council, Inc.
5903 Summerfield Street, Ridgewood, New York 11385
\$701,100

26013060789A
Henry Street Settlement
285 Henry Street, New York, New York 10002
\$661,057

26013060790A
Mosholu Montefiore Community Center, Inc.
3450 Dekalb Avenue, Bronx, New York 10467
\$1,051,650

26013060791A
New York Center for Interpersonal Development
130 Stuyvesant Place, Staten Island, New York 10301
\$590,400

2601306792A
Opportunities for a Better Tomorrow

783 4th Avenue, Brooklyn, New York 11232
\$910,200

26013060793A
Research Foundation of CUNY/LaGuardia Community College
30-10 Thomson Avenue, Long Island City, New York 11101
\$817,551

26013060794A
The Door – A Center of Alternatives
121 6th Avenue, New York, New York 10013
\$701,100

26013060795A
Vanguard Urban Improvement Association, Inc.
613-619 Throop Avenue, Brooklyn, New York 11216
\$701,100

26013060796A
Henkels and McCoy, Inc.
3100 47th Avenue, Long Island City, New York 11101
\$885,801

26013060797A
Northern Manhattan Improvement Corporation
76 Wadsworth Avenue, New York, New York 10033
\$695,400

26013060798A
SCO Family of Services
1 Alexander Place, Glen Cove, New York 11542
\$585,600

26013060799A
Supportive Childrens Advocacy Network (SCAN)
345 East 102 Street, New York, New York 10029
\$585,600

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.
*Department of Youth and Community Development,
156 William Street, 2nd Floor, New York, NY 10038.
Michael Owh (212) 442-5982; Fax: (212) 676-8129;
mowh@dycd.nyc.gov*

m7

AGENCY RULES

BOARD OF STANDARDS AND APPEALS

NOTICE

NOTICE OF PUBLIC HEARING

Subject: Opportunity to comment on the proposed amendments to the Board of Standards and Appeals' Rules of Practice and Procedure.

Date/Time: Wednesday, June 6, 2012 at 10:00 A.M.

Location: 40 Rector Street, 6th Floor
New York, New York 10006

Contact: Becca Kelly
General Counsel
Board of Standards and Appeals
40 Rector Street, 9th Floor
New York, New York 10006

Proposed Rule Amendment

Pursuant to the authority granted to the New York City Board of Standards and Appeals by Sections 666 and 1043 of the New York City Charter, the Board of Standards and Appeals intends to adopt the following amendments to its Rules of Practice and Procedure. The proposed amendments were not included in the Board of Standards and Appeals' most recent regulatory agenda because the time-frame for the completion of the proposed rule change was not anticipated at that time.

Instructions

- Prior to the hearing, you may submit written comments about the proposed amendments to Becca Kelly by mail, or written comments may be submitted electronically through NYC RULES at www.nyc.gov/nycrules by Wednesday, June 6, 2012.
- If you wish to speak at the hearing, please notify Toni Matias at 212-788-8752 or tmatias@bsa.nyc.gov at least three days prior to the date of the public hearing.
- To request a sign language interpreter or other reasonable accommodation for a disability at the hearing, please contact Ms. Matias at least ten (10) business days prior to the hearing.

Statement of Basis and Purpose

Background

Pursuant to the New York City Charter, the New York City Zoning Resolution, and additional City and State statutes, the Board of Standards and Appeals (the "Board") reviews and decides applications related to zoning, land use, and construction in New York City. The Board grants property owners relief from the zoning code and serves as a forum for appeals of final determinations by the Department of Buildings and certain other agencies in construction-related matters. The Board's jurisdiction includes applications for zoning variances, special permits, vested rights, administrative appeals, and amendments and renewals of such applications.

Pursuant to Section 666 of the New York City Charter, the Board is authorized to promulgate rules and regulations related to any subject matter within the Board's jurisdiction. The Board's Rules of Practice and Procedure found in Chapter 1 of Title 2 of the Rules of the City of New York (the "Rules" or "Chapter 1") fulfill the Board's legal mandate by providing clear and concise notice to property owners, community members, and their representatives, and the general public, of the rules governing the Board's practices and procedures, as well as the requirements for filing applications and appearing before the Board. These Rules are proposed pursuant to the requirements set forth in the Citywide Administrative Procedures Act ("CAPA") rulemaking provisions in Section 1043 of the New York City Charter.

Goal of Proposed Rules

The primary goals of the proposed Rules are:

- to provide a clear and comprehensive body of rules that explains the Board's application review processes and accurately reflects current practice and procedures;
- to revise, clarify, and conform the requirements governing filing procedures, public review, and the decision-making process for all of the types of applications filed at the Board;
- to improve efficiency in the processing of applications and allow for greater transparency and predictability by adding new provisions to the existing Rules that reflect the Board's current practice and procedures; and
- to update the existing Rules and eliminate provisions that are no longer necessary or applicable.

The proposed Rules meet these critical goals of establishing a consistent and predictable process, and effectively reduce the need for clarification and interpretation from applicants, community boards, elected officials, and members of the public who rely on and refer regularly to the Rules. Due to the extent of the proposed changes, the Board is proposing to repeal the existing Rules in Chapter 1, in full, and replace them with new Rules. A summary table, titled "Comparison Chart: Existing and Proposed Rules," which identifies changes by existing and proposed section numbers, is attached.

Overview of Proposed Changes

The Board's Rules were last amended in 1995. Since that time, some of the Board's practices and procedures have evolved and changed, and thus are not reflected in the existing Rules. Other practices and procedures in the existing Rules relate to certain types of applications that are no longer applicable. This proposed rule amendment seeks to provide the most current, comprehensive, and clear guide to the Board's current practices and procedures.

Generally, the proposed Rules include (1) a *reorganization* of the existing Rules; (2) the *addition* of new procedures to reflect current practice; (3) *revisions* to existing procedures to reflect current practice; and (4) *removal* of existing provisions that are no longer necessary or applicable.

I. Reorganization of the Existing Rules

The proposed Rules reorganize the existing Rules to improve the overall clarity of the chapter. The proposed Rules first explain the Board's authority and administration, and follow with a discussion of the three hearing calendars and the rules associated with applications filed under

each of the three calendars. The proposed Rules then provide an explanation of the process of filing an application, staff review, public hearing requirements and procedures, and the final disposition of applications. Specifically, the proposed Rules are divided into five general sections, as follows:

- (1) *Purpose and Authority and Administration:* The Administration section is moved from the end of the chapter and is now located at the beginning of the chapter, immediately following the Purpose and Authority section.
- (2) *The Calendar:* Individual sections devoted to the three hearing calendars (Zoning (BZ), Appeals (A), and Special Order Calendar (SOC)) are located immediately after the Purpose and Authority and Administration sections. As in the existing Rules, each section identifies the types of applications that are filed on each calendar, and describes the application requirements, including filing, referral, community board review, and notice of public hearing requirements. The City Environmental Quality Review (CEQR) section follows the discussion of the three calendars.
- (3) *Application Requirements and Pre-Hearing Review:* In the existing Rules, the discussion of application requirements and pre-hearing review of applications is located at the beginning of the Chapter. In the proposed Rules, the application requirements section is now directly after the CEQR section.
- (4) *Sessions of the Board:* In the existing Rules, the discussion of the Board's public hearings immediately follows the Purpose and Authority section. In the proposed Rules, the hearings discussion is located immediately after the Pre-Hearing Review section.
- (5) *Disposition of Applications:* As in the existing Rules, the final disposition of applications and procedures for subsequent actions are discussed at the end of the chapter.

As a result of the reorganization, individual sections and subdivisions in the existing Rules are renumbered and renamed with appropriate headings. See "Comparison Chart: Existing and Proposed Rules" for a comparison.

II. Additions, Revisions, and Deletions

Identified below are 1) proposed new provisions to be added, 2) proposed revisions to existing provisions, and 3) proposed deletions of existing provisions. Unless otherwise noted, the purpose behind all new and revised provisions is to more accurately codify and/or clarify the Board's current practices and procedures. The reasons for all deletions are provided. The proposed changes are as follows:

Purpose and Authority (§ 1-01) Revisions and Additions

- The existing Rules identify the sources of the Board's authority; however, only the New York City Charter is discussed in detail. The proposed Rules include a revised and expanded Purpose and Authority section with separate sections devoted to brief descriptions of each source of the Board's authority, along with references to specific statutes. Descriptions are provided for the New York City Charter, the Zoning Resolution, the Administrative Code, the New York State General City Law, and the New York State Multiple Dwelling Law.

Definitions (§ 1-02) Additions

- The proposed Rules include a new Definitions section that identifies and defines key terms which are used throughout the chapter.
- The Definitions section includes terms that are defined in the existing Rules as well as terms that are newly defined in the proposed Rules. Newly defined terms include different types of zoning applications (pre-1961 use and bulk grants, post-1961 variances and special permits, transient parking waivers, and reinstatements of previous grants), statutory vested rights and common law vested rights applications, and affected property owners.

The Calendar (§ 1-04) Additions

- *Subject Matter:* The proposed Rules include a new Subject Matter "overview" section, which briefly describes the three calendars under which the Board hears all applications.

Zoning (BZ) Calendar (§ 1-05) Additions

- *Subject Matter/Applications:* The proposed Rules include instructions on the procedures for filing reinstatements and major amendment applications on the BZ calendar.

Revisions

- *Hearing Notice:* The existing Rules require that the applicant notify the owners and tenants of the subject property about the Board's hearing. The proposed Rules provide more specific instructions by stating that, if the subject property is occupied by multiple tenants, the applicant must either post the hearing notice in the lobby of the subject property or submit the notice to the owner or management office of the subject property.
- *Newspaper Notice:* The existing Rules require the applicant to submit proof of service prior to the public hearing. The proposed Rules specify that the applicant must submit proof of service *at least five days prior* to the public hearing.
- *Affected Property Owners:* The definition of "affected property owners" has been moved from the BZ calendar section to the new Definitions section.
- *Revised Application and Additional Submissions:* The existing Rules allow the Board, in its discretion, to refer revised applications to the community board, borough board, borough president, city council member, and City Planning Commission after the community board's 60-day review period. The proposed Rules clarify that the Board will only consider additional recommendations from such entities if the recommendations relate to the subject revisions and are submitted before the hearing is closed.

Appeals (A) Calendar (§ 1-06) Additions

- *Vested Rights Applications:* The existing Rules contain limited provisions on statutory vested rights applications. The proposed Rules provide added instruction on the filing, referral, and hearing notice requirements for such applications. In addition, the proposed Rules recognize the Board's longstanding practice of reviewing applications pursuant to the doctrine of common law vested rights, as set forth in a well-established line of New York state court decisions, including *Kadin v. Bennett*, 163 A.D.2d 308 (2d Dept. 1990) (recognizing the Board's authority to hear common law vested rights cases). The proposed Rules provide added instruction on the

procedures for statutory and common law vested rights applications, including the following:

- (1) *Subject Matter and Filing:* In the proposed Rules, statutory and common law vested rights applications must be filed on the A calendar, reflecting the Board's current practice. The proposed Rules also note that the filing requirements for statutory vested rights applications are set forth in § 11-31 of the Zoning Resolution.
- (2) *Referral and Hearing Notice Requirements:* For both types of vested rights applications, the proposed Rules require the applicant to refer the application and provide hearing notice to DOB, the community board, borough president, city council member, and the City Planning Commission.

- *Modification or Revocation of a Certificate of Occupancy:* The proposed Rules now address applications, filed by DOB or the Fire Department, for the modification of a permit or revocation of a certificate of occupancy. The proposed Rules now provide instructions for filing, referral, and hearing notice for such applications, which are to be heard on the A calendar.

Revisions

- *Subject Matter:* The proposed Rules describe in greater detail the types of applications that may be heard on the A Calendar.
- *Application Referral/ Hearing Notice Requirements:* The proposed Rules clarify the types of applications filed on the A calendar (appeals of final agency determinations, waivers of certain Building or Fire code provisions, waivers of certain provisions of the General City Law, waivers of certain provisions of the Multiple Dwelling Law, and modifications of certificates of occupancy) and provide more detailed instructions for the filing, referral, and hearing notice requirements. Specific revisions to the referral and hearing notice requirements include:
 - (1) *Appeal of Final Agency Determinations: Referral and Hearing Notice:* To clarify the application referral and hearing notice requirements for appeals involving facilities for manufacturing, handling, or storage of hazardous materials governed by certain provisions in the Fire Code, the proposed Rules move the relevant Fire Code sections to a new Appendix B.
 - (2) *General City Law (GCL) § 35 Referral and Hearing Notice:* The proposed Rules modify the application referral and hearing notice requirements for GCL § 35 applications, as represented in the following table (changes indicated in italics):

	Existing Rules	Proposed Rules
Applicant refers application to	DOB, affected borough president	DOB, affected borough president, <i>affected community board (or borough board, if applicable)</i>
Board refers application to	DOT, DEP, affected community board (or borough board, if applicable)	DOT, DEP, <i>Fire Department</i>
Applicant sends hearing notice to	Affected community board (or borough board, if applicable)	Affected community board (or borough board, if applicable), <i>DOB, affected borough president</i>

- (3) *General City Law (GCL) § 36 Referral and Hearing Notice:* The existing Rules state that the Board may refer GCL § 36 applications to individuals or entities it deems affected, and that the applicant must provide hearing notice to the affected community board. The proposed Rules require the applicant to follow the same referral and hearing requirements as required for GCL § 35 applications. Under the proposed rules, the Board will now refer GCL § 36 applications to the Fire Department.

Deletions

- *Subject Matter / Applications:* The existing Rules provide that interpretations of the Zoning Resolution have general application and are binding on all affected agencies unless specifically limited by the Board. The proposed Rules no longer include this language as the applicability of the Board's decisions is addressed in the NYC Charter, Administrative Code, and New York State court decisions.

Special Order Calendar (SOC) (§ 1-07)

Additions

- *Subject Matter / Applications:* The proposed Rules address applications to amend or extend the term for transient parking in an accessory residential parking garage as a type of application heard on the SOC calendar. The new provisions include filing, referral, and hearing notice requirements for such applications.
- *Reinstatements:* The existing rules do not address reinstatements of previous pre-1961 grants where the term has been expired for more than 10 years. The proposed Rules instruct applicants on the proper filing procedures for such reinstatement applications, and provide that the Board may consider the land use impacts of such reinstatements.

