

# **DECAMPO, DIAMOND & ASH**

THOMAS M. ASH III

WILLIAM H. DIAMOND

FRANCIS R. ANGELINO  
OF COUNSEL

RECEIVED  
MAR 12 2012  
BY COMMUNITY BOARD 8

747 Third Avenue, 33A  
New York, New York 10017  
Telephone (212)758-3500  
Facsimile (212)758-1728

February 28, 2012

Manhattan Community Board 8  
505 Park Avenue, 602  
New York, NY 10022  
Attn. Chair: Nicolas D. Viest

Re: 115 East 69<sup>th</sup> Street  
Manhattan, BSA Cal. No. 635-57-BZ

Dear Chair Viest:

Please be advised that we have today filed an SOC Application with the Board of Standards and Appeals (the "Board") for an additional ten year Extension of the Term of a variance that had been originally granted in 1959, to permit office use in the cellar, first and second floor of the five story Subject Premises, and as more fully described in the Statement below, had the term extended several times, most recently in 2002, when your Board unanimously voted to recommend approval of the application. As seen in the attached photographs there are no exterior signs indicating office use in the building.

In accordance with the rules of the Board, we are sending you copies of the following documents:

1. SOC Application form;
2. Statement of Facts and Findings;
3. History of prior Board approvals;
4. Current Certificate of Occupancy;

5. Color photographs of site and colored Radius Diagram;
6. Affidavit of Ownership;
8. List of Affected Property Owners and Tenants;
9. BSA Zoning Analysis and Sign Analysis Forms.
10. Previously Approved Board Plans;
11. Zoning and Tax Map;
12. Certificate of Inspection and Compliance.

Please let me know when your Board will schedule this application for its review.

Very truly yours,

A handwritten signature in dark ink, appearing to read "Francis R. Angelino", written over a large, light-colored oval shape.

Francis R. Angelino

FRA:ag  
Enclosures

cc: Board of Standards and Appeals  
City Planning Commission (2 copies)  
Manhattan Borough President Stringer  
Council Member Garodnick



City of New York  
Board of Standards and Appeals  
40 Rector Street, 9<sup>th</sup> Floor  
New York, NY 10006-1705  
Phone: (212) 788-8500  
Fax: (212) 788-8769  
[www.nyc.gov/bsa](http://www.nyc.gov/bsa)

SPECIAL ORDER CALENDAR (SOC)  
Application Form

BSA APPLICATION NO. 635-57-BZ

Section A

Applicant/  
Owner

Francis R. Angelino, Esq.			Landmark 115 East 69th St., L. P.		
NAME OF APPLICANT			OWNER OF RECORD		
747 Third Avenue, s. 33A			115 East 69th Street		
ADDRESS			ADDRESS		
New York	NY	10017	New York	NY	10121
CITY	STATE	ZIP	CITY	STATE	ZIP
2127581690			-----		
AREA CODE			TELEPHONE		
2127581728			LESSEE / CONTRACT VENDEE		
AREA CODE			FAX		
fangelino@ddanyc.com			ADDRESS		
EMAIL			CITY		
			STATE		
			ZIP		

Section B

Site Data

115 East 69th Street				10121
STREET ADDRESS (INCLUDE ANY A/K/A)				ZIP CODE
East 69th Street, north side, 185' east of Park Avenue				
DESCRIPTION OF PROPERTY BY BOUNDING OR CROSS STREETS				
1404	8	Manhattan	8	Upper East Side H. D.
BLOCK	LOT(S)	BOROUGH	COMMUNITY DISTRICT	LANDMARK/HISTORIC DISTRICT
Garodnick		R8B		8c
CITY COUNCIL MEMBER	ZONING DISTRICT			ZONING MAP NUMBER
	(include special zoning district if any)			

Section C

Description

(LEGALIZATION ☐ YES ☒ NO ☐ IN PART )

Extension of the term of an existing variance for an additional ten-year term

Section D

Actions

APPLICATION IS HEREBY MADE TO:

1. ☐ Waive of the Rules of Practice and Procedure (Explain in your statement)

2. ☐ Extension of Time to:

☐ Complete construction ☐ Obtain a Certificate of Occupancy      Expiration Date: \_\_\_\_\_

3. ☐ Amendment to Previous Board Approval

4. ☒ Extension of Term of the:

☒ Variance ☐ Special Permit      For a term of 10 years      Expiration Date: 1/26/12

5. ☐ Other (Explain in your statement)

Authorizing Section(s) of the Zoning Resolution:

☐ § 11-411 ☐ § 11-412 ☐ § 11-413 ☐ §§ 72-01 and 72-22 ☐ § 73-11 ☐ Other \_\_\_\_\_

Section E  
Department  
Of  
Buildings  
Information

	N/A	YES	NO
1. Have plans been filed?		<input type="checkbox"/>	<input checked="" type="checkbox"/>
2. Have plans been approved? (If Yes, Date Approved _____)		<input type="checkbox"/>	<input checked="" type="checkbox"/>
3. Has a permit been obtained? (If Yes, Permit No. _____ Date Issued _____)		<input type="checkbox"/>	<input checked="" type="checkbox"/>
4. Is work in progress? (If Yes, Percentage of work completed _____ %)		<input type="checkbox"/>	<input checked="" type="checkbox"/>
5. Has a temporary or permanent Certificate of Occupancy been obtained? (If Yes, Expiration Date _____ Attach a copy)		<input type="checkbox"/>	<input checked="" type="checkbox"/>

If you have answered "No" to any of these questions, include a paragraph in your statement describing the reason(s) for delay and the projected schedule of completion.