Revisions

- *Amendment:* The existing Rules allow the Board the discretion to review applications to amend previous grants on the SOC calendar, unless the amendment is deemed major. However, the existing Rules also require that amendments resulting in a change of use must be heard on the BZ calendar, unless the Chair determines such change is minor. The proposed Rules now allow all amendments including those that result in a change of use to be heard on the SOC calendar, unless the amendment is deemed major by the chair, in which case it must be heard on the BZ calendar.
- *Extension of Term:* The existing Rules address applications for an "extensions of term" related to certain previous grants where the term is specified in the Zoning Resolution or specified as a condition in the Board's resolution. The existing Rules provide that an application for an extension of term that is filed more than two years after the expiration of term must be filed as a new application, unless a request for a waiver has been granted by the Chair. The proposed Rules provide more specific guidance on the eligibility criteria for filing certain types of applications on the SOC calendar if the term has expired for more than two years but less than 10 years. The proposed Rules also provide more specific instructions for filing applications as amendments on the SOC calendar, if the term is specified as a condition in the Board's resolution, and for filing reinstatements on the BZ calendar, if the term has expired for more than 10 years.
- *Extension of Time to Complete Construction:* The proposed Rules modify and expand upon the existing Rules relating to the filing requirements for applications to extend the time to complete construction. Specifically, the existing Rules set forth the filing requirements within three separate filing periods: (1) within 180 days of the expiration date, (2) more than 180 days after but less than two years after the expiration date (waiver request required), and (3) more than two years after the expiration date (waiver request). The proposed Rules modify the existing provisions and break down the filing requirements into four separate filing periods: (1) within one year before or 30 days after the expiration date; (2) more than one year before but less than two years after the expiration date; (3) more than two years but less than four years after the expiration date; and (4) more than four years after the expiration date. In each case, a waiver must be requested before filing. The proposed provision for filing more than four years after the expiration date on the SOC calendar is limited to applications involving pre-1961 use and bulk grants and transient parking waivers.
- *Extension of Time to Obtain a Certificate of Occupancy:* The existing Rules for filing an application for an extension of time to obtain a certificate of occupancy on the SOC calendar mirror the requirements for an application for an extension of time to complete construction, as described above. The proposed Rules provide more specific instruction for applications filed on the SOC within two filing periods: (1) within one year before or 30 days after the expiration date; and (2) more than one year before or more than 30 days after the expiration date (waiver request required).
- *Revised Application and Additional Submissions:* The existing Rules allow the Board in its discretion to refer revised applications to the affected community board, borough board, borough president, city council member, and City Planning

Commission after the community board's 60-day review period. The proposed Rules clarify that the Board will only consider additional recommendations from such entities if the recommendations relate to the subject revisions and are submitted before the hearing is closed.

Deletions

- *Filing Period / Extension of Term:* Under the proposed Rules, applications for an extension of term filed on the SOC calendar will no longer be subject to the requirement that the application be filed within 30 days from the date of the issuance of objections from the authorized agency.

Application Requirements (§ 1-09)

Deletions

- *Fees:* The existing Rules include a fee exemption for non-profit applicants. The proposed Rules no longer include the fee exemption, consistent with the Board's current fee schedule adopted in Administrative Code § 25-205.

Application Pre-Hearing Review (§ 1-10)

Revisions

- *Proof of Service for Application Referral and Hearing Notice:* The existing Rules require that proof of service for referral and hearing notice be provided at least five days prior to the Board's public hearing. The proposed Rules require that proof of service for referral and hearing notice be provided within 10 days of referral and notice.
- *Hearing Calendar:* The proposed Rules clarify that the hearing calendar will be published at the Board office and on the Board's website at least five days before the hearing.

Sessions of the Board (§ 1-11)

Additions

- *Continued and Closed Hearings:* The proposed Rules provide that the Chair may permit technical and other minor revisions after the hearing is closed but before the vote.

Revisions

- *Submissions:* The existing Rules allow the Board to refuse to consider submissions made outside of certain prescribed time periods. The proposed Rules specify that late submissions will not be accepted unless requests for adjustments to the submission schedule are made before the scheduled submission date.

Deletions

- *Testimony:* In order to allow for more flexibility in the time period for accepting submissions into the record, the proposed Rules eliminate the existing requirement that all initial written testimony, briefs, or submissions from individuals other than the applicant must be made within five business days prior to the hearing, and that all subsequent submissions are due no later than 2 PM on the day of the hearing preceding the applicant's next scheduled hearing date.

Disposition of Applications (§ 1-12)

Additions

- *Dismissal:* The existing Rules allow for dismissal of applications only at a public hearing and only after notice to the applicant. The proposed Rules include a new provision that would be a new practice by the Board. In an effort to streamline the dismissal process when it is clear that applications are not being prosecuted, the proposed Rules state that staff may dismiss an application, by letter, if the application has not been sufficiently completed within one year from the issuance of the Board's notice of comments. Further, the proposed Rules state that the executive director will notify the applicant that the application will be dismissed after 30 days if the application is not completed. The Board may grant a 30-day extension for additional time to complete the application.
- *Minor Amendment of Previous Approvals:* The proposed Rules include a new provision to reflect the current practice of reviewing and approving technical or minor amendments to previous approvals. Such amendments are approved by a letter signed by the Chair. Factors the Board will consider in determining whether the revision is technical or minor include whether the revision would have any material impact on the Board's findings, whether the revisions were discussed at a public session by the Board, or whether the revision is essentially an administrative correction.

Revisions

- *Withdrawal:* The existing Rules provide guidance on when the Board will accept a request for withdrawal of an application with or without prejudice based on four time periods: 1) before an application is calendared for public hearing; 2) during the hearing; 3) after the hearing is closed; and 4) after a motion has been made to vote. The proposed Rules now provide guidance based on three time periods: 1) before the hearing is closed; 2) after the hearing is closed; and 3) after a motion has been made to vote.
- *Reargument:* The proposed Rules clarify the process and forum for the review of a rearargument request, including specific instructions on filing and hearing procedures, which mirror the procedures governing rehearing requests.
- *Board Review of Decisions:* The existing Rules state that the motion to review a Board decision will be heard on the SOC calendar. The proposed Rules include a provision that the Board may elect to review the decision on the related case's original calendar, if deemed appropriate.
- *Compliance:* The proposed Rules relocate provisions that allow the Board to modify or revoke previously approved variances or special permits if it finds that the conditions of the grant have been violated. These provisions, which used to appear in the "Review of Decisions" section now appear in a new "Compliance" section.

Records (§1-13)

Additions

- *Archival Files:* The proposed Rules include a new provision that reflects the current practice of locating case files off-site if the Board's decision occurred more than five years earlier in order to address routine requests from the public to retrieve the off-site, archived files.
- *Agency Website:* The proposed Rules include a new provision that reflects the current practice of maintaining an agency website that provides the public with current information relating to agency activities and responsibilities.

Appendices

Additions

- To facilitate readability of some of the more technical procedural requirements, the proposed Rules include four new appendices (three that summarize certain provisions in the proposed Rules, and one that provides a consolidated list of the Fire Code sections relating to hazardous materials):
 - (a) *Appendix A* summarizes referral, hearing notice, and proof of service requirements, broken down by type of application;
 - (b) *Appendix B* lists the relevant Fire Code sections relating to appeals involving facilities for manufacturing, handling or storage of hazardous materials referenced in § 1-06.4 (application referral) and § 1-06.5 (hearing notice) of the proposed Rules;
 - (c) *Appendix C* summarizes requirements governing where to file extension of term applications, broken down by when the term expired; and
 - (d) *Appendix D* summarizes requirements governing where to file extension of time applications, broken down by when the time to complete construction or obtain a certificate of occupancy expired.

Appendices A, C, and D are intended to summarize, in tabular form, requirements that already appear in the body of the Rules; these appendices do not impose any additional requirements and are not intended to substitute for the full set of

requirements that appear in the corresponding provisions in the body of the proposed Rules. Appendix B is intended to be read alongside § 1-06 of the proposed Rules.

Other Deletions

Section 1-09 of the existing Rules includes provisions relating to an individual calendar for Building Permit Renewal applications (BZY and BZL). The proposed Rules relocate the existing BZY provisions to the A Calendar (§ 1-06), which reflects the Board's practice of hearing BZY applications on the A Calendar, and eliminate the existing BZL provisions. The Board no longer hears BZL applications, because the time period for filing such applications has effectively expired pursuant to the terms of the authorizing provisions in the Zoning Resolution. See ZR § 15-013.

Section 1-08 of the existing Rules includes a calendar for Administrative Loft Conversion (ALC) applications pursuant to §§ 15-021 and 15-50, et seq. of the Zoning Resolution. No comparable provisions appear in the proposed Rules because the Board no longer hears ALC applications, due to amendments to the authorizing provisions in the Zoning Resolution which removed such cases from the Board's jurisdiction.

NYC Board of Standards and Appeals Rules of Practice and Procedures Comparison Chart: Existing and Proposed Rules

Prior § number Prior Section heading New § number New Section heading Explanation of Changes in Proposed Rules

Table with 5 columns: Prior § number, Prior Section heading, New § number, New Section heading, Explanation of Changes in Proposed Rules. Rows include sections like Sessions of the Board, The Calendar, Application Requirements, Definitions, Application Forms, Fees, Drawings and Other Exhibits, Board Resolutions, Compliance with Board Resolutions, Other Communications, Time Periods, The Calendar, Calendar Number, Examiners' Review, Publication of Hearing Calendar, Site Examinations, Board Approved Sources for Notification, Proof of Service for Notification, Owner Authorization and Consent, City Environmental Quality Review (CEQR), The Special Order (SOC) Calendar, and Disposition of Cases.

Table with 5 columns: Prior § number, Prior Section heading, New § number, New Section heading, Explanation of Changes in Proposed Rules. Rows include sections like Amendment of Use District Exception, Zoning Variance or Special Permit, Change of Use, Extension of Time to Complete, Notification, Community Board Review, Notice of Hearing, Revised Application and Additional Submissions, The Zoning (BZ) Calendar, Subject Matter, Time to File, The BZ Form, Application Referral, Proof of Service, Community Board Review, Notice of Hearing, Newspaper notice, Board Publication, Additional Submissions, Source for List of Affected Property Owners, The Administrative Appeals (A) Calendar, Subject Matter, Time to Appeal, The A Form, Notification, Notification for Appeals Filed Pursuant to General City Law (GCL) § 35, Notification for Appeals Filed Pursuant to General City Law (GCL) § 36, Notification for Appeals Regarding Hazardous Materials, Notice of Hearing, Board Publication, The Administrative Loft Conversion (ALC) Calendar, Subject Matter, Time to appeal, The ALC Form, The Building Permit Renewal (BZY & BZL) Calendar, Subject Matter, Time to appeal, The BZY & BZL Form, Disposition of Cases, Final Determination, Withdrawal, Dismissal, Request for Re-argument, Request for Re-hearing, Review of Decisions, Compliance, Court Review of Decisions, Minor Amendment of Previous Approvals, Records, and Freedom of Information.

§ 1-11(b)	Hearing Records	§ 1-13.3	Hearing Records	
N/A		§ 1-13.4	Archival Files	<i>A new section regarding archiving case files and retrieving files upon request is added.</i>
N/A		§ 1-13.5	Agency Website	<i>A new section regarding managing and maintaining the Board's website is added.</i>
§ 1-12	The Bulletin	§ 1-13.1	Bulletin	<i>The contents of the Bulletin are clarified.</i>
§ 1-13	Administration	§ 1-03, et seq.	Administration	<i>This section is relocated to the beginning of the Rules.</i>
§ 1-13(a)	Administrative Authority	§ 1-03.1	Administrative Authority	<i>The roles and responsibilities of the executive director, general counsel, and examiners are clarified.</i>
		§ 1-03.4	Correspondence	<i>The provision regarding correspondence is relocated to a separate section.</i>
§ 1-13(b)	Examination Staff	§ 1-03.1(c)	Examiners	
§ 1-13(c)	Appointment of Committees	§ 1-03.2	Committees	<i>The procedure regarding the Chair's appointment of committees is modified.</i>
§ 1-13(d)	Reports	§ 1-03.3	Reports	<i>The general counsel is now provided as a staff member that may report at a review session.</i>
§ 1-14	Rules of Procedure and General Rules and Regulations	§ 1-14, et seq.	Rules of Procedure and General Rules and Regulations	
§ 1-14(a)	Adoption, Amendment, Repeal	§ 1-14.1	Adoption, Amendment, or Repeal of Rules	
§ 1-14(b)	Waiver	§ 1-14.2	Waiver of the Rules of Practice and Procedure	

Section 1. It is proposed that Chapter 1 of Title 2 of the Rules of the City of New York, relating to the rules of practice and procedures, be REPEALED, and re-promulgated to read as follows:

**Rules of Practice and Procedures
New York City Board of Standards and Appeals**

§ 1-01 Purpose and Authority

- § 1-01.1 Introduction
- § 1-01.2 The Board
- § 1-01.3 The Charter
- § 1-01.4 Zoning Resolution
- § 1-01.5 Administrative Code
- § 1-01.6 General City Law
- § 1-01.7 Multiple Dwelling Law
- § 1-01.8 Additional Authority

§ 1-02 Definitions

§ 1-03 Administration

- 1-03.1 Administrative Authority
- 1-03.2 Committees
- 1-03.3 Reports
- 1-03.4 Correspondence

§ 1-04 The Calendar

- 1-04.1 Subject Matter

§ 1-05 Zoning Calendar (BZ)

- 1-05.1 Subject Matter
- 1-05.2 BZ Form
- 1-05.3 Filing Period
- 1-05.4 Application Referral
- 1-05.5 Community Board Review
- 1-05.6 Hearing Notice
- 1-05.7 Source for List of Affected Property Owners
- 1-05.8 Newspaper Notice
- 1-05.9 Revised Application and Additional Submissions

§ 1-06 Appeals Calendar (A)

- 1-06.1 Subject Matter
- 1-06.2 A Form and BZY Form
- 1-06.3 Filing Period
- 1-06.4 Application Referral
- 1-06.5 Hearing Notice

§ 1-07 Special Order Calendar (SOC)

- 1-07.1 Subject Matter
- 1-07.2 SOC Form
- 1-07.3 Filing Period
- 1-07.4 Application Referral
- 1-07.5 Community Board Review
- 1-07.6 Hearing Notice
- 1-07.7 Revised Application and Additional Submissions

§ 1-08 City Environmental Quality Review (CEQR)

- 1-08.1 Subject Matter
- 1-08.2 Environmental Assessment Statement (EAS)
- 1-08.3 Application Referral
- 1-08.4 Examiners' Review
- 1-08.5 Determination of Significance
- 1-08.6 Publication of Determination

§ 1-09 Application Requirements

- 1-09.1 Application Form
- 1-09.2 Fees
- 1-09.3 Drawings and Other Exhibits
- 1-09.4 Owner's Authorization

§ 1-10 Application Pre-Hearing Review

- 1-10.1 Calendar Number
- 1-10.2 Examiners' Review
- 1-10.3 Site Inspection
- 1-10.4 Hearing Calendar
- 1-10.5 Board Publication of Hearing Notice
- 1-10.6 Application Referral and Hearing Notice
- 1-10.7 Proof of Service for Application Referral and Hearing Notice

§ 1-11 Sessions of the Board

- 1-11.1 Public Hearings
- 1-11.2 Special Hearings
- 1-11.3 Review Sessions
- 1-11.4 Chair and Commissioners
- 1-11.5 Quorum and Voting
- 1-11.6 Conflict of Interest
- 1-11.7 Hearing Procedure
- 1-11.8 Testimony
- 1-11.9 Continued and Closed Hearings
- 1-11.10 Late Submissions

§ 1-12 Disposition of Applications

- 1-12.1 Final Determination
- 1-12.2 Withdrawal
- 1-12.3 Dismissal
- 1-12.4 Reargument
- 1-12.5 Rehearing
- 1-12.6 Board Review of Decision
- 1-12.7 Court Review of Decision
- 1-12.8 Compliance
- 1-12.9 Board Resolution
- 1-12.10 Enforcement of Board Resolution
- 1-12.11 Minor Amendment of Previous Approvals

§ 1-13 Records

- 1-13.1 Bulletin
- 1-13.2 Freedom of Information
- 1-13.3 Hearing Records

- 1-13.4 Archival Files
- 1-13.5 Agency Website

§ 1-14 Rules of Procedure and General Rules and Regulations

- 1-14.1 Adoption, Amendment, or Repeal of Rules
- 1-14.2 Waiver of the Rules of Practice and Procedure

Appendix A: Summary of Referral, Hearing Notice, and Proof of Service Requirements

Appendix B: Fire Code Sections for Appeals Involving Hazardous Materials

Appendix C: Summary of Filing Period and Calendar for Extension of Term Applications

Appendix D: Summary of Filing Period and Calendar for Extension of Time Applications

§ 1-01 Purpose and Authority

§ 1-01.1 Introduction

The Board of Standards and Appeals (the "Board") derives its authority from the following primary sources: New York City Charter (the "Charter"), New York City Zoning Resolution ("ZR" or the "Zoning Resolution"), New York City Administrative Code, New York State General City Law ("GCL"), and New York State Multiple Dwelling Law ("MDL").

The following rules are intended to fulfill the Board's legal mandate by providing clear and concise notice to applicants and the public at large of the rules and procedures governing the practices of the Board and requirements for filing applications at and appearing before the Board. This Section provides a summary of the Board's authority.

§ 1-01.2 The Board

As set forth in section 659 (*Constitution and appointment*) of Chapter 27 (*Board of Standards and Appeals*) of the Charter, the Board consists of five (5) members, appointed by the Mayor each for a term of six (6) years. The members must include a planner with professional qualifications, a licensed professional engineer, and a registered architect, each with at least ten (10) years of experience. The Mayor designates one (1) of these members to serve as Chair and also designates one (1) of the members to serve as Vice Chair.

§ 1-01.3 The Charter

Chapter 27 § 666 (*Jurisdiction*) of the Charter sets forth the Board's authority as follows:

1. *To make, amend and repeal rules and regulations for carrying into effect the provisions of the laws, resolutions, rules and regulations in respect to any subject-matter jurisdiction whereof is conferred by law upon the board, and to include in such rules and regulations provisions applying to specific conditions and prescribing means and methods of practice to effectuate such provisions and for carrying into effect the powers of the board.*
2. *To make, amend and repeal rules and regulations for the enforcement of those provisions of the labor law and other laws which relate to the construction or alteration of, structural changes in plumbing and drainage of, elevators in, fire escapes on, adequacy and means of exit from, or fire protection in, all buildings within the city, which shall take the place of the industrial code and of any rules and regulations of the department of labor of the state of New York relating to the same subject-matter.*
3. *To make, amend and repeal rules, regulations and directives governing the preparation and presentation by the director of matters before the board.*
4. *To exercise exclusively with respect to buildings situated within the city, the same powers as are exercised by the department of labor of the state of New York elsewhere in the state.*
5. *To determine and vary the application of the zoning resolution as may be provided in such resolution and pursuant to section six hundred sixty-eight.*
6. *To hear and decide appeals from and review.*
 - (a) *except as otherwise provided by law, any order, requirement, decision or determination of the commissioner of buildings or of a deputy commissioner of buildings or any borough superintendent of buildings acting under a written delegation of power from the commissioner of buildings filed in accordance with the provisions of section six hundred forty-two or section six hundred forty-five of this charter, or*
 - (b) *any order, requirement, decision or determination of the fire commissioner or any rule or regulation or amendment or repeal thereof made by the fire commissioner, or*
 - (c) *any order, requirement, decision or determination of the commissioner of transportation or the commissioner of ports and trade made in relation to the structures or uses on water front property under his or her jurisdiction in connection with the application or enforcement of the provisions of the zoning resolution of the city of New York, the labor law and such other laws, rules and regulations as may govern the construction, alteration, maintenance, use, occupancy, safety, sanitary conditions, mechanical equipment and inspection of structures in the city, under the authority conferred upon them by law, by reversing or affirming in whole or in part, or modifying the order, regulation, decision or determination appealed from, and to make such order, requirement, decision or determination as in its opinion ought to be made in the premises, and to that end shall have the power of the officer from whose ruling the appeal is taken, and of any officer under whose written delegation of power such ruling was made.*
7. *In passing upon appeals, to vary or modify any rule or regulation or the provisions of any law relating to the construction, use, structural changes, equipment, alteration or removal of buildings or structures, or vaults in sidewalks appurtenant thereto, where there are practical difficulties or unnecessary hardship in the way of carrying out the strict letter of the law, so that the spirit of the law shall be observed, public safety secured and substantial justice done, provided that the provisions of the housing maintenance code and of any regulation or order issued under such code may be varied or modified only to the extent permitted by such code and only in the manner and subject to the conditions therein specified.*
8. *To review, upon motion of any member of the board, any rule, regulation, amendment or repeal thereof, and any order, requirement, decision or determination from which an appeal may be taken to the board under the provisions of this chapter or of any law, or of any rule, regulation or decision of the board; but no such review shall prejudice the rights of any person who has in good faith acted thereon before it is reversed or modified. The provisions of this chapter relating to appeals to the board shall be applicable to such review.*
9. *To afford an equal right to the city planning commission, community boards, and borough boards and lessees and tenants as well as owners to appear before it for the purpose of proposing arguments or submitting evidence in respect of any matter brought before it pursuant to the zoning resolution of the city of New York.*
10. *To issue such special permits as the board is authorized to issue under the zoning resolution.*
11. *To revoke or modify, upon due notice and hearing, variances and special permits previously granted under the zoning resolution if the terms and conditions of such grants have been violated.*

§ 1-01.4 Zoning Resolution

The New York City Zoning Resolution sets forth the Board's authority in: ZR § 72-00 *et seq.* (*Powers of the Board of Standards and Appeals*) and ZR § 73-00 *et seq.* (*Special Permit Uses and Modifications*), which allow the Board to grant variances and special permits; ZR § 11-30 *et seq.* (*Building Permits Issued before the Effective Date of Amendment*), which allow the Board to renew building permits lawfully issued before the effective date of an amendment to the Zoning Resolution; and ZR § 11-40 *et seq.* (*Exceptions, Variances, Authorizations or Permits*), which allow the Board to grant changes to previously approved use variances or special permits granted under provisions of the 1916 Zoning Resolution.

§ 1-01.5 Administrative Code

The New York City Administrative Code § 28-103.3 (*Duties and Powers of Commissioner of Buildings/Variations*) sets forth the Board's authority to vary the requirements of the Construction Code in accordance with Charter § 666 (*Jurisdiction*). This includes

modifications or waivers of certain provisions in the Building and Fire codes.

§ 1-01.6 General City Law

The New York State General City Law (GCL) § 35 sets forth the Board's authority to hear an appeal regarding objections issued by the Department of Buildings related to a permit for a building located within a mapped street. GCL § 36 sets forth the Board's authority to hear an appeal regarding objections issued by the Department of Buildings related to a permit for a building which is either not located on a mapped street, or is located on a mapped street which does not provide access to such building.

§ 1-01.7 Multiple Dwelling Law

The New York State Multiple Dwelling Law (MDL) §§ 277 (*Occupancy permitted*) and 310 (*Board of appeals*) set forth the Board's power to vary or modify certain provisions and requirements of the Multiple Dwelling Law.

§ 1-01.8 Additional Authority

The Board may derive its authority from additional legal and regulatory sources not described above, but contemplated by its general Charter authority.

§ 1-02 Definitions

For the purpose of these Rules the following definitions will apply:

Affected area: The affected area is the area within a 400-foot radius from the center of the subject property.

However, if the subject property is 40,000 square feet or larger or contains a frontage greater than 300 feet on any one street, then the affected area is an area within 200 feet of a line running parallel to the subject property; or if the application involves a single one-, two-, or three-family dwelling, then the affected area is the area within a 200-foot radius from the center of the subject property.

Affected borough board: The affected borough board is the borough board that represents the affected community boards if the subject property is located in more than one community district.

Affected borough president: The affected borough president is the president of the borough in which the subject property is located.

Affected city council member: The affected city council member is the council member who represents the council district in which the subject property is located.

Affected community board: The affected community board is the board that represents the community district in which the subject property is located.

Affected property owner: An affected property owner is:

- (1) an owner or tenant of record of the subject property; or
- (2) an owner of real property within a 400-foot radius from the center of the subject property.

However, if the subject property is 40,000 square feet or larger or contains a frontage greater than 300 feet on any one street, then the affected property owner will include an owner of real property within 200 feet of a line running parallel to the subject property. A radius of 200 feet will be measured from the corners of a subject property having an interior angle of less than 180 degrees. If the application is for a special permit or involves a single one-, two-, or three-family dwelling, then the affected property owner will include an owner of real property within a 200-foot radius from the center of the subject property.

Applicant: An applicant is an individual who serves as the contact for the project and signs the Board's application forms.

The applicant must be the owner of the subject property or an individual authorized to act on the owner's behalf, pursuant to § 1-09.4 of these Rules. For an appeal of an agency final determination, the applicant need not be the owner of the subject property, nor authorized by the owner. However in such instance, the applicant must be an individual or entity with legal standing to bring the appeal or be authorized by such individual or entity.

Application: An application is an action, including an appeal, that is under review by the Board and that has been filed pursuant to § 1-09 of these Rules.

Case: A case is an application that has been decided by the Board.

Common law vested rights application: A common law vested rights application is an application to renew building permits lawfully issued before the effective date of an amendment of the Zoning Resolution, which have lapsed as a result of such amendment, and to establish the right to continue construction, based on the common law doctrine of vested rights.

Days: Unless otherwise noted, "days" are calendar days.

Owner: An owner is an owner of the subject property and includes a person having legal title to the premises, a mortgagee in possession, a contract vendee, a trustee in bankruptcy, a receiver, or any other person having legal ownership or control of the property in accordance with Building Code Section 202 (*Definitions*).

Pre-1961 bulk grant: A pre-1961 bulk grant is a variance or special permit approved by the Board related to bulk regulations granted under the provisions of the 1916 Zoning Resolution and not subject to ZR § 11-41 (*Exceptions, Variances or Permits Previously Authorized Pursuant to the 1916 Zoning Resolution*).

Pre-1961 use grant: A pre-1961 use grant is a variance or special permit approved by the Board related to use regulations granted under the provisions of the 1916 Zoning Resolution and subject to ZR § 11-41 (*Exceptions, Variances or Permits Previously Authorized Pursuant to the 1916 Zoning Resolution*).

Post-1961 special permit: A post-1961 special permit is a special permit approved by the Board and granted under the provisions of the 1961 Zoning Resolution.

Post-1961 variance: A post-1961 variance is a variance granted under the provisions of the 1961 Zoning Resolution.

Reinstatement: A reinstatement is an application filed on the zoning (BZ) calendar to reinstate a pre-1961 use grant.

Statutory vested rights application: A statutory vested rights application is an application which is filed pursuant to ZR § 11-31 *et seq.* to renew building permits lawfully issued before the effective date of an amendment to the Zoning Resolution, which have lapsed as a result of such amendment. The application to renew the permits and to establish the right to continue construction is based on the statutory findings.

Subject property: The subject property is the property which is the subject of the application.

Transient parking waiver: A transient parking waiver is an application granted under the provisions of either the 1916 or 1961 Zoning Resolution, and MDL § 60 (*Motor vehicle storage*), permitting transient parking in an accessory residential parking garage.

Vested rights application: A vested rights application is an application to renew building permits lawfully issued before the effective date of an amendment of the Zoning Resolution which have lapsed as a result of such amendment. Vested rights applications include common law vested rights applications and statutory vested rights applications.

§ 1-03 Administration

§ 1-03.1 Administrative Authority

Under the direction of the Board, administrative authority is vested in the following individuals:

- (a) **Executive Director:** Subject to Charter §§ 660 (*Executive director of standards and appeals*) and 661 (*Staff, powers and duties*) and these Rules, the executive director is vested with the administrative authority to manage the functions of the office, including hiring and supervising employees, overseeing the Board's hearing calendar and Bulletin, and performing other duties as directed by the Chair.
- (b) **General Counsel:** Subject to these Rules, the general counsel will provide legal guidance to the Board, supervise the drafting of all Board resolutions, legal opinions and documents, serve as legal liaison to other city agencies, and perform other duties as directed by the Chair.

- (c) **Examiners:** Subject to these Rules and under the supervision of the executive director, the examination staff will review all applications, draft and distribute notices of comments to applicants, serve as liaison to the public on specific applications, and perform other duties as directed by the executive director.

§ 1-03.2 Committees

The Chair, or in the absence of the Chair, the Vice Chair, will when deemed necessary designate committees composed of commissioners, or commissioners and staff, including site inspection committees, subject to § 1-10.3 of these Rules.

§ 1-03.3 Reports

The Chair, the Vice Chair, commissioners, the executive director, and general counsel will report at executive or business sessions all pertinent information that would not otherwise come to the attention of the Board.

§ 1-03.4 Correspondence

The Chair, executive director, or general counsel will sign official correspondence relating to administrative matters or previous Board decisions. The executive director, general counsel, or staff designated by the Chair will sign official correspondence relating to any application.

§ 1-04 The Calendar

§ 1-04.1 Subject Matter

The Board reviews applications on the separate Zoning (BZ), Appeals (A), and Special Order (SOC) calendars, and the Board provides forms and specific instructions for each type of application on these three calendars. The subject matter for applications on each calendar is provided in §§ 1-05 *et seq.* through 1-07 *et seq.* of these Rules and summarized as follows:

- (a) **Zoning Calendar (BZ):** The Zoning Calendar (see § 1-05, *et seq.* of these Rules) includes variance and special permit applications, reinstatements, and major amendments of previously approved variances and special permits.
- (b) **Appeals Calendar (A):** The Appeals Calendar (see § 1-06, *et seq.* of these Rules) includes appeals of certain agency final determinations including final determinations of the Department of Buildings and the Fire Department, waivers pursuant to the General City Law, modifications of certain provisions or requirements of the Multiple Dwelling Law, vested rights applications, and modifications or revocations of certificates of occupancy.
- (c) **Special Order Calendar (SOC):** The Special Order Calendar (see § 1-07, *et seq.* of these Rules) includes applications, such as amendments, extensions of term, extensions of time to complete construction, and extensions of time to obtain a certificate of occupancy, that affect previous grants, including pre-1961 use grants, pre-1961 bulk grants, post-1961 variances, post-1961 special permits, and transient parking waivers.