Section F  
Board  
History

List all prior Board actions associated with the subject Zoning Lot and attach one copy of each resolution:

On \_\_\_\_\_, when the Zoning District was \_\_\_\_\_, an application was granted by the Board under Section \_\_\_\_\_ to permit:

See attached Statement of Facts for history of variances from 1959 to date

Section G  
Inspection  
and  
Compliance

	YES	NO
1. Have you reviewed the Board's case file?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Have you recently inspected the premises and surrounding area? (If Yes, date of most recent site inspection <u>2.22.12</u> )	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Did you find:		
a. Compliance with the terms and conditions of the Board's resolution? Attach a completed Certificate of Inspection and Compliance	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Any significant condition changes (e.g. rezoning, city map amendments, recent developments) within the affected area since the Board's last action on this application?	<input type="checkbox"/>	<input checked="" type="checkbox"/>

If the answer is "yes" to any of the questions below, explain further in your statement.

4. Is there currently a proposal before the City Planning Commission to change the subject Zoning District, or any other action which includes the premises?  
(File / CP No. \_\_\_\_\_)

5. Are there any outstanding violation(s) on the premises?  
(If Yes, submit a DOB BIS printout)

6. Is there any other application before the Board which affects the premises?  
(If Yes, Cal No. \_\_\_\_\_)

7. Is there any other application at any government agency which affects the premises?

Section H  
Signature

I HEREBY AFFIRM THAT BASED ON INFORMATION AND BELIEF, THE ABOVE STATEMENTS AND THE STATEMENTS CONTAINED IN THE PAPERS ARE TRUE.

Francis R. Angelino  
Signature of Applicant, Corporate Officer or Other Authorized Representative

Francis R. Angelino Attorney  
Print Name Title

SWORN TO ME THIS 28th DAY OF February 2012  
ANDREW B. BELL  
NOTARY PUBLIC-STATE OF NEW YORK  
No. 02BE5016652  
Queens County  
My Commission Expires August 16, 2013

# **DECAMPO, DIAMOND & ASH**

---

THOMAS M. ASH III

WILLIAM H. DIAMOND

FRANCIS R. ANGELINO  
Joseph A. DeCampo  
OF COUNSEL

747 Third Avenue  
New York, New York 10017  
Telephone (212)758-3500  
Facsimile (212)758-1728

**STATEMENT OF FACTS**  
**Re: 115 East 69<sup>th</sup> Street, Manhattan**  
**(the "Subject Premises")**  
**BSA Cal. No. 635-57-BZ**

February 22, 2008

Board of Standards and Appeals  
40 Rector Street, 9<sup>th</sup> floor  
New York, NY 10006-1705

Dear Commissioners:

This is an application, submitted on behalf of Landmark 115 East 69<sup>th</sup> St., L. P., seeking the Extension of the Term of a previously approved variance, which permitted in an existing five story building, in a then R8, now R8B zoning district, the conversion of use to general office use, use group 6, on the cellar, first and second floors of the Subject Premises. In 2002, the Board granted a ten year Extension of the Term of the Variance. This application requests an additional ten year Extension of the Term of the Variance. There have been no changes in the Subject Premises since the last grant.

As indicated in the Attached Board Resolutions: The original variance was granted in on March 9, 1959 which approved for a fifteen year term, the use of the first floor as a legation for the Republic of Sudan to the United Nations and the second floor for office use for the Pharmaceutical Information Bureau; On November 18, 1975, the Board approved a ten year Extension of the Term of the Variance; On September 25, 1979, the Board permitted a change of use from medical offices on the first floor and use group 6 medical research publication on the second floor to general business use group 6 use on both floors; On January 26, 1982, the Board granted a ten-year Extension of the Term of the Variance. On February 7, 1982, the Board permitted openings in the party walls between the Subject Premises and an adjacent building to connect the offices in the two buildings which has since been closed; On June 9, 1992, the Board Extended the Term of the Variance for ten years for office use in the cellar, first and second floors of the Subject Premises.; On June 4, 2002, the Board granted an additional ten year extension of the Term of the Variance.

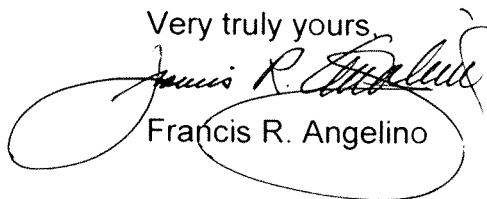
The Subject Premises has been and continues in operation as general business offices, use group 6 uses in the cellar, first and second floors of the Subject Premises in compliance with the terms of the existing variance, as amended by the Board. As can be seen in the Photographs and Radius Diagram submitted with this application there have been no substantive changes to the Subject Premises or to the surrounding community, except for the normal organic changes that take place in a community over a ten year period and construction on the building to the east. The physical character of the surrounding neighborhood has remained substantially the same from 2002 when the Board last acted to approve the Extension of the Term of the Variance.

There is no knowledge of any complains regarding the use of the Subject Premises in its approved manner. At its March 13, 2002, public hearing on the last Extension application held by Community Board 8, Manhattan, no one appeared or spoke against the application and Community Board 8 unanimously recommended to approve the application. As can also be viewed in the photographs, there are no visible exterior signs on the Subject Premises indicating the interior use as office use on the cellar, first and second floors.

Additionally, the Board is requested to waive its rules of procedure to permit the filing of this application within one year after February 26, 2012, as permitted. The tracking system for the application inadvertently indicated the Board's granting date of the last approval of June 4, 2012, which was ten years after the Board's prior resolution of this application on June 4, 2002, as the end date, instead of the variance expiration date of January 26, 2012.

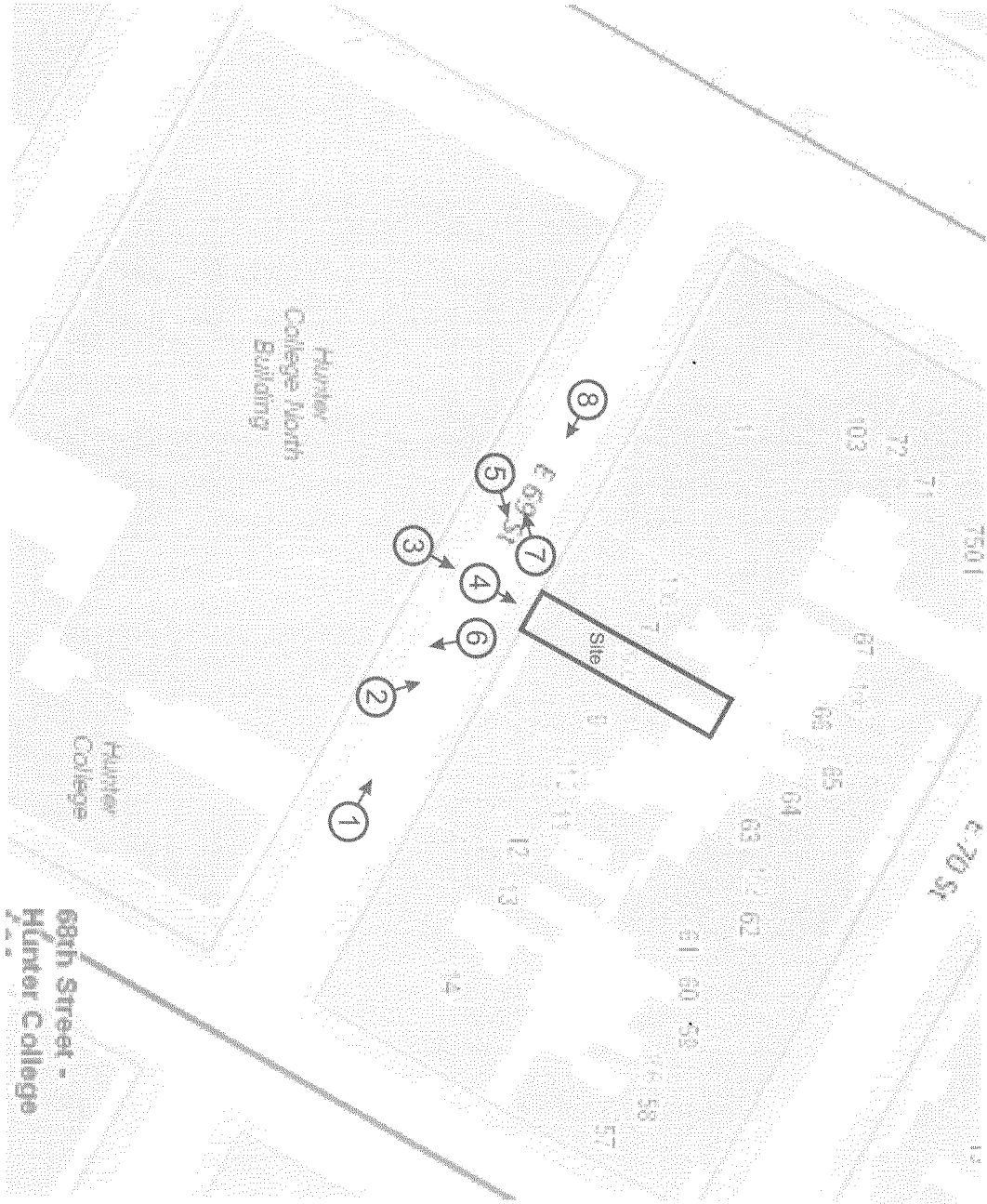
Based on all the above cited facts: the operation of the Subject Premises in accordance with the Board's prior grants; no change in the operation or the use of the Subject Premises and the quiet operation of the use of the Subject Premises, it is respectfully requested that this application be approved.