§ 1-05 Zoning Calendar (BZ)

§ 1-05.1 Subject Matter

The BZ Calendar consists of the following types of applications:

- (a) **Variance:** applications pursuant to ZR § 72-21 for zoning variances;
- (b) **Special Permit:** applications pursuant to ZR § 73-00 *et seq.* for special permits;
- (c) **Reinstatement:** applications pursuant to ZR § 11-41 *et seq.* (*Exceptions, Variances or Permits Previously Authorized Pursuant to the 1916 Zoning Resolution*), to reinstate pre-1961 use grants in accordance with § 1-07.3(b)(3)(i) and (b)(4)(i) of these Rules; and
- (d) **Major Amendment:** amendments to previously approved variances or special permits which the Board deems major in accordance with § 1-07.1(a)(1) of these Rules.

No application for a variance or special permit will be accepted by the Board except from an order, requirement, decision, or determination made in a specific case by the Commissioner of Buildings, any borough commissioner of the Department of Buildings or authorized representative, or the Commissioner of the Department of Business Services or authorized representative.

§ 1-05.2 BZ Form

All applications must be made on the BZ Form and must be accompanied by all the information required by such form and related instructions.

§ 1-05.3 Filing Period

All applications must be filed within thirty (30) days from the date of the determination by the Commissioner of Buildings, any borough commissioner of the Department of Buildings or authorized representative, or the Commissioner of the Department of Small Business Services or authorized representative.

§ 1-05.4 Application Referral

In accordance with § 1-10.6 of these Rules and within three (3) business days after filing the application with the Board, the applicant must forward a copy of all application material to:

- (a) the affected community board(s) (and borough board, if applicable);
- (b) the affected borough president;
- (c) the affected city council member;
- (d) the administrative official who issued the determination; and
- (e) the City Planning Commission.

After forwarding all application material, the applicant must provide proof of service to the Board in accordance with § 1-10.7 of these Rules.

See Appendix A for a summary of all application referral requirements.

§ 1-05.5 Community Board Review

Within sixty (60) days after receipt of an application, the affected community board may hold a public hearing and submit a written recommendation on such application to the Board, or may waive in writing the holding of a public hearing. If a borough board is involved, within thirty (30) days after the submission of a recommendation or waiver by every community board in which the subject property is located, or after expiration of the time allowed for such community boards to act, the borough board may hold a public hearing and submit a written recommendation to this Board or may waive a public hearing. In accordance with § 1-10.6 of these Rules, the community board(s) (and borough board, if applicable), will be deemed to have received an application on the day of personal delivery or five (5) calendar days after the date of the mailing of the application.

Following receipt of a recommendation or waiver from the affected community board(s) (and borough board, if applicable), or following the expiration of the time period for their review, the Board will hold a public hearing on the application and make a decision. The Board may, in its discretion, include in the record the recommendations of the affected community board(s) and borough board even if the recommendations are received after the applicable time period has expired.

§ 1-05.6 Hearing Notice

After the examiners have determined that the application is substantially complete, the Board will provide the applicant with the hearing notice and related forms, at least thirty (30) days before the first scheduled hearing date. In accordance with § 1-10.6 of these Rules, and at least twenty (20) days before the first scheduled hearing date, the applicant must forward a copy of the hearing notice and related forms to:

- (a) the affected community board(s) (and borough board, if applicable);
- (b) the affected borough president;
- (c) the affected city council member;
- (d) the City Planning Commission; and
- (e) affected property owners as defined in § 1-02 of these Rules.

If the subject property is occupied by multiple tenants, or if the property within the notification area is owned by a cooperative or is a condominium, the applicant must submit the hearing notice to the owner or management office of the property with instruction to either post the hearing notice in the lobby of the property, or to notify all tenants and/or owners in the manner customarily employed by such owner or manager for giving notices to tenants or unit owners in the building in question.

After forwarding the hearing notice and forms to the proper entities, the applicant must provide proof of service to the Board in accordance with § 1-10.7 of these Rules.

See Appendix A for a summary of all hearing notice requirements.

§ 1-05.7 Source for List of Affected Property Owners

The applicant must obtain names of affected property owners entitled to the hearing notice pursuant to § 1-05.6 of this section from the City Register. In all cases, the applicant must submit the list to the Board, and the list must show the names of the actual property owners with legal title, rather than mortgagees.

§ 1-05.8 Newspaper Notice

The applicant must, in addition to providing notice pursuant to § 1-05.6 of this section, publish the contents of the hearing notice form provided by the Board in a newspaper, at the applicant's expense. Newspaper notice will not be required for applications involving bulk variances for a single one-, two-, or three-family dwelling, or for special permit applications.

The requirements for newspaper notice are as follows:

- The notice must be published in one (1) newspaper of local circulation, or one (1) newspaper of general circulation, as identified by the Board in its hearing notice;
- The notice must be published in such newspaper on one (1) day of each week for two (2) of the three (3) weeks before the public hearing; and
- At least five (5) days before the hearing date, the applicant must provide the Board with an affidavit of publication or a copy of the published notice.

§ 1-05.9 Revised Application and Additional Submissions

If, at any time, an applicant provides the Board with a revised application and/or additional submissions, within three (3) days of providing such materials to the Board, the applicant must submit a copy of the revised application and/or additional submissions to the affected community board(s) (and borough board, if applicable), affected borough president, affected city council member, and the City Planning Commission. The applicant must submit a cover letter to the Board identifying the contents of the revisions and/or additional submissions and note the entities which have been forwarded a copy of such materials, as required by this Section.

If, after the community board's sixty (60) day review period, the applicant makes a substantial revision to the application, the Board, in its discretion, may consider any additional recommendations by the affected community board(s) (and borough board, if applicable), affected borough president, affected city council member, and the City Planning Commission, provided that the recommendations are related to the subject revisions and are submitted to the Board before the hearing is closed.

§ 1-06 Appeals Calendar (A)

§ 1-06.1 Subject Matter

The A calendar consists of the following types of applications:

- Appeal of Agency Final Determination:** (1) appeals of agency final determinations (including orders, requirements, and decisions) by the Department of Buildings, Fire Department, and Department of Transportation, including interpretations of the Zoning Resolution; and (2) appeals of final determinations by the Commissioner of the Department of Small Business Services (SBS), when made in relation to certain types of construction or land uses, including construction on waterfront property under the jurisdiction of SBS;
- Waiver pursuant to the General City Law:** (1) applications for a waiver to allow a permit for a building located within a mapped street, in response to an objection issued by the Department of Buildings pursuant to GCL § 35; and (2) applications for a waiver to allow a permit for a building which is either not located on a mapped street, or is located on a mapped street that does not provide access to such building, in response to an objection issued by the Department of Buildings pursuant to GCL § 36;
- Modification pursuant to the Multiple Dwelling Law:** applications to modify the requirements of the MDL, pursuant to the Board's authority set forth in MDL §§ 277 and 310, in response to an objection issued by the Department of Buildings pursuant to the MDL;
- Vested Rights:** vested rights applications to allow for the renewal of building permits lawfully issued before the effective date of an amendment to the Zoning Resolution;
- Modification or Revocation of a Certificate of Occupancy:** applications filed by the Department of Buildings or the Fire Department to permit modification or revocation of a certificate of occupancy;
- Amendment:** applications to amend or extend the term of previous grants of any of the above appeals calendar applications; and
- Other Waivers or Appeals:** other requests to waive statutory non-compliance under the Board's authority, other appeals based on an objection from the Department of Buildings, or appeals of any other matter within the Board's jurisdiction not otherwise described by these Rules.

§ 1-06.2 A Form and BZY Form

All applications must be made on the A Form, except for vested rights applications pursuant to ZR § 11-31 *et seq.*, which must be made on the BZY Form. Applications must be accompanied by all information required by such forms and related instructions.

§ 1-06.3 Filing Period

The application procedure is as follows:

- Appeal of Agency Final Determination:** Applications to appeal an agency final determination set forth at § 1-06.1(a) must be filed within thirty (30) days from the date of the determination. Such final determinations must be signed by the agency commissioner. However, in accordance with the provisions of Charter § 642 (*Deputies*) and § 645 (*Offices of the Department: powers and duties*), final determinations by the Department of Buildings may also be signed by the Deputy Commissioner or, acting under a written delegation of power from the Commissioner, any Borough Commissioner of the Department of Buildings.
- Waivers pursuant to the General City Law or Modifications pursuant to the Multiple Dwelling Law:** Applications to waive the requirements of GCL §§ 35 or 36 or to modify the requirements of the MDL, must be filed within thirty (30) days of the date of issuance of the Department of Buildings objection(s).
- Vested Rights:** Statutory vested rights applications are subject to the filing requirements set forth in ZR § 11-31 *et seq.* Common law vested rights applications are not subject to the filing requirements set forth in ZR § 11-31 *et seq.*
- Amendment:** Applications to amend or extend the term of previous grants are subject to the filing period requirements set forth in § 1-07.3 of these Rules.
- All Other Applications:** All other applications on the appeals calendar not otherwise identified in subdivisions (a) through (d) of § 1-06.3 must follow the filing procedures set forth in § 1-06.3 (a), except that applications to modify or revoke a certificate of occupancy filed by the Department of Buildings or the Fire Department will not be subject to such filing deadlines.

§ 1-06.4 Application Referral

In accordance with § 1-10.6 of these Rules and within three (3) business days after filing the application with the Board, the applicant must forward a copy of all application materials to the required individuals and entities as follows:

- Appeal of Agency Final Determination:** (1) Except as provided in paragraph (2) of this subdivision, applicants appealing agency final determinations must forward a copy of all application material to the administrative official who signed the determination which is the subject of the appeal. In addition, for applications that involve the interpretation of the Zoning Resolution, the applicant must forward all application material to the legal counsels of the Department of Buildings and the City Planning Commission.

Any person or agency filing an appeal who is not the owner of the subject property must forward a copy of all application material to the owner of the subject property.

(2) For appeals involving facilities for manufacturing, handling, or storage of hazardous materials governed by the Fire Code sections listed in Appendix B, the applicant must forward a copy of all application material to:

- the affected community board(s) (and borough board, if applicable);
 - the affected borough president;
 - the affected city council member;
 - the Commissioner of Buildings; and
 - the Fire Commissioner.
- Waiver pursuant to the General City Law:** The applicant must forward a copy of all

application material to the Department of Buildings, the affected community board(s) (and borough board, if applicable), and the affected borough president.

In addition, upon the applicant's filing of an application pursuant to GCL § 35, the executive director will forward a copy of the application to the Department of Transportation, the Department of Environmental Protection, and the Fire Department for review. Upon the applicant's filing of an application pursuant to GCL § 36, the executive director will forward a copy of the application to the Fire Department for review.

- Vested Rights:** The applicant must forward a copy of all application material to the Department of Buildings, the affected community board(s) (and borough board, if applicable), the affected borough president, the affected city council member, and the City Planning Commission. Applications to renew building permits associated with vested rights applications previously granted by the Board are not subject to this requirement.
 - Modification or Revocation of a Certificate of Occupancy:** The applicant must forward a copy of all application material to the owner of the subject property.
 - All Other Applications:** All other applications on the A calendar not otherwise described in subdivisions (a) through (d) of § 1-06.4 must follow the application referral procedures set forth in § 1-06.4(a)(1) of these Rules.

After forwarding all application material, the applicant must provide proof of service to the Board in accordance with § 1-10.7 of these Rules.

See Appendix A for a summary of all application referral requirements.

§ 1-06.5 Hearing Notice

After the examiners have determined that the application is substantially complete, the Board will provide the applicant with the hearing notice and related forms at least thirty (30) days before the first scheduled hearing date. In accordance with § 1-10.6, the applicant must forward a copy of the hearing notice and related forms at least twenty (20) days before the first scheduled hearing date, as follows:

- Appeal of Agency Final Determination:** (1) Except as provided in paragraph (2) of this subdivision, the applicant must provide the hearing notice to the applicable administrative agency that signed the determination which is the subject of the appeal and, if applicable, the owner of the subject property.

(2) For appeals involving facilities for manufacturing, handling or storage of hazardous materials governed by the Fire Code sections listed in Appendix B, the applicant must forward a copy of the hearing notice and related forms to:

- the affected community board(s) (and borough board, if applicable);
- the affected borough president;
- the affected city council member;
- the Fire Department; and
- affected property owners as defined in § 1-02 of these Rules.

If the subject property is occupied by multiple tenants, or if the property within the notification area is owned by a cooperative or is a condominium, the applicant must submit the hearing notice to the owner or management office of the property with instructions to either post the hearing notice in the lobby of the property, or to notify all tenants and/or owners in the manner customarily employed by such owner or manager for giving notices to tenants or unit owners in the building in question. The applicant must also comply with the procedures set forth in §§ 1-05.7 and 1-05.8 of these Rules.

- Waiver pursuant to the General City Law:** The applicant must provide the hearing notice to the Department of Buildings, the affected community board(s) (and borough board, if applicable), and the affected borough president.
- Vested Rights:** The applicant must provide the hearing notice to the Department of Buildings, the affected community board(s) (and borough board, if applicable), the affected borough president, the affected council member, and the City Planning Commission. Applications to renew building permits associated with vested rights applications previously granted by the Board are not subject to this requirement.
- All Other Applications:** All other applications on the A calendar not otherwise described in § 1-06.5(a) through (c) must follow the notice procedures set forth in § 1-06.5(a)(1) of these Rules, except for applications for the modification or revocation of a certificate of occupancy.

After forwarding the hearing notice and forms to the proper entities, the applicant must provide proof of service to the Board in accordance with § 1-10.7 of these Rules.

See Appendix A for a summary of all hearing notice requirements.

§ 1-07 Special Order Calendar (SOC)

§ 1-07.1 Subject Matter

The Special Order Calendar (SOC) consists of the following types of applications:

- Applications related to previous grants:**
 - Amendment:** Applications may be filed on the SOC calendar for amendments to: (1) a pre-1961 use grant pursuant to ZR §§ 11-412 or 11-413, (2) a pre-1961 bulk grant, (3) a post-1961 variance pursuant to ZR §§ 72-01 or 72-22, (4) a post-1961 special permit pursuant to ZR §§ 73-01 or 73-04, or (5) a transient parking waiver. Amendments may include but are not limited to changes to the Board-approved plans or resolution.