Very truly yours,



Francis R. Angelino

Encs.  
FRA/ag



115 East 69th Street, Manhattan  
Block 1404, Lot 7502

Photo #1





115 East 69th Street, Manhattan  
Block 1404, Lot 7502

Photo #2



115 East 69th Street, Manhattan  
Block 1404, Lot 7502

Photo #3



115 East 69th Street, Manhattan  
Block 1404, Lot 7502

Photo #4



115 East 69th Street, Manhattan  
Block 1404, Lot 7502

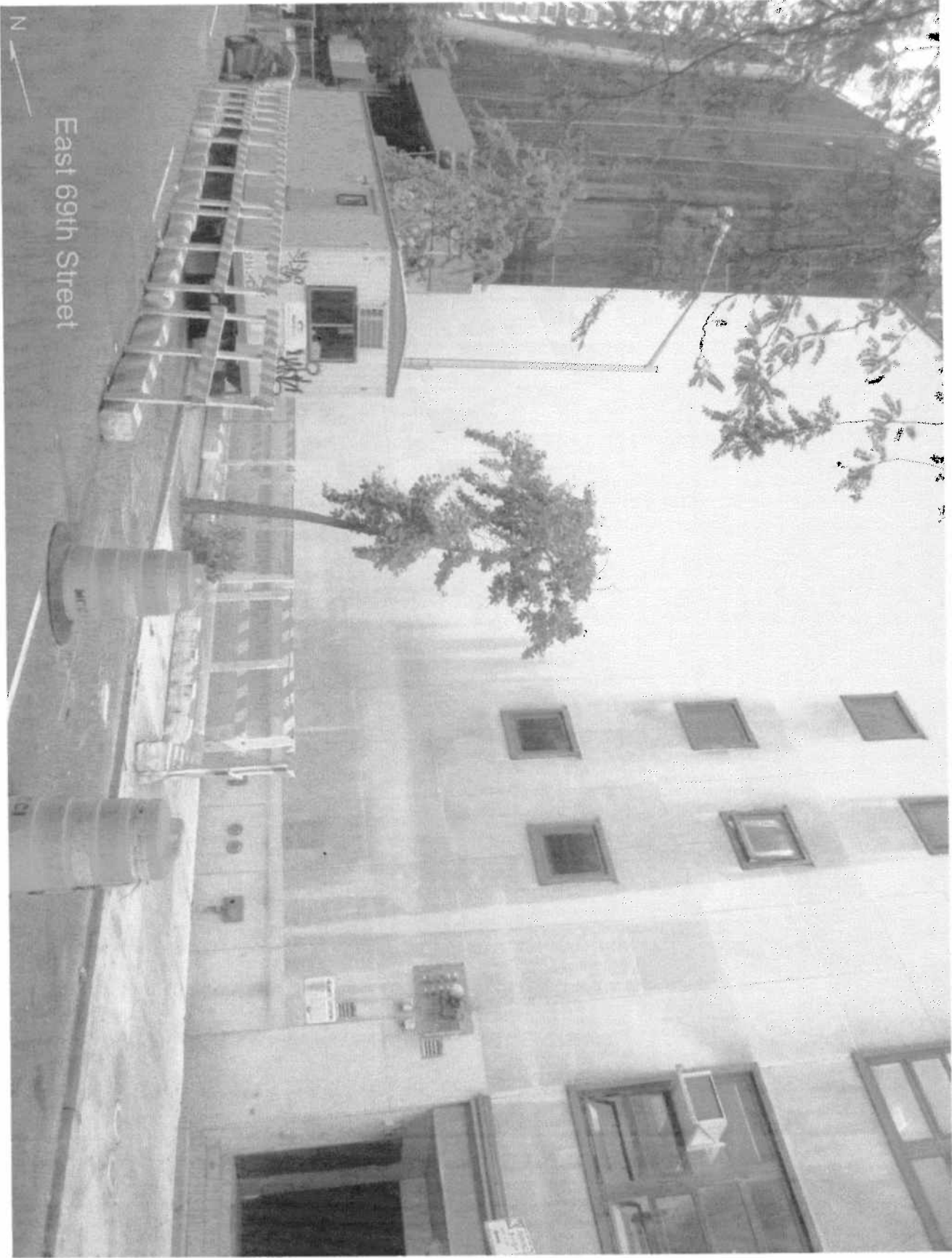
Photo #5





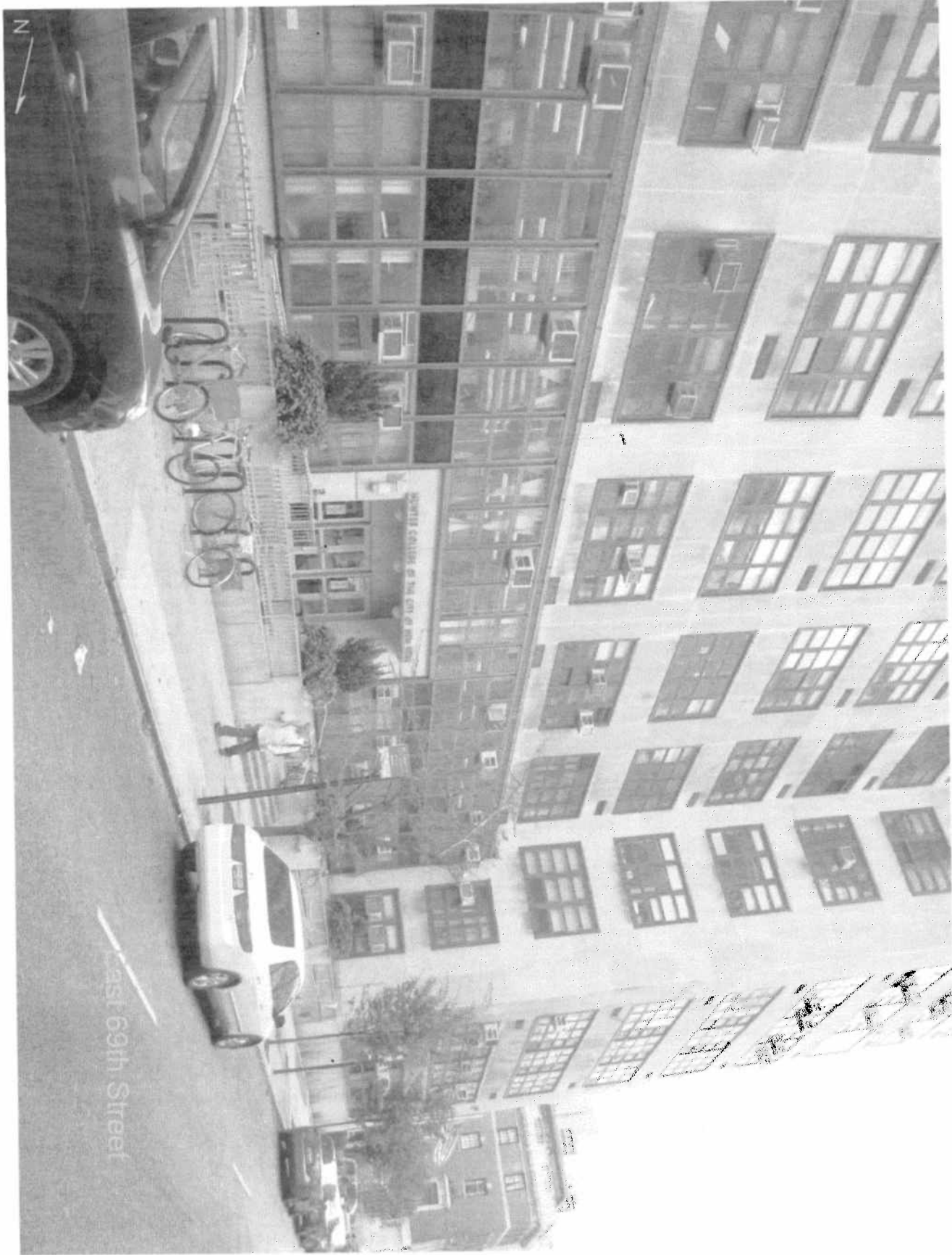
115 East 69th Street, Manhattan  
Block 1404, Lot 7502