If, in the course of further review of the application or during a hearing, the Board determines that the scope of the application is major, it may request that a new application be filed on the BZ calendar with additional information and analyses provided.

Before filing the application, an applicant may request, in writing, a determination by the Chair regarding whether the application may be appropriately filed on the SOC calendar.

- Extension of Term:** Applications may be filed on the SOC calendar for extensions of term related to previous grants where the term is specified in the Zoning Resolution or specified as a condition in the Board's resolution, with respect to applications involving: (1) a pre-1961 use grant pursuant to ZR § 11-411, (2) a pre-1961 bulk grant, (3) a post-1961 variance pursuant to ZR §§ 72-01 and 72-22, (4) a post-1961 special permit pursuant to ZR §§ 73-01 and 73-04, or (5) a transient parking waiver.
- Extension of Time:** Applications may be filed on the SOC calendar for extensions of time to complete construction or obtain a certificate of occupancy related to previous grants, where the time is specified in ZR §§ 72-23 or 73-70 or specified as a condition in the Board's resolution with respect to applications involving: (1) a pre-1961 use grant, (2) a pre-1961 bulk grant, (3) post-1961 variance, (4) a post-1961 special permit, or (5) a transient parking waiver.

Notwithstanding paragraphs (1) through (3) above, applications related to previous grants may also be filed as a new variance or special permit on the BZ calendar.

- Other actions related to applications or cases:** The following actions will be heard on the SOC calendar but are not subject to the regulations of this section. For more information regarding these actions, see § 1-12 of these Rules.
 - Dismissal:** applications by the Board for the purpose of dismissal for lack of prosecution or jurisdiction, or if moot.
 - Reargument:** requests for reargument of a previous case which was denied, dismissed, or approved.
 - Rehearing:** requests for rehearing of a previous case which was denied, dismissed, or withdrawn.
 - Board Review of Decision:** cases the Board restores to the calendar for the purpose of reviewing or reconsidering previous Board decisions.
 - Compliance:** cases the Board restores to the calendar for the purpose of determining whether to revoke or modify a previous grant if the terms and conditions of such grant have been violated.
 - Court Remand:** cases that a court orders to be restored to the calendar. In

its discretion, the Board may elect to hear such cases on the BZ or Appeals calendars, as appropriate.

- (c) *Other*: all other actions under the Board's jurisdiction not otherwise described by these Rules.

§ 1-07.2 SOC Form

All applications must be made on the SOC Form and must be accompanied by all the information required by such form and related instructions.

§ 1-07.3 Filing Period

The application filing procedure is as follows:

- (a) *Amendment*: All applications for amendments filed pursuant to § 1-07.1(a)(1) of these Rules must be filed within thirty (30) days from the date of the agency determination which is the subject of the application.

- (b) *Extension of Term*: All applications for extensions of term filed pursuant to § 1-07.1(a)(2) of these Rules may be filed on the SOC calendar as follows:

- (1) *Within one (1) year before or thirty (30) days after the expiration of term*: All applications filed within one (1) year before or thirty (30) days after the expiration of term may be filed on the SOC calendar.

- (2) *More than one (1) year before or less than two (2) years after the expiration of term*: All applications filed more than one (1) year before or less than two (2) years after the expiration of term may be filed on the SOC calendar, provided that the applicant requests a waiver under this paragraph in the application. In the request for a waiver, the applicant must demonstrate that the use has been continuous since the expiration of term, and substantial prejudice would result without such a waiver.

- (3) *More than two (2) years after but less than ten (10) years after the expiration of term*: All applications filed more than two (2) years after but less than ten (10) years after the expiration of term must be filed as a new variance or special permit on the BZ calendar, with the following exceptions:

- (i) Applications for pre-1961 use grants, filed pursuant to ZR § 11-411 may be filed on the SOC calendar, or on the BZ calendar as a reinstatement, provided that in either case the applicant requests a waiver under this subparagraph in the application. In the request for a waiver, the applicant must demonstrate that the use has been continuous since the expiration of term, and substantial prejudice would result without such a waiver.

Before filing, an applicant may request, in writing, a determination by the Chair of whether an application may be filed on the SOC calendar or on the BZ calendar as a reinstatement. If the application is filed as a reinstatement, the application will be subject to § 1-05 *et seq.* of these Rules.

- (ii) Applications for pre-1961 bulk grants that are not filed pursuant to ZR § 11-411 or post-1961 variances and special permits, where the grant is limited to a term that is specified only as a condition in the Board's resolution, may be filed on the SOC calendar as an amendment to modify such term or condition provided that the applicant requests a waiver under this subparagraph in the application.

- (iii) Applications for an extension of term of a transient parking waiver may be filed on the SOC calendar provided that the applicant requests a waiver under this subparagraph in the application.

- (4) *More than ten (10) years after the expiration of term*: All applications filed more than ten (10) years after the expiration of term must be filed as a new variance or special permit on the BZ calendar, with the following exceptions:

- (i) Applications for pre-1961 use grants filed pursuant to ZR § 11-411 may be filed on the BZ calendar as a reinstatement in accordance with § 1-05 *et seq.* of these Rules provided that the applicant requests a waiver under this subparagraph in the application. In the request for a waiver, the applicant must demonstrate that the use has been continuous since the expiration of term, that substantial prejudice would result without such a waiver, and that the use permitted by the grant does not substantially impair the appropriate use and development of adjacent properties.

- (ii) Applications for pre-1961 bulk grants that are not filed pursuant to ZR § 11-411 or post-1961 variances and special permits, where the grant is limited to a term that is specified only as a condition in the Board's resolution may be filed on the SOC calendar as an amendment to modify such term or condition provided that the applicant requests a waiver under this subparagraph in the application.

- (iii) Applications for an extension of term of a transient parking waiver may be filed on the SOC calendar provided that the applicant requests a waiver under this subparagraph in the application.

See Appendix C for a summary of the filing period and calendar for extension of term applications.

- (c) *Extensions of Time to Complete Construction*: All applications for an extension of time to complete construction filed pursuant to § 1-07.1(a)(3) may be filed on the SOC calendar as follows:

- (1) *Within one (1) year before or within thirty (30) days after the expiration of the time to complete construction*: All applications filed within one (1) year before or within thirty (30) days after the expiration of the time to complete construction may be filed on the SOC calendar.

- (2) *More than one (1) year before or less than two (2) years after the expiration of the time to complete construction*: All applications for an extension of time to complete construction which are filed more than one (1) year before or less than two (2) years after the expiration of time may be filed on the SOC calendar provided that the applicant requests a waiver under this paragraph in the application.

- (3) *More than two (2) years after but less than four (4) years after the expiration of the time to complete construction*: Applications filed more than two (2) years after but less than four (4) years after the expiration of time for pre-1961 use and bulk grants or transient parking waivers, where the time is specified only as a condition in the Board's resolution, may be filed on the SOC calendar as an amendment to modify such time period provided that the applicant requests a waiver under this paragraph in the application.

Applications for an extension of time to complete construction for post-1961 variances or special permits may be filed on the SOC calendar provided that the applicant requests a waiver under this paragraph in the application.

- (4) *More than four (4) years after the expiration of the time to complete construction*: Applications filed more than four (4) years after the expiration of time for pre-1961 use and bulk grants or transient parking waivers, where the time is specified only as a condition in the Board's resolution, may be filed on the SOC calendar as an amendment to modify such time period provided that the applicant requests a waiver under this paragraph in the application.

Applications for an extension of time to complete construction for post-1961 variances or post-1961 special permits must be filed as a new variance or special permit on the BZ calendar.

- (d) *Extensions of Time to Obtain a Certificate of Occupancy*: All applications for extensions of time to obtain a certificate of occupancy pursuant to § 1-07.1(a)(3) may

be filed on the SOC calendar as follows:

- (1) *Within one (1) year before or thirty (30) days after the expiration of the time to obtain a certificate of occupancy*: All applications filed within one (1) year before or thirty (30) days after the expiration of the time to obtain a certificate of occupancy may be filed on the SOC calendar.

- (2) *More than one (1) year before or more than thirty (30) days after the expiration of the time to obtain a certificate of occupancy*: Applications filed more than one (1) year before or more than thirty (30) days after the expiration of time may be filed on the SOC calendar, provided that the applicant requests a waiver under this paragraph in the application.

See Appendix D for a summary of the filing period and calendar for extension of time applications.

§ 1-07.4 Application Referral

In accordance with § 1-10.6 of these Rules and within three (3) business days after filing the application with the Board to be heard on the SOC calendar, the applicant must forward a copy of all application material to:

- (a) the affected community board(s) (and borough board, if applicable);
 (b) the affected borough president;
 (c) the affected city council member;
 (d) the administrative official who issued the determination; and
 (e) the City Planning Commission.

After forwarding all application material, the applicant must provide proof of service to the Board in accordance with § 1-10.7 of these Rules.

Applications for an extension of time are not subject to the requirements set forth in this subsection.

See Appendix A for a summary of all application referral requirements.

§ 1-07.5 Community Board Review

Within sixty (60) days after receipt of an application filed on the SOC calendar, the affected community board may hold a public hearing and submit a written recommendation on such application to the Board, or may waive in writing the holding of a public hearing. If a borough board is involved, within thirty (30) days after the submission of a recommendation or waiver by every community board in which the subject property is located, or after expiration of the time allowed for such community boards to act, the borough board may hold a public hearing and submit a written recommendation to this Board or may waive a public hearing. In accordance with § 1-10.6 of these Rules, the community board(s) or borough board will be deemed to have received an application on the day of personal delivery or five (5) calendar days after the date of the mailing of the application.

Following receipt of a recommendation or waiver from the affected community board(s) (and borough board, if applicable), or following the expiration of the time period for their review, the Board will hold a public hearing on the application and make a decision. The Board may, in its discretion, include in the record the recommendations of the affected community board(s) (or borough board) even if the recommendations are received after the applicable time period has expired.

§ 1-07.6 Hearing Notice

After the examiners have determined the application to be substantially complete, the Board will provide the applicant with the hearing notice and related forms at least thirty (30) days before the first scheduled hearing date. In accordance with § 1-10.6 of these Rules, the applicant must forward a copy of the hearing notice and related forms at least twenty (20) days before the first scheduled hearing date to:

- (a) the affected community board(s) (and borough board, if applicable);
 (b) the affected borough president;
 (c) the affected city council member; and
 (d) the City Planning Commission.

After forwarding the hearing notice and forms to the proper entities, the applicant must provide proof of service to the Board in accordance with § 1-10.7 of these Rules.

Applications for an extension of time are not subject to the requirements set forth in this subsection.

See Appendix A for a summary of all hearing notice requirements.

§ 1-07.7 Revised Application and Additional Submissions

If, at any time, an applicant for an Amendment or an Extension of Term filed on the SOC calendar provides the Board with a revised application and/or additional submissions, the applicant must within three (3) days submit a copy of the revised application and additional submissions to the affected community board(s) (and borough board, if applicable), affected borough president, affected city council member, and the City Planning Commission. The applicant must submit a cover letter to the Board identifying the contents of the submission and note the entities which have been forwarded copies of the submission required by this subsection.

If, after the community board's sixty (60) day review period, the applicant makes a substantial revision to the application, the Board, in its discretion, may consider any additional recommendations by the affected community board(s) (and borough board, if applicable), affected borough president, affected city council member, and the City Planning Commission, provided that the recommendations are related to the subject revisions and are submitted to the Board before the hearing is closed.

§ 1-08 City Environmental Quality Review (CEQR)

§ 1-08.1 Subject Matter

Applications for variances and special permits filed at the Board, in accordance with Mayoral Executive Order No. 91 of 1977, as amended, the Rules for City Environmental Quality Review, Title 62, Chapter 5, § 5-01 *et seq.* of the Rules of the City of New York ("CEQR"), and the State Environmental Quality Review Act regulations, 6 NYCRR Part 617, and any subsequent amendments thereto, will be subject to CEQR unless the Board determines that the application is for a Type II action and thus not subject to environmental review, or is otherwise exempt from CEQR in accordance with such regulations.

§ 1-08.2 Environmental Assessment Statement (EAS)

Applicants must complete the CEQR checklist provided by the Board. Pursuant to the checklist, if the application is for an action identified as a Type I or Unlisted Action, the application must be accompanied by an EAS. Applications will receive a CEQR number that is different from the calendar number, and all CEQR submissions will refer to both numbers, where applicable. Applicants may request a pre-application conference with the Board to seek their assistance in determining what information is required and the potential scope of the environmental review of the proposed action, including whether a Type II submission may be appropriate.

§ 1-08.3 Application Referral

In accordance with § 1-10.6 of these Rules, the applicant must forward a copy of any written information including, but not limited to, the Type II checklist and the EAS and any subsequent modifications to the EAS to:

- (a) the affected community board(s) (and borough board, if applicable);
 (b) the affected city council member; and
 (c) the affected borough president.

In addition, the Board will send to the Office of Environmental Coordination (OEC) the notification of commencement of environmental review.

After forwarding all material, the applicant must provide proof of service to the Board in accordance with § 1-10.7 of these Rules.

§ 1-08.4 Examiners' Review

After the applicant files the application on the appropriate calendar, the Board will review the application and will notify the applicant, in writing, whether the application is complete or whether additional information is required. The Board may require additional information from the applicant that it deems necessary to determine whether or not the action will have a significant effect on the environment.

§ 1-08.5 Determination of Significance and Publication of Determination

- (a) Negative Declaration: If the CEQR determination of significance is a negative declaration, the Board will issue the declaration at the time the resolution regarding the proposed action is issued, and such negative declaration will be stated in the Board's resolution.
- (b) Conditional Negative Declaration: Proposed conditional negative declarations will be transmitted to the applicant in advance of the Board's resolution regarding the proposed action. Upon receipt of the applicant's signature and agreement to the prescribed conditions, the Board will publish the conditional negative declaration and the EAS in the City Record and any other required publications, followed by a thirty (30) day public comment period. If, after the comment period, the Board determines that a draft Environmental Impact Statement (EIS) is not required, the Board will issue its CEQR determination concurrently with the resolution on the proposed action, and the conditional negative declaration will be stated in the resolution. If the Board determines that a draft EIS is required, the Board will issue a positive declaration, and a draft EIS will be required.
- (c) Positive Declaration: If the CEQR determination is a positive declaration then the Board will issue such determination prior to its issuance of a resolution on the proposed action. Positive declarations will be transmitted to the applicant along with a request that the applicant prepare a draft EIS, in accordance with Mayoral Executive Order No. 91 of 1977, as amended, the Rules for City Environmental Quality Review, Title 62, Chapter 5, § 5-01 *et seq.* of the Rules of the City of New York ("CEQR"), and the State Environmental Quality Review Act regulations, 6 NYCRR Part 617, and any subsequent amendments thereto.

The Board's negative declarations, conditional negative declarations, and positive declarations will be circulated to the individuals and agencies required by the Rules for City Environmental Quality Review, Title 62, Chapter 6, § 6-07 (*City Planning Commission Review*) of the Rules of the City of New York.

§ 1-09 Application Requirements

§ 1-09.1 Application Form

All applications must be on the applicable form, and must include information required in the forms and the accompanying instructions. All applications must be filed in person, and the Board will only accept complete applications. After the application is calendared for public hearing, the Board will determine at its review session and public hearing whether additional plans, drawings, exhibits, or other information are required.

Any communication from an applicant submitted in a manner other than as described in these Rules will be regarded as a mere notice of intention to seek relief and will have no force or effect until it is made in the form required. Upon receipt of any such communication, the Board will direct the applicant to the proper forms and instructions for completing an application. Such communication will not stay the thirty (30) day time period for filing an application referred to in §§ 1-05.3, 1-06.3, and 1-07.3(a) of these Rules.

§ 1-09.2 Fees

Before an application is docketed and a calendar number is assigned, the applicant must pay the prescribed filing fee in accordance with the fee schedule authorized by § 25-202 of the New York City Administrative Code. The fee must be paid in the form of a check or money order or in another form acceptable to the Board. When applicable, the applicant must also pay the prescribed City Environmental Quality Review (CEQR) fee in accordance with the fee schedule authorized by Mayoral Executive Order No. 91 of 1977, as amended, and Title 62, Chapter 3, Subchapter A, §§ 3-01 (*Fee for CEQR applications*) and 3-02 (*Schedule of charges*) of the Rules of the City of New York. A municipal department or agency of the City may be entitled to an exemption from Board fees pursuant to § 25-202 (*Fees*) of the New York City Administrative Code.

§ 1-09.3 Drawings and Other Exhibits

All drawings submitted with an application must be properly titled, numbered, dimensioned, dated, drawn to scale, and must otherwise conform to the applicable instructions. All drawings must be clear and bear a legible seal and signature of a registered architect or licensed professional engineer. All drawings and other exhibits, unless otherwise accepted by the executive director, must be on 8 ½ x 14 inch sheets or on 11 x 17 inch sheets that are folded to 8 ½ x 11 inches.

§ 1-09.4 Owner's Authorization

Every owner of record on a zoning lot which is the subject of an application must execute and submit the Board's Affidavit of Ownership and Authorization form. The form may be completed by the owner or any other entity or person legally authorized to act for such owner.

If the applicant is not the owner, the applicant must submit the Affidavit of Ownership and Authorization form signed by the owner(s) of record authorizing the applicant to file the application. However, an applicant appealing a final agency determination who is not the owner of the subject property is not required to submit an Affidavit of Ownership and Authorization form.

§ 1-10 Application Pre-Hearing Review

§ 1-10.1 Calendar Number

Each properly filed complete application will be numbered serially in the order received. The calendar numbers will begin anew on January 1st of each year, and will be hyphenated with the number of the year and the corresponding suffix (BZ, A, or BZY) indicating the type of application. The original calendar number will be used for an application to reopen or amend a previous case for the same property on the SOC or A calendar. In certain instances, a new calendar number may be required in lieu of the original calendar number for reinstatement applications.

§ 1-10.2 Examiner's Review

After the application receives a calendar number, the designated examiner will review the application and issue a notice of comments to the applicant, and the applicant must respond with the necessary revisions to the application in a timely manner. When the examiner finds that the application is substantially complete, the applicant will be notified of the date on which the application is scheduled for public hearing.

§ 1-10.3 Site Inspection

Commissioners may visit sites that are the subject of an application. The Chair may create committees of commissioners or commissioners and staff for specific site visits. Any committee appointed by the Chair will report its findings to the Board. In any application in which the Chair deems it necessary, a member of the Board may enter, inspect, and examine the premises which is the subject of the application, in accordance with Charter § 667 (*Inspections*).

§ 1-10.4 Hearing Calendar

The Board will issue a hearing calendar at least five (5) days before the date of the scheduled hearing. The hearing calendar will identify the date and time of the hearing and list each application to be heard by calendar number, applicant, and property address. Such calendar will be posted at the Board office, in the Bulletin, and on the Board's website.

§ 1-10.5 Board Publication of Hearing Notice

The Board will publish a hearing notice, including the hearing date and subject matter, for applications filed on the BZ, A, and SOC calendars in the City Record at least twenty (20) days before the hearing date.

§ 1-10.6 Application Referral and Hearing Notice

The applicant must forward copies of a filed application and hearing notice to individuals and entities required by these Rules by regular mail, certified mail, express delivery service, or personal delivery.

All materials required to be provided to the affected community board(s) (and borough board, if applicable), and the City Planning Commission must be addressed to the respective chairperson. Individuals or entities, including the affected community board(s) (and borough board, if applicable), will be deemed to have received a referred application on the day of personal delivery or five (5) calendar days after the date of the mailing of the application to such individuals or entities.

See Appendix A for a summary of application referral and hearing notice requirements.

§ 1-10.7 Proof of Service for Application Referral and Hearing Notice

The applicant must demonstrate proof of service of an application referral or hearing notice, in accordance with § 1-10.6, by submitting to the Board: (1) the completed form of Proof of Notification of Hearing; and (2) a US Postal Service receipt if by regular mail, a signed US Postal Service receipt if by certified mail, a receipt if by express delivery service, or an affidavit of service if by personal delivery.

The applicant must submit to the Board proof of service of the application referral within ten (10) days of the initial filing. The applicant must submit to the Board proof of service of the hearing notice within ten (10) days of the date of the mailing or personal delivery.

See Appendix A for a summary of proof of service requirements.

§ 1-11 Sessions of the Board

§ 1-11.1 Public Hearings

Public hearings of the Board will be held on Tuesdays at 10 A.M. for the SOC and the A calendars, and at 1:30 P.M. for the BZ calendar or on days and times to be scheduled by the Board as may be deemed necessary. Hearings will be devoted to the consideration of applications which the Board has jurisdiction to hear as referenced in § 1-01 of these Rules.

§ 1-11.2 Special Hearings

Special public hearings and special review sessions may be called by the Chair or at the request of three (3) commissioners, provided that notice is given to each commissioner at least twenty-four (24) hours before the time set for such hearing or session. Reasonable notice of the dates and subject matter to be heard will be provided to the applicants and posted at least twenty-four (24) hours in advance on the Board's website.

§ 1-11.3 Review Sessions

Sessions for Board review of cases calendared for hearing will be held on the Monday preceding the calendared hearing date or as determined by the Board. The public may attend all review sessions, but may not participate.

§ 1-11.4 Chair and Commissioners

The Chair, or in the absence of the Chair, the Vice Chair, will preside at all hearing and review sessions. The Chair, or in the absence of the Chair, the Vice Chair, may designate another commissioner of the Board to preside and perform the duties of the Chair at hearings or review sessions. If the Chair and Vice Chair are absent and a quorum is present, the commissioners will choose a presiding officer from among their number. Commissioners will attend review sessions and hearings in person, except that, during absence or illness a substitute may act as provided in § 25-201 (*Temporary Vacancies: Filling of*) of the New York City Administrative Code. Commissioners will not proceed to question or discuss an issue, put a motion or offer a resolution until they have addressed the Chair and have been recognized. During the progress of a roll call, commissioners will not leave the hearing room.

§ 1-11.5 Quorum and Voting

Public hearing or review sessions will only be conducted with a quorum. A quorum of the Board will consist of three (3) commissioners. A concurring vote of at least three (3) commissioners will be necessary for a decision to grant an application or an appeal, to revoke or modify a variance, special permit or other decision of the Board, or to make, amend, or repeal a rule or regulation. If an action fails to receive the requisite three (3) votes, it will be deemed a denial. If a commissioner or commissioners are absent at the roll call and the absentee commissioner or commissioners are eligible to vote, the Chair may defer the decision to a later time.

§ 1-11.6 Conflict of Interest

Commissioners and staff will abide by Chapter 68 of the New York City Charter regarding conflicts of interest, as well as any rules promulgated by the Conflicts of Interest Board.

§ 1-11.7 Hearing Procedure

The Chair, or in the absence of the Chair, the Vice Chair, subject to these Rules, will decide all points of order or procedure at public hearings, unless otherwise directed by a majority of the Board in session at that time. The Chair will control the order of speakers, the admission of evidence, the time permitted for each speaker, and the general decorum of the hearing room. Generally, at the hearing, the applicant will present the argument in support of the application and respond to issues raised at the review session. The Chair may then permit testimony from elected officials, community board representatives, and the general public, in accordance with § 1-11.8. The Chair may limit speakers to one (1) individual per household or tenancy within the affected area. Subject to the direction of the Board, the executive director, or his or her designee, will enforce these Rules and maintain order in the hearing room during all public hearings.

§ 1-11.8 Testimony

The applicant and any individual called by the applicant may present testimony at the hearing. In applicable cases, any person who resides at, leases, or owns real property within the affected area described in § 1-02 of these Rules, or a representative of such person, may present testimony. The Chair may permit testimony by representatives of any neighborhood, civic, business, or industry association whose members have an expertise or interest in the land use aspects of the application. The Chair may require submission of a written authorization from the organization stating the speaker's representative capacity. Any person coming forward to testify must state his or her name, address within the affected area, and/or representative capacity. Subject to the discretion of the Chair, testimony from the public may be limited to individuals or representatives of groups from the affected area.

§ 1-11.9 Continued and Closed Hearings

The Board may continue the hearing to a new date for additional testimony. All scheduled submissions from all parties must be delivered to and stamped in at the Board office with the requisite number of copies.

Upon motion of the Chair or any commissioner, the Board may vote to close the hearing and to permit no further testimony. In appropriate cases, the Chair may permit the record to remain open until a given date for submissions of written evidence. The Chair may also permit technical and other minor revisions to be accepted after the hearing is closed but before the vote. Factors the Board will consider in determining whether the revision is technical or minor include: whether the revision would have any material impact on the Board's findings, whether the revisions were discussed at a public session by the Board, or whether the revision is essentially an administrative correction.

§ 1-11.10 Late Submissions

In order to ensure a predictable and timely review of an application, submissions may not be accepted after the date established by the Chair. All requests for adjustments to the schedule must be made on or before the date of submission to the Board's executive director.

§ 1-12 Disposition of Applications

§ 1-12.1 Final Determination

A final determination of the Board will be in the form of a written resolution. Such resolution will state the rule, regulation, order, requirement, decision, or determination upon which the application has been made, and will set forth the Board's findings and conclusion. The Board may reverse, affirm, in whole or in part, or modify a rule, regulation, order, requirement, decision, or determination, or it may dismiss an application for lack of jurisdiction or prosecution, or as moot.

An application must receive three (3) affirmative votes to be granted. If an application fails to receive three (3) affirmative votes, the action will be deemed denied. A resolution denying or granting any application will be formally entered on the record. If, however, a Commissioner or Commissioners are absent at the roll call and the absentee Commissioner(s) is eligible to vote, the Chair may defer the vote to a future hearing.

§ 1-12.2 Withdrawal

The Board may consider a request to withdraw an application made by the applicant at any time before the Board's final determination.

If the request to withdraw is made before the hearing has been closed, the Board may permit withdrawal without prejudice upon request.

If the request to withdraw is made after the hearing is closed, the Board may permit withdrawal without prejudice for good cause only. If it determines that proper enforcement or public policy would thereby be served, the Board may refuse the withdrawal or it may condition the withdrawal with prejudice on the re-filing of a future application for the same relief.

If the request to withdraw the application is made, and a motion to vote is pending, such motion will have precedence.

§ 1-12.3 Dismissal

The Board may, in its discretion, dismiss an application for failure to prosecute, with or without prejudice, depending on the circumstances of the application. Further, the Board may, at its discretion, dismiss an application where a defect in the application has not been corrected or where an incomplete application has not been completed in a timely manner. The executive director will send out a dismissal letter informing the applicant that the application will be dismissed if the requisite correction or information is not forthcoming within thirty (30) days of receipt of such letter. The Board may grant an extension to the thirty (30) day period upon request in writing for additional time to correct or complete an application, provided that the applicant presents reasonable circumstances for delay and provides a timetable for a subsequent submission. The applicant will be deemed to have received the letter five (5) business days after the date of transmittal of such letter.

Dismissals will be in the form of a letter signed by the Chair or the executive director.

However, any dismissal action to be taken within one (1) year after the date of mailing of the Board's notice of comments will be by a vote of the Board at a public hearing after proper notice to the applicant.

§ 1-12.4 Reargument

The Board will not grant a request to reargue a case which was denied, dismissed, or approved unless the applicant shows that the Board misapprehended the relevant facts or misapplied any controlling principles of law, including the Zoning Resolution.

In all cases, the request for reargument must be made on the SOC Form stating the reasons for the request, and must be accompanied by necessary supporting documents and/or plans. The Chair and executive director will schedule a hearing date when the Board will review the request for restoration to the calendar. The executive director will inform the applicant and, if different from the applicant, the owner of the subject property, of the hearing date at least twenty (20) days in advance of the public hearing. If, on a motion of the Chair adopted by three (3) affirmative votes, the Board grants a request for a reargument, the case will be placed on the appropriate calendar and scheduled for reargument.

§ 1-12.5 Rehearing

The Board will not grant a request to rehear a case which was denied, dismissed, or withdrawn with prejudice unless: (1) substantial new evidence is submitted that was not available at the time of the initial hearing, (2) there is a material change in plans or circumstances, or (3) an application is filed under a different jurisdictional provision of the law.

In all cases, the request for rehearing must be made on the SOC Form, must state the reasons for the request, and must be accompanied by necessary supporting documents and plans. The Chair and the executive director will schedule a hearing date when the Board will review the request for restoration to the calendar. The executive director will inform the applicant and, if different from the applicant, the owner of the subject property, of the hearing date at least twenty (20) days in advance of the public hearing. If, on motion of the Chair, adopted by three (3) affirmative votes, the request for a rehearing is granted, the case will be placed on the appropriate calendar and scheduled for a rehearing. The Board, if appropriate, may direct the applicant to file a new application with the requisite application forms and fees. All rules of notice as required by these Rules for the original hearing of the case must be followed.

§ 1-12.6 Board Review of Decision

In accordance with § 666(8) of the Charter, the Board may, for good cause, on its own motion at a public hearing, review any decision that it has made and may reverse or modify such decision, but no such review will prejudice the rights of any person who has in good faith acted thereon before it is reversed or modified. The Board will hear the motion to review on the SOC calendar after notice by the Board to the applicant and the owner of the subject property. The Board at its discretion may elect to review such decision on the case's original calendar if deemed appropriate.