Photo #6



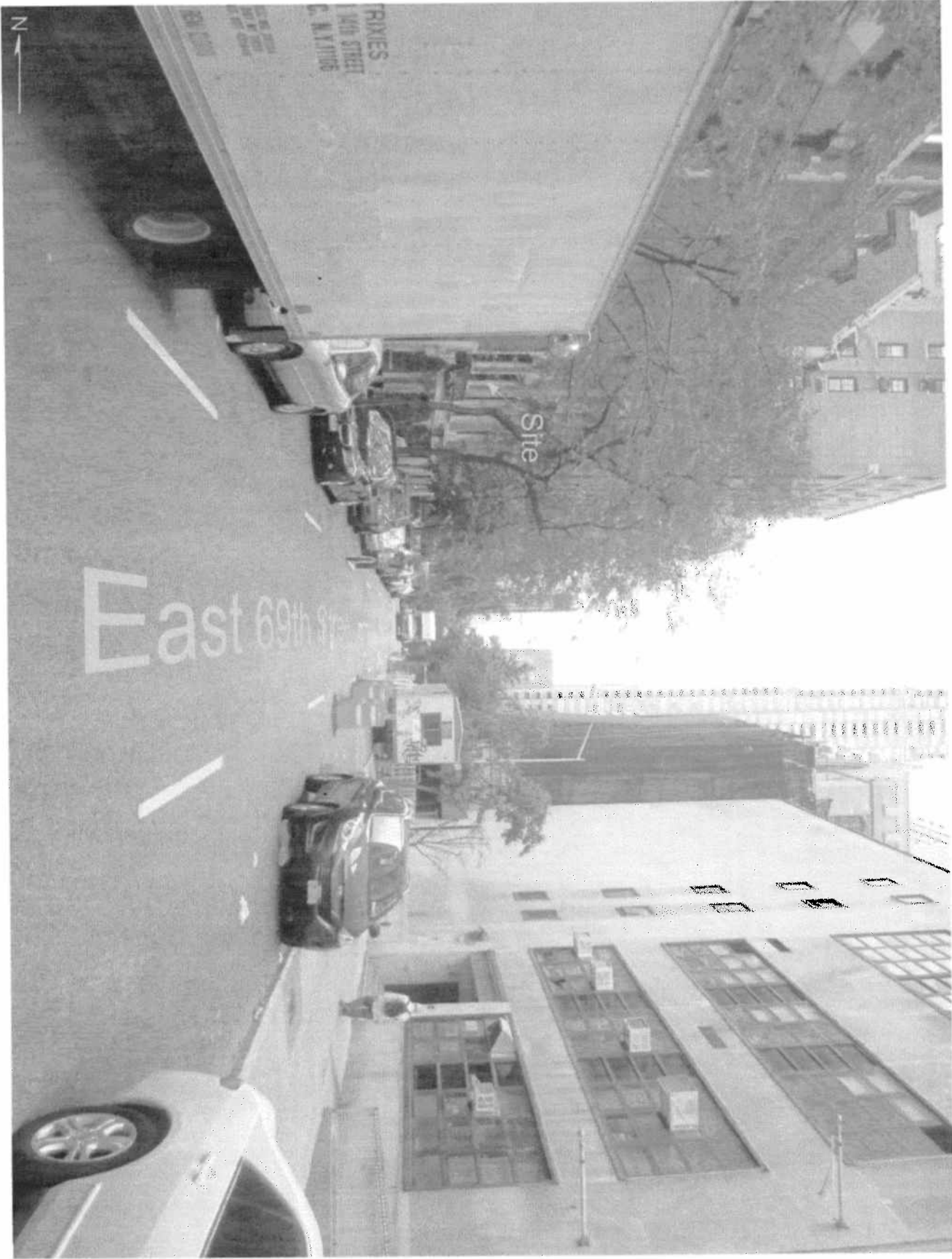
115 East 69th Street, Manhattan  
Block 1404, Lot 7502

Photo #7



115 East 69th Street, Manhattan  
Block 1404, Lot 7502

Photo #8



MEETING OF: June 4, 2002  
 CAL. NO.: 635-57-BZ  
 PREMISES: 115 East 69<sup>th</sup> Street, Manhattan  
 Block 1404, Lot 8  
 ACTION OF BOARD - Rules of Practice and Procedure waived, application reopened,  
 and term of the variance extended.

**THE VOTE TO GRANT -**

Affirmative: Chairman Chin, Vice-Chair Babbar, Commissioner Korbey  
 and Commissioner Caliendo.....4  
 Negative: .....0

**THE RESOLUTION -**

**WHEREAS**, the applicant has requested a reopening and an extension of the term  
 of the variance which expired January 26, 2002; and

**WHEREAS**, a public hearing was held on this application on May 14, 2002 after due  
 notice by publication in *The City Record*, laid over to June 4, 2002 for decision; and

**WHEREAS**, the applicant seeks to extend the term of the variance for an additional  
 ten (10) years.

**Resolved**, that the Board of Standards and Appeals hereby waives the Rules of  
 Practice and Procedure and **reopens and extends** the term of the resolution pursuant to Z.R.  
 §11-411, said resolution having been adopted March 3, 1958 as amended through February  
 7, 1984, so that as amended this portion of the resolution shall read:

"to permit the extension of the term of the resolution for ten years from  
 January 26, 2002 expiring January 26, 2012, **on condition**

**THAT** the premises shall be maintained in substantial compliance with the proposed  
 drawings submitted with the application marked "Received February 12, 2002"-(4) sheets;  
 and that other than as herein amended the resolution above cited shall be complied with in  
 all respects; **and on further condition**

**THAT** a new Certificate of Occupancy shall be obtained within one year from the  
 date of this amended resolution;

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

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

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

(ALT. No. 101488061)

**Adopted by the Board of Standards and Appeals, June 4, 2002.**



**CERTIFICATION**

***This copy of the Resolution  
dated June 4, 2002  
is hereby filed by  
the Board of Standards and Appeals  
dated June 5, 2002***

  
***Executive Director***

Exhibit C

125 5000 0000 000000 000 000  
BLOCK : 1004 LST : 8  
ZONES : 000 WPZ NO : 00

2 PLOT PLAN  
MIS

W.T.S

## KEY

**4" x 10" x 10" (100)**

1 HORN FIRE ARMED IN  
2 LARVES 5/6" THE BODY  
DL. SIZE OF 2 1/2" WD

**4" x 10" x 10" (100)**

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**4" x 10" x 10" (100)**

CRISTINA PANTHER TO  
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**4" x 10" x 10" (100)**

NEW ILLUSTRATED ENT 3  
BACK-UP AND DIRECTO

**RENOVATION  
115 EAST 69**

115 East 69th Street  
NEW YORK, NY

**Rosenberg Kolb Architects**

164 East 91 Street  
New York, NY 10128  
212 999 3090  
Fax 212 999 3097

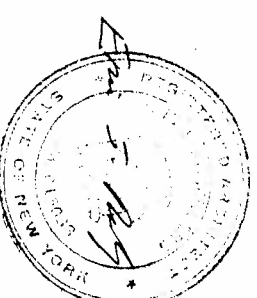
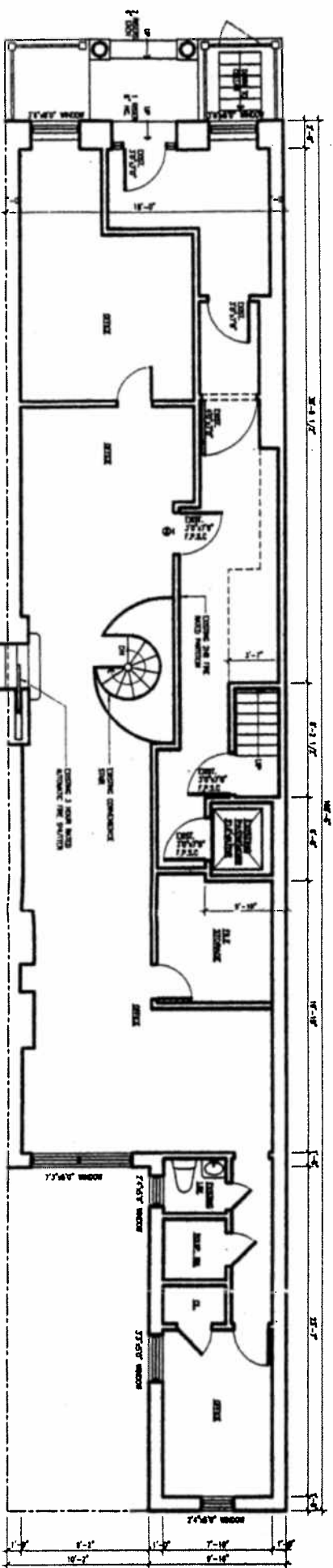
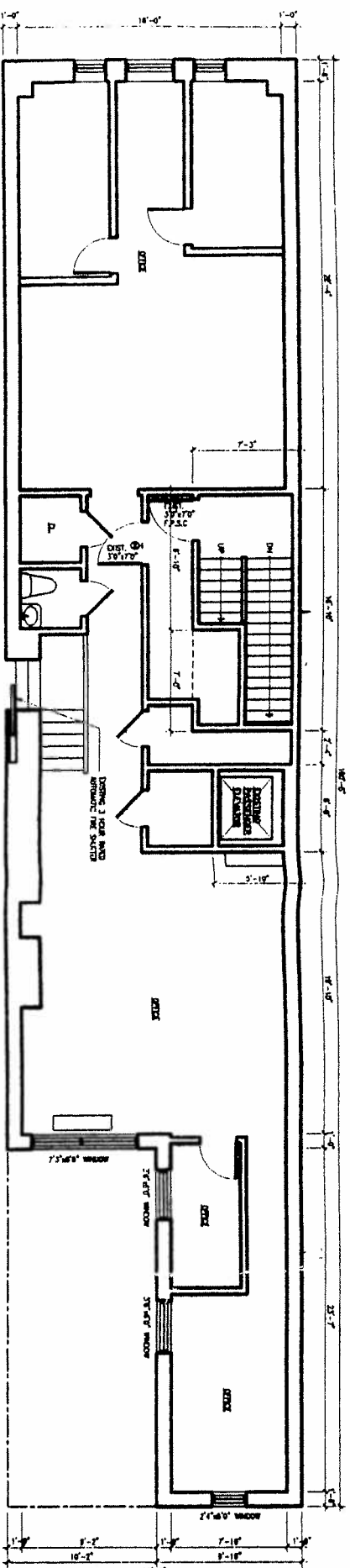
DATE	SCALE
03.06.97	AS NOTED