§ 1-12.7 Court Review of Decision

Pursuant to § 25-207 (Certiorari) of the New York City Administrative Code, any person or persons jointly or severally aggrieved by any decision of the Board upon appeal or review made pursuant to § 666 of the Charter, may present to the Supreme Court of the State of New York a petition duly verified, setting forth that such decision is illegal, in whole or in part, and specifying the grounds of the illegality. Such petition must be presented to a justice of the Supreme Court of the State of New York or at a special term of the Supreme Court within thirty (30) days after the date the Board has filed a signed decision in its office.

§ 1-12.8 Compliance

In accordance with § 666(11) of the Charter, the Board may, at its discretion, and upon due notice of the hearing, revoke or modify variances or special permits previously granted under the Zoning Resolution when it finds that the terms or conditions of such grants have been violated. The Board will notify the property owner or the owner's representative of a hearing at least twenty (20) calendar days before the hearing.

§ 1-12.9 Board Resolution

The determination of the Board in each case will be incorporated in a resolution formally adopted and filed at the Board office. The resolution will generally be made available to the public on the day following the date of decision, and will be posted on the Board's website and published in the Bulletin.

§ 1-12.10 Enforcement of Board Resolution

Officials who are charged with the enforcement of the laws, ordinances, and rules relating to buildings in the City of New York, will be bound by the resolutions issued by the Board and, before granting a permit or taking any other action, must see that there are no misstatements as to facts and that the conditions of the resolution are observed. Any administrative official who discovers any misstatement of essential information is required to notify the Board in order that it may take such actions as the circumstances require.

Any member of the public who observes a violation of the conditions of any resolution of the Board may write to the Chair or executive director in order for the Board to determine if the matter should be calendared for a hearing to determine if there has been non-compliance with the resolution in accordance with § 1-12.8 of these Rules.

§ 1-12.11 Minor Amendment of Previous Approvals

After staff review, the Chair may deem minor certain amendments or corrections of previously approved applications, including changes to an approved plan or resolution, provided that such amendments, changes, or corrections substantially comply with the Board's previous approval, and the findings under which such approval was made are not affected by such amendments or corrections. Such amendments or corrections may be approved by the Chair by letter. A request for a letter approval must be made in writing explaining the changes or corrections and accompanied by all relevant information including previously approved drawings and resolution(s) and proposed drawings and resolution changes.

§ 1-13 Records

§ 1-13.1 Bulletin

A record of the Board's proceedings will be maintained in the Board's Bulletin. The Bulletin is the official publication of the Board. The Bulletin will, whenever practical, be published each week. It will contain:

- (a) the hearing calendar;
(b) the docket of applications filed at the Board since the last Bulletin;
(c) an abstract of the minutes of each hearing, including a brief statement of the action in each case, the votes, and the adopted resolution;
(d) notices of hearing on proposed rules or the amendment of rules;
(e) an index of rules adopted; and
(f) such other information as may be of value to the public and within the scope of the work of the Board.

§ 1-13.2 Freedom of Information

Requests for information pursuant to § 87 (Access to Agency Records) et seq. of the New York State Public Officers Law (Freedom of Information) must be submitted to the designated Freedom of Information Officer. A decision granting or denying access to the requested document(s) will be made in writing by the Board in accordance with the law.

Appeals from a denial of a request for information must be submitted to the counsel of the Board within thirty (30) days from the date of the determination. A decision explaining in writing the reasons for further denial or providing access to the record(s) sought will be made in accordance with the law.

§ 1-13.3 Hearing Records

A complete record of the public hearings will be maintained by the Board. Requests for typewritten transcripts of the record may be made to the designated Freedom of Information Officer and may be ordered by the public for a prescribed fee. After final disposition, the entire application will be retained in the Board office. All applications, except materials otherwise exempt, will, upon request to the Freedom of Information officer, be accessible to the public during normal business hours.

§ 1-13.4 Archival Files

The Board will retain within its office files for all completed (i.e., approved, withdrawn, or denied) applications for approximately five (5) years. After five (5) years, the files will be

stored off-site. The public may request that the Board obtain the files from the off-site location. Such request will be subject to the requisite fee requirement, in accordance with § 1-09.2 of these Rules.

§ 1-13.5 Agency Website

The Board will maintain an agency website that will provide the public with current information relating to its activities and responsibilities, including information on upcoming public hearings, filed applications, Board resolutions, application forms and instructions, and announcements of any changes of agency practices and procedures.

§ 1-14 Rules of Procedure and General Rules and Regulations

§ 1-14.1 Adoption, Amendment, or Repeal of Rules

The Board may adopt, amend, or repeal any of its rules or regulations. When authorized by the Board, notice of such proposed rule or regulation will be published in accordance with the notice requirement of Charter § 1043 (City Administrative Procedure Act - Rulemaking) and will also be published in the Board's Bulletin not less than twenty (20) days before the hearing date. Following the public hearing, the Board may adopt, amend, or repeal any rule or regulation and thereafter will publish such rule or regulation in the City Record in accordance with the provisions of Charter § 1043 and in the Board's Bulletin. The rule or regulation will become effective thirty (30) days after publication in the City Record.

§ 1-14.2 Waiver of the Rules of Practice and Procedures

Upon written submission, an applicant may request a waiver of any section or subdivision of these Rules. To the extent authorized by law, the Board may waive rule provisions in an individual matter at any public hearing by vote of the Board in conformance with § 1-11.5 of these Rules either by addressing the request at the hearing or by adopting or denying a waiver through its written resolution.

APPENDIX A: Summary of Application Referral, Hearing Notice, and Proof of Service Requirements

Table with columns: Zoning Calendar (BZ), Appeals Calendar (A), Special Order Calendar (SOC). Rows include Application Referral, Hearing Notice, and Proof of Service. Columns include Variance, Reinstatement, Major Amendment, Special Permit, Agency Final Determination, GCL § 35, GCL § 36, Vested Rights, Amendment, and Extension of Term.

CB = Community Board; BP = Borough President; CC = City Council Member; CPC = City Planning Commission; DOB = Department of Buildings; and AO = Administrative Official who issued the determination.

*If the subject property is located within more than one community board, the applicant must also refer the application and provide notice to the affected borough board. This table is intended to serve as a summary. Please see the full text of the associated rule for all requirements.

APPENDIX B: Fire Code Sections* for Appeals Involving Hazardous Materials

Table mapping Fire Code Sections (e.g., 102.3, 104.8, 105.1.1) to specific codes (e.g., 3304.5.2.2, 3406.4.5.2).

*The Fire Code Sections are found in the New York City Administrative Code Title 29, Chapter 2.

APPENDIX C: Summary of Filing Period and Calendar for Extension of Term Applications

Table with columns: Filing Period, File on SOC for Extension of Term, File on SOC for Extension of Term and Request Waiver, File on SOC for Amendment and Request Waiver, File on BZ for Reinstatement and Request Waiver, File on BZ as New Application. Rows include Pre-1961 Use Grant, Post-1961 Variance, Post-1961 Special Permit, and Transient Parking Waiver.

*Any request for a waiver may require the Chair to determine the type of application and the calendar under which such application will be filed. *Applications for pre-1961 bulk grants that are not filed pursuant to ZR § 11-41.1 or post-1961 variances and special permits, where the grant is limited to a term that is only specified as a condition in the Board's resolution, may be filed on the SOC calendar as an amendment to modify such term or condition provided that the applicant requests a waiver.

This table is intended to serve as a summary. Please see the full text of the associated rule for all requirements.

APPENDIX D: Summary of Filing Period and Calendar for Extension of Time Applications

Table with columns: Filing Period, File on SOC for Extension of Time, File on SOC for Extension of Time and Request Waiver, File on SOC for Amendment and Request Waiver, File on BZ as New Application. Row includes Pre-1961 Use Grant.

Table with columns for application types (a-e) and checkmarks indicating status for various categories like Pre-1961 Bulk Grant, Post-1961 Variance, etc.

1 Any request for a waiver may require the Chair to determine the type of application and the calendar under which such application will be filed.
2 Applications for pre-1961 use and bulk grants or transient parking waivers, where the time is specified only as a condition in the Board's resolution, may be filed on the SOC calendar as an amendment to modify such time period provided that the applicant requests a waiver.
This table is intended to serve as a summary. Please see the full text of the associated rule for all requirements.

NEW YORK CITY LAW DEPARTMENT
DIVISION OF LEGAL COUNSEL
100 CHURCH STREET
NEW YORK, NY 10007
212-788-1087

CERTIFICATION PURSUANT TO CHARTER §1043(d)

RULE TITLE: Amendment of Rules of Practice and Procedure

REFERENCE NUMBER: 2011 RG 086

RULEMAKING AGENCY: Board of Standards and Appeals

I certify that this office has reviewed the above-referenced proposed rule as required by section 1043(d) of the New York City Charter, and that the above-referenced proposed rule:

- (i) is drafted so as to accomplish the purpose of the authorizing provisions of law;
(ii) is not in conflict with other applicable rules;
(iii) to the extent practicable and appropriate, is narrowly drawn to achieve its stated purpose; and
(iv) to the extent practicable and appropriate, contains a statement of basis and purpose that provides a clear explanation of the rule and the requirements imposed by the rule.

/s/ STEVEN GOULDEN
Acting Corporation Counsel

Date: May 3, 2012

NEW YORK CITY MAYOR'S OFFICE OF OPERATIONS
253 BROADWAY, 10th FLOOR
NEW YORK, NY 10007
212-788-1400

CERTIFICATION / ANALYSIS PURSUANT TO CHARTER SECTION 1043(d)

RULE TITLE: Amendment of Rules of Practice and Procedure

REFERENCE NUMBER: BSA-1

RULEMAKING AGENCY: Board of Standards and Appeals

I certify that this office has analyzed the proposed rule referenced above as required by Section 1043(d) of the New York City Charter, and that the proposed rule referenced above:

- (i) Is understandable and written in plain language for the discrete regulated community or communities;
(ii) Minimizes compliance costs for the discrete regulated community or communities consistent with achieving the stated purpose of the rule; and
(iii) Does not provide a cure period because it does not establish a violation, modification of a violation, or modification of the penalties associated with a violation.

/s/ Rachel Squire
Mayor's Office of Operations

May 3, 2012
Date

SPECIAL MATERIALS

COMPTROLLER

NOTICE

NOTICE OF ADVANCE PAYMENT OF AWARDS PURSUANT TO THE STATUTES IN SUCH cases made and provided, notice is hereby given that the Comptroller of the City of New York, will be ready to pay, at 1 Centre St., Rm. 629, New York, NY 10007 on May 9, 2012, to the person or persons legally entitled an amount as certified to the Comptroller by the Corporation Counsel on damage parcels, as follows:

Table with columns: Damage Parcel No., Block, Lot. Rows: 2, 3.

Acquired in the proceeding, entitled: IONIA AVENUE subject to any liens and encumbrances of record on such property. The amount advanced shall cease to bear interest on the specified date above.

JOHN LIU
Comptroller

a25-m9

HOUSING PRESERVATION & DEVELOPMENT

NOTICE

REQUEST FOR COMMENT REGARDING AN APPLICATION FOR A CERTIFICATION OF NO HARASSMENT

Notice Date: May 7, 2012

To: Occupants, Former Occupants, and Other Interested Parties

Table with columns: Property: Address, Application #, Inquiry Period. Lists addresses in Brooklyn and Manhattan.

Table with columns: Property: Address, Application #, Inquiry Period. Lists addresses in Manhattan.

169 Beach 120th Street, Queens 53/12 April 25, 2009 to Present

Authority: SRO, Administrative Code §27-2093

Before the Department of Buildings can issue a permit for the alteration or demolition of a single room occupancy multiple dwelling, the owner must obtain a "Certification of No Harassment" from the Department of Housing Preservation and Development ("HPD") stating that there has not been harassment of the building's lawful occupants during a specified time period.

The owner of the building identified above has applied for a Certification of No Harassment. If you have any comments or evidence of harassment at this building, please notify HPD at CONH Unit, 100 Gold Street, 3rd Floor, New York, NY 10038 by letter postmarked not later than 30 days from the date of this notice or by an in-person statement made within the same period.

m7-14

Notice of Concept Paper

In advance of the release of a Request for Proposals for HPD's Neighborhood Preservation Consultant Program, the Department of Housing Preservation and Development (HPD) is issuing a Concept Paper representing the agency's approach to this field. The Neighborhood Preservation Consultant Program Concept Paper will be posted as of May 14, 2012 on HPD's website at www.nyc.gov/hpd— Click on "Vendors"; and scroll down to "HPD's Neighborhood Preservation Consultant Program Concept Paper".

m7-11

OFFICE OF THE MAYOR

CRIMINAL JUSTICE COORDINATOR'S OFFICE

NOTICE

The U.S. Department of Justice, Bureau of Justice Assistance (BJA), recently announced that \$4,130,203 is available for New York City under the Justice Assistance Grant (JAG) program. Funds may be used for several purpose areas, including: law enforcement programs, prosecution and court programs, prevention and education programs, corrections, drug treatment, planning, evaluation, and technology improvement programs.

The Mayor's Office of the Criminal Justice Coordinator, in consultation with the New York City Office of Management and Budget, is in the process of preparing a distribution plan for JAG funds. The City is required to submit an application for funding to BJA by May 14, 2012. Individuals or organizations who wish to provide comment about the distribution of JAG funds in New York City should send comments to:

Grant Coordinator
New York City Mayor's Office of the Criminal Justice Coordinator
One Centre Street, Room 1012 North, New York, NY 10007

All comments must be received by May 11, 2012.

m4-11

CHANGES IN PERSONNEL

Table with columns: NAME, TITLE, NUM, SALARY, ACTION, PROV, EFF DATE. Lists personnel changes for the Department of Sanitation for the period ending 03/30/12.

Table with columns: NAME, NUM, SALARY, ACTION, PROV, EFF DATE. Lists personnel changes for the Business Integrity Commission for the period ending 03/30/12.

Table with columns: NAME, NUM, SALARY, ACTION, PROV, EFF DATE. Lists personnel changes for the Department of Finance for the period ending 03/30/12.

Table with columns: NAME, NUM, SALARY, ACTION, PROV, EFF DATE. Lists personnel changes for the Department of Finance for the period ending 03/30/12.