**PLOT PLAN  
ZONING, EGRESS NOT  
CELLAR FLOOR PLAN**

A1

A circular stamp from the State of New York, Department of Social Services. The text "STATE OF NEW YORK" is curved along the top, and "DEPARTMENT OF SOCIAL SERVICES" is curved along the bottom. In the center, the words "NEW YORK" are printed. Handwritten initials "AS" are written across the center. A small star is located at the bottom center of the stamp.

1 CELLAR FLOOR PLAN Use Group 6, Occupancy Group E — No change in use or occupancy



**635-57-BZ**  
**EXISTING AND PROPOSED**  
**CONDITIONS**

**KEY**

[illegible]

**RENOVATION**  
115 EAST 69

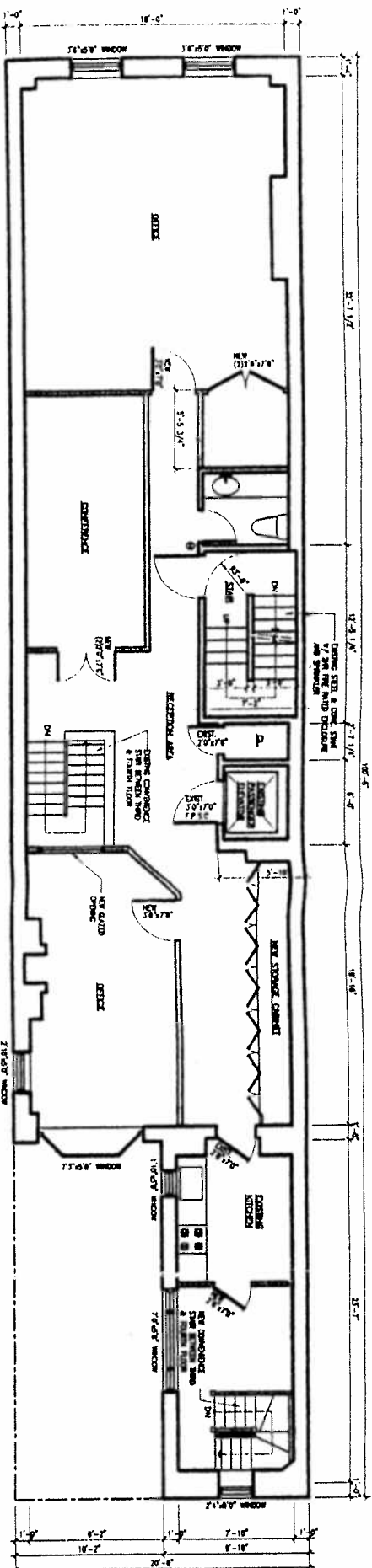
115 East 69th Street  
NEW YORK, NY

**Rosenberg Kolb Architects, PC**

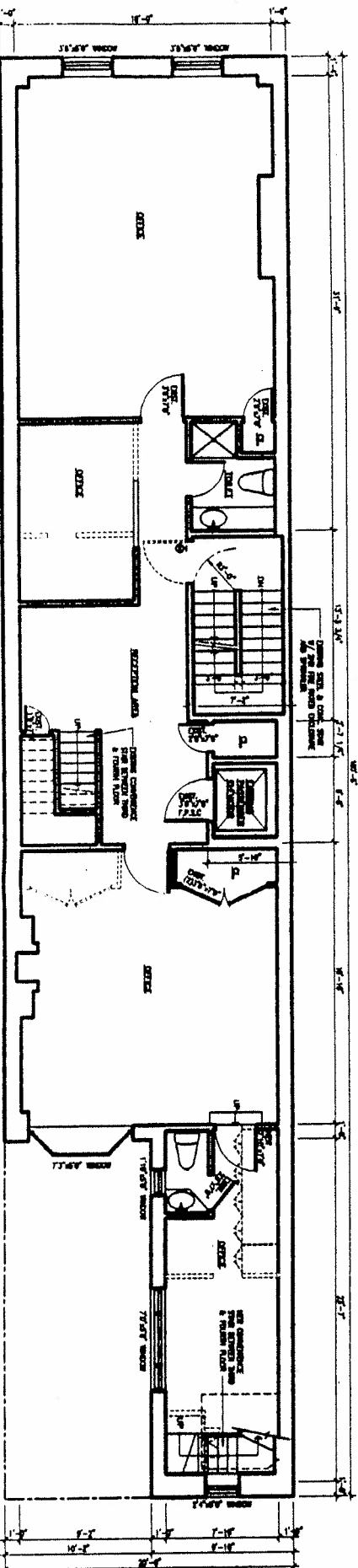
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AS NOTE  
03/02/57