DEPARTMENT OF TRANSPORTATION FOR PERIOD ENDING 03/30/12						
NAME	NUM	SALARY	ACTION	PROV	EFF DATE	
ACKERMAN	WILLIAM R	91616	\$52.8000	APPOINTED	YES	03/18/12
ADAMS	JASON W	91215	\$50.7000	APPOINTED	YES	03/18/12
ALEXANDRE	GINA P	90692	\$22.0300	DECREASE	YES	03/18/12
AUGELLO	GIOACCHI V	91210	\$50.7000	APPOINTED	YES	03/18/12
BELARDI	SEBASTIA R	91616	\$52.8000	APPOINTED	YES	03/18/12
BENCIVENGO	ANTHONY R	91616	\$52.8000	APPOINTED	YES	03/18/12
BLAKE	KEVIN	22427	\$65698.0000	RESIGNED	NO	03/18/12
BONGIORNO	NICOLE	91616	\$52.8000	APPOINTED	YES	03/18/12
BUONO	GIOVANNI	90692	\$22.0300	DECREASE	YES	03/18/12
CARBONE	JOSEPH	91352	\$73352.0000	INCREASE	NO	12/25/11
CINQUEMANI	GIUSEPPE	91616	\$52.8000	APPOINTED	YES	03/18/12
CORDANO	JOSEPH	91215	\$50.7000	APPOINTED	YES	03/18/12
COTTON	EDWARD B	90692	\$22.0300	DECREASE	YES	03/18/12
CRUPI	JAMES R	91616	\$52.8000	APPOINTED	YES	03/18/12
CRUZ-VEGA	DANIEL A	34205	\$65698.0000	DISMISSED	NO	03/09/12
DAVIS-JONES	DARLENE	12627	\$68466.0000	PROMOTED	NO	02/27/12
DAWSON	CEDRIC A	90647	\$31873.0000	DECEASED	YES	03/11/12
DELUCA	ROSE	90692	\$16.1400	APPOINTED	YES	03/12/06
DIANORA	MICHAEL	91616	\$52.8000	APPOINTED	YES	03/18/12
DIESO	MATTHEW J	91616	\$52.8000	APPOINTED	YES	03/18/12
DIMARIA	CALOGERO	91616	\$52.8000	APPOINTED	YES	03/18/12
DINGER	AUGUST G	91616	\$52.8000	APPOINTED	YES	03/18/12
DOYLE	JAMES F	91616	\$52.8000	APPOINTED	YES	03/18/12
FELICIANO	IRIS	10251	\$43394.0000	RESIGNED	NO	03/18/12
FIORIELLO	BENNETT P	91210	\$50.7000	APPOINTED	YES	03/18/12
FRANCO	MICHAEL	91616	\$52.8000	APPOINTED	YES	03/18/12
FUENTES	EMMANUEL L	90692	\$22.0300	DECREASE	YES	03/18/12
GALGAN	ANTHONY	10061	\$140000.0000	INCREASE	YES	03/18/12
GALGAN	ANTHONY	22122	\$93994.0000	APPOINTED	NO	03/18/12
GILDEA	DANIEL E	91215	\$50.7000	APPOINTED	YES	03/18/12
GOWDAR	KIRAN S	12627	\$68466.0000	PROMOTED	NO	03/22/12
GRECO	JOSEPH M	91616	\$52.8000	APPOINTED	YES	03/18/12
HAFELE	JOHN J	91616	\$52.8000	APPOINTED	YES	03/18/12
HENNING	WILLIAM F	10124	\$56911.0000	INCREASE	NO	03/20/12
HERLING	JOHN	90910	\$54183.0000	RETIRED	NO	03/24/12
HILL	WILLIE	92406	\$315.6800	RETIRED	NO	03/21/12
HOLLAND	MARIA	12627	\$70248.0000	PROMOTED	NO	02/27/12
HOM	TOMMY	22427	\$66051.0000	RETIRED	NO	03/14/12
HUQ	MOZZAMME	20210	\$58261.0000	RETIRED	NO	03/23/12
IBRAHIM	ALBERT	22427	\$65698.0000	INCREASE	NO	02/26/12
IPPOLITO	GEORGE J	91616	\$52.8000	APPOINTED	YES	03/18/12
JACKSON JR	CARLOS L	91616	\$52.8000	APPOINTED	YES	03/18/12
JOSEPH	MARIE L	90692	\$22.0300	DECREASE	YES	03/18/12
KERRIGAN JR	CHARLES F	91616	\$52.8000	APPOINTED	YES	03/18/12
KISSELEVA	ZOYA D	12627	\$68466.0000	PROMOTED	NO	02/27/12
KROMAH	MICHAEL M	91616	\$52.8000	APPOINTED	YES	03/18/12
LAWRENCE	DAMIAN O	91616	\$52.8000	APPOINTED	YES	03/18/12
LAWSON	GARY E	91616	\$52.8000	APPOINTED	YES	03/18/12
LENNIHAN	ROBERT B	91616	\$52.8000	APPOINTED	YES	03/18/12
LIBERTIN	DANIEL	35007	\$32678.0000	RESIGNED	YES	03/02/07
MAROTTA-KAMBER	KIM A	91616	\$52.8000	APPOINTED	YES	03/18/12
MAZZEO	FRANK	91352	\$69139.0000	RETIRED	NO	03/23/12
MCELEARNEY	PAUL J	91616	\$52.8000	APPOINTED	YES	03/18/12
MINTON	JASON R	91616	\$52.8000	APPOINTED	YES	03/18/12
MONFORTE	JOHN R	91616	\$52.8000	APPOINTED	YES	03/18/12
MONTALVO	AUGUSTIN	12627	\$68466.0000	PROMOTED	NO	02/27/12
MORENZI	VINCENT A	35007	\$30246.0000	RESIGNED	YES	03/11/12
MORGAN	DENNIS J	91616	\$52.8000	APPOINTED	YES	03/18/12
NIEMANN	ANDREANA	91616	\$52.8000	APPOINTED	YES	03/18/12
NOEST	ROBERT O	91616	\$52.8000	APPOINTED	YES	03/18/12
PANCETTI	JOSEPH M	91616	\$52.8000	APPOINTED	YES	03/18/12
PAUL	BERNARD H	91616	\$52.8000	APPOINTED	YES	03/18/12
RAMRATAN	GANESH K	13691	\$95896.0000	RESIGNED	YES	10/23/11
REZK	JEMMY T	22427	\$65698.0000	INCREASE	NO	02/26/12
RICHTER	STEVEN	91616	\$52.8000	APPOINTED	YES	03/18/12
RIVERA	MIGUEL	91616	\$52.8000	APPOINTED	YES	03/18/12
SCALICI	VICTOR	91616	\$52.8000	APPOINTED	YES	03/18/12
SCHOLLHAMER	JAMES J	91616	\$52.8000	APPOINTED	YES	03/18/12
SIMS	RESHAWN C	90642	\$35086.0000	RESIGNED	YES	03/04/12
SMITH	JAMES D	91616	\$52.8000	APPOINTED	YES	03/18/12
SOFFIAN	GERARD	10061	\$163843.0000	RETIRED	NO	01/07/12
SOKOLOSKI	ROBERT N	91210	\$50.7000	APPOINTED	YES	03/18/12
SPALLETTA	ANTHONY C	91616	\$52.8000	APPOINTED	YES	03/18/12
THOMAS	WILLIAM J	90692	\$22.0300	DECREASE	YES	03/18/12
TIRRO	SALVATOR J	91215	\$50.7000	APPOINTED	YES	03/18/12
TRICORICO	ROBERT M	91616	\$52.8000	APPOINTED	YES	03/18/12
TROWER	WONDRA R	12627	\$68466.0000	PROMOTED	NO	02/27/12
TUFANO	SALVATOR	91616	\$52.8000	APPOINTED	YES	03/18/12
WILLIAMS	ROGER A	90692	\$22.0300	DECREASE	YES	03/18/12

m7

LATE NOTICES

AGENCY PUBLIC HEARINGS ON CONTRACT AWARDS

NOTE: Individuals requesting Sign Language Interpreters should contact the Mayor's Office of Contract Services, Public Hearings Unit, 253 Broadway, 9th Floor, New York, N.Y. 10007, (212) 788-7490, no later than SEVEN (7) BUSINESS DAYS PRIOR TO THE PUBLIC HEARING. TDD users should call Verizon relay services.

CITYWIDE ADMINISTRATIVE SERVICES

PUBLIC HEARING

NOTICE IS HEREBY GIVEN that a Contract Public Hearing will be held on Thursday, May 17, 2012, in Spector Hall, 22 Reade Street, Main Floor, Borough of Manhattan, commencing at 10:00 A.M. on the following:

IN THE MATTER of two proposed contracts between the City of New York Department of Citywide Administrative Services and the following Contractors, for the provision of Telephonic Interpretation Services. The term of the contracts shall be five (5) years from the date of written notice to commence work, with three one-year renewal options.

CONTRACTOR & ADDRESS

Language Line Services, Inc.
1 Lower Ragsdale Drive, B2, Monterey, CA 93940

Contract Amount \$9,375,865.00 **E-PIN** 85712P0001001

Voiance Language Services, LLC
5780 Swan Road, Tuscon, AZ 85718

Contract Amount \$9,999,750.00 **E-PIN** 85712P0001002

The proposed contractors have been selected by means of the Competitive Sealed Proposal Method, pursuant to Section 3-03 of the Procurement Policy Board Rules.

Draft copies of the proposed contracts are available for public inspection at the Department of Citywide Administrative Services, Office of Contracts, 1 Centre Street, 18th Floor North, New York, NY, 10007, from May 7, 2012 to May 17, 2012, Monday to Friday, excluding Holidays, from 10:00 A.M. to 3:00 P.M. Contact Liana Patsuria at (212) 669-7937 or email: lpatsuria@dcas.nyc.gov.

m7

DESIGN AND CONSTRUCTION

PUBLIC HEARING

NOTICE IS HEREBY GIVEN that a Contract Public Hearing will be held on Thursday, May 17, 2012, in Spector Hall, 22 Reade Street, Main Floor, Borough of Manhattan, commencing at 10:00 A.M. on the following:

IN THE MATTER of a proposed contract between the Department of Design and Construction of the City of New York and Tectonic Engineering and Surveying Consultants P.C., 70 Pleasant Hill Road, P.O. Box 37, Mountainville, NY 10953, PW311T07D, Requirements Contract for Topographical Surveying Services for Various Structures Projects, Borough of Manhattan. The contract amount shall be \$1,500,000.00. The contract term shall be 730 Consecutive Calendar Days from date of registration with an option to renew for a term of 365 Consecutive Calendar Days for up to \$750,000.00. PIN#: 8502011RQ0011P, E-PIN#: 85011P0030004.

The proposed consultant has been selected by Competitive Sealed Proposal Method, pursuant to Section 3-03 of the Procurement Policy Board Rules.

A draft copy of the proposed contract is available for public inspection at the Department of Design and Construction, Professional Contracts Section, 30-30 Thomson Avenue, Fourth Floor, Long Island City, New York 11101, from May 7, 2012 to May 17, 2012, excluding Saturdays, Sundays and Holidays, from 9:00 A.M. to 4:00 P.M. Contact John Katsorhis at (718) 391-2263.

m7

HEALTH AND MENTAL HYGIENE

PUBLIC HEARING

NOTICE IS HEREBY GIVEN that a Contract Public Hearing will be held on Thursday, May 17, 2012, in Spector Hall, 22 Reade Street, Main Floor, Manhattan, commencing at 10:00 A.M. on the following:

IN THE MATTER of a proposed contract between the Department of Health and Mental Hygiene and the Contractor listed below, for Nyny III-Population I - Chronically homeless single adults who suffer from a serious and persistent mental illness (SPMI) or who are diagnosed as mentally ill and chemically addicted (MICA). The term of this contract shall be from July 1, 2011 to June 30, 2014 and contain two three-year options to renew from July 1, 2014 to June 30, 2017 and from July 1, 2017 to June 30, 2020.

CONTRACTOR/ADDRESS

Geel Community Services, Inc.
2516 Grant Avenue, Bronx, NY 10468

PIN 08PO076340R0X00 **E-PIN** 81612P0021001
Amount \$353,382

The proposed contractor was selected by means of the Competitive Sealed Proposal Method, pursuant to Section 3-03 of the Procurement Policy Board Rules.

A draft copy of the proposed contract is available for public inspection at the New York City Department of Health and Mental Hygiene, Office of the Agency Chief Contracting Officer, 42-09 28th Street - 17th Floor, Long Island City, NY 11101, from May 7, 2012 to May 17, 2012 excluding Saturdays, Sundays and Holidays, between the hours of 10:00 A.M and 4:00 P.M.

m7

HUMAN RESOURCES ADMINISTRATION

PUBLIC HEARING

NOTICE IS HEREBY GIVEN that a Contract Public Hearing will be held on Thursday, May 17, 2012, in Spector Hall, 22 Reade Street, Main Floor, Borough of Manhattan, commencing at 10:00 a.m. on the following:

IN THE MATTER of a proposed contract between the Human Resources Administration of the City of New York and the vendor listed below, for the Provision of Non-Emergency Congregate Housing and Supportive Services to Chronically Homeless Single Adults Living with HIV/AIDS under the NY/NYIII Supportive Housing Agreement in the Borough of Manhattan. The term of the contract will be from July 1, 2012 to June 30, 2017 with one (1) four-year renewal option from July 1, 2017 to June 30, 2021.

CONTRACTOR/ ADDRESS

KENMORE HDFC
461 Park Avenue South, 6th Floor, New York, NY 10016

E-PIN 09611P0007006 **Amount** \$1,167,850.00

The proposed contractor was selected through the Competitive Sealed Proposal Method, pursuant to Section 3-03 of the Procurement Policy Board Rules.

A draft copy of the proposed contract is available for public inspection at the Human Resources Administration of the City of New York, 180 Water Street, Room 1420, New York, N.Y. 10038, on business days, from May 7, 2012 to May 17, 2012, excluding Holidays, from 10:00 A.M. to 5:00 P.M

m7

INFORMATION TECHNOLOGY AND TELECOMMUNICATIONS

PUBLIC HEARING

NOTICE IS HEREBY GIVEN that a Contract Public Hearing will be held on Thursday, May 17, 2012, in Spector Hall, 22 Reade Street, Main Floor, Borough of Manhattan, commencing at 10:00 AM, on the following:

IN THE MATTER of a proposed contract between the Department of Information Technology and Telecommunications and the following vendor, to provide Telephone Interpreter Services for New York City 3-1-1 Citizen Call Center and Written and Oral Translation Services - Citywide.

CONTRACTOR/ADDRESS:

Language Line Services, Inc.
One Lower Ragsdale Drive, Building 2, Monterey, CA 93940

EPIN: 85809X0007CNVN001 **Amount:** \$9,800,000.00

The term of the contract shall be one (1) year from June 26, 2012 to June 25, 2013.

The proposed contractor has been selected by means of the Negotiated Acquisition Extension procurement method, pursuant to Section 3-04(b)(2)(iii) of the Procurement Policy Board Rules.

A draft copy of the proposed contract is available for public inspection at the Department of Information Technology and telecommunications, 75 Park Place, 9th Floor, New York, NY 10007, from May 7, 2012 to May 17, 2012, Monday to Friday, from 10:00 A.M. to 4:00 P.M., excluding Holidays.

m7