**1ST & 2ND FLOOR PLANS**



1 FOURTH FLOOR PLAN Existing Occupancy J-3; Use Group 2 Proposed Occupancy E, Use Group 4, Philanthropical Organization



2 THIRD FLOOR PLAN Existing Occupancy J-3; Use Group 2 Proposed Occupancy E, Use Group 4, Philanthropical Organization

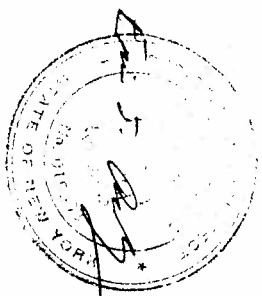
# 635-57-BZ EXISTING AND PROPOSED CONDITIONS

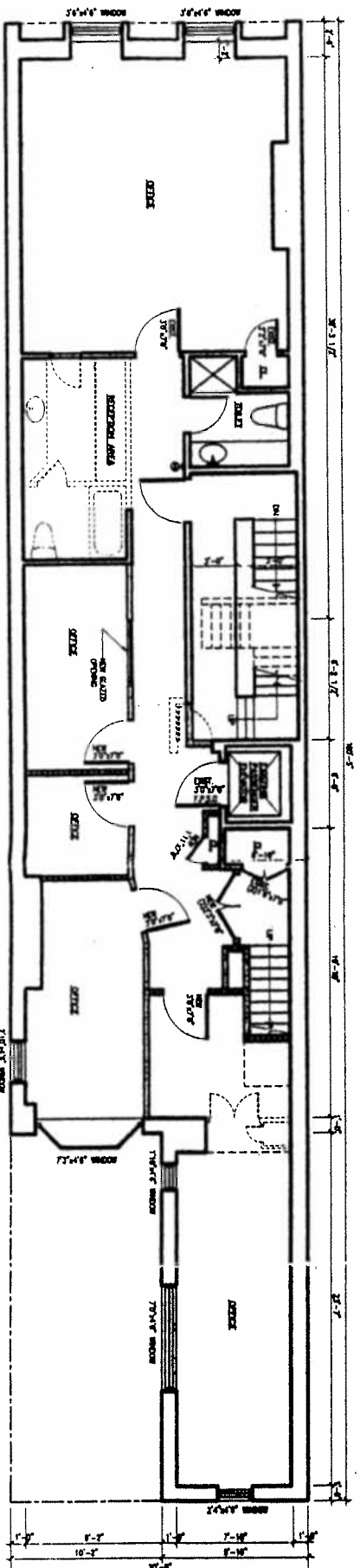
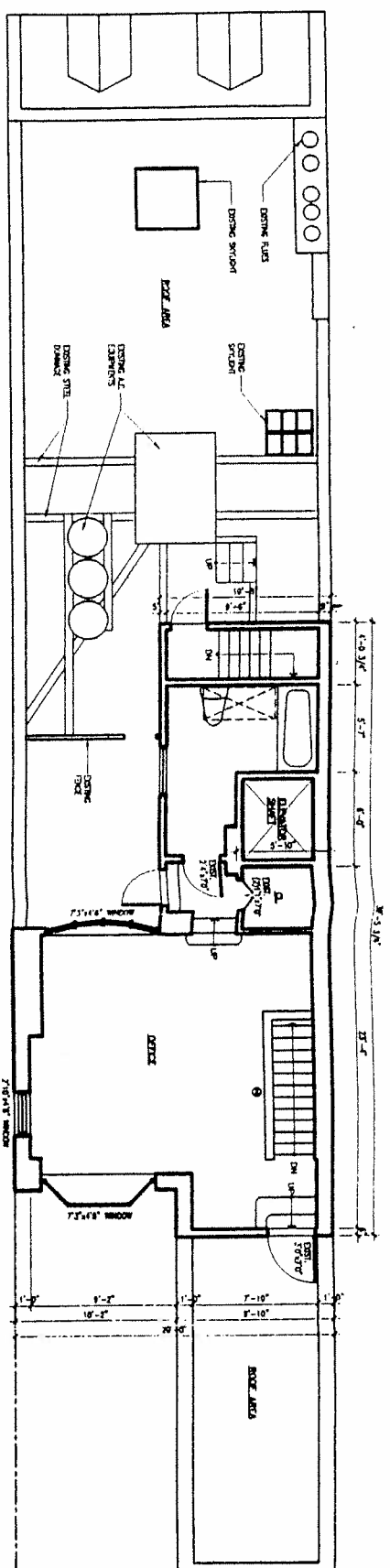
KEY

EXISTING	1. EXISTING WALLS AND PARTITIONS
PROPOSED	2. NEW WALLS AND PARTITIONS
DEMOLITION	3. WALLS AND PARTITIONS TO BE REMOVED
GLASS	4. GLASS WALLS AND PARTITIONS
GLASS	5. GLASS WALLS AND PARTITIONS
GLASS	6. GLASS WALLS AND PARTITIONS

RENOVATION  
115 EAST 69  
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3RD & 4TH FLOOR PLANS





**635-57-BZ**  
**EXISTING AND PROPOSED**  
**CONDITIONS**

# KEY

	1. NOISE REDUCTION
	2. LUBRICANT VISCOSITY
	3. NOISE REDUCTION
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**RENOVATION  
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DATE	AS NOTED
03.08.97	

5TH FLOOR & 5TH  
FLOOR MEZZANINE PLANS