

Board of Standards and Appeals

**Brooklyn CB 14 Presentation
September 4, 2025**

BSA Mission

- Created in **1916** along with NYC's historic first Zoning Resolution.
- An independent board that **grants relief** from the Zoning Resolution and other development codes.
- Prevents **unconstitutional “taking”** (US Constitution Fifth Amendment) claims against the City.
- Allows **reasonable development** to occur on properties that would otherwise be undevelopable.
- Considers and grants certain **use and bulk waivers** from the Zoning Resolution.

THE NEW YORK TIMES, SUNDAY, AUGUST 6, 1916.

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THINGS AND SAYINGS IN THE REAL ESTATE WORLD

BOARD OF NEW YORK MAKES STRONG PROTEST AGAINST INCOME TAX LAW

Points Out the Injustice of the Revenue Measure in Not Permitting the Interest on Interest-Bearing Loans—Asks for Amendment

NEW YORK, Aug. 6.—The board of directors of the New York City Board of Real Estate, in a resolution passed today, expressed its strong protest against the new income tax law, which it declared to be "unjust and oppressive." The board stated that the law, by imposing a heavy burden on the interest on interest-bearing loans, was "a direct and deliberate attempt to confiscate the property of the people." It urged the legislature to amend the law so as to exempt the interest on interest-bearing loans from the tax.

BOARD OF STANDARDS
Holds Its First Meeting and Adopts Rules.

The first meeting of the new Board of Standards and Appeals, recently appointed by the Mayor under the provisions of the Lockwood-Ellenbogen bill passed by the last Legislature, was held last Friday afternoon for purposes of organization.

A set of rules for the conduct of the business of the board, was submitted by the Chairman, and, with some modifications, adopted. Outside of informal

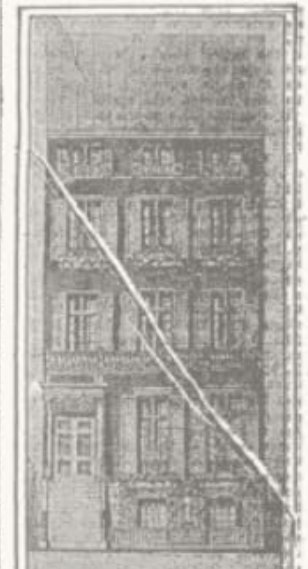
HOME CHANGES ON WASHINGTON SQUARE

Fine Old Home on North Side of Park Being Altered into Expensive Apartments.

PIONEER OF \$5,000 TYPE

Neighborhood Changing into Centre of Small Studio Suites—Recent Alterations.

An interesting alteration is under way in one of the historic residences located on the north side of Washington Square, which exemplifies in a very interesting manner the characteristic type of the transforming conditions in the locality. The house in question is 22 Washington Square North, in the block between Fifth Avenue and MacDougal Street. It is 25 feet wide, 125 feet deep, running back to MacDougal Alley, famous as the haunt of artists. In outward appearance, it presents the well-kept-up conservative features of all the fine old homes on the north side of the square. The house



BOARD OF STANDARDS
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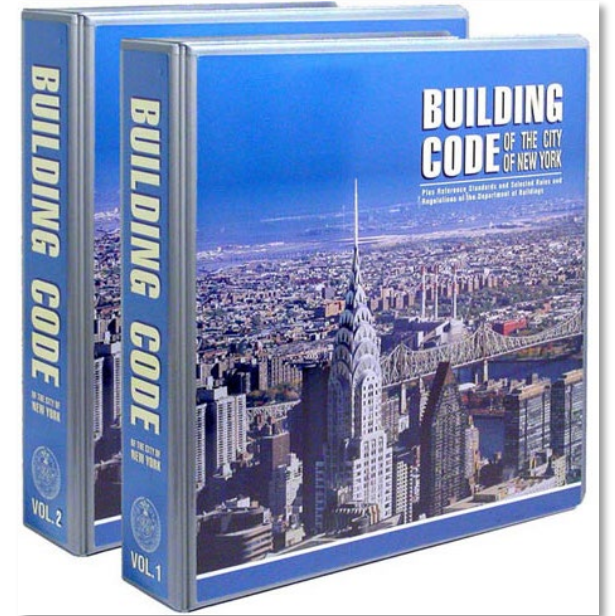
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BSA Authority

The Board has the **authority** to:

- **Vary** the regulations of the New York City Zoning Resolution;
- Grant **Special Permits** as authorized by the Zoning Resolution;
- **Waive or Modify** Fire Codes, Flood Regulations and Building Codes;
- **Waive** General City Law ("GCL") Sections 35 and 36 (mapped streets);
- **Modify** the New York State Multiple Dwelling Law ("MDL");
- **Decide Appeals** of other City Agency Interpretations of Zoning Resolution;
- **Establish** Vested Rights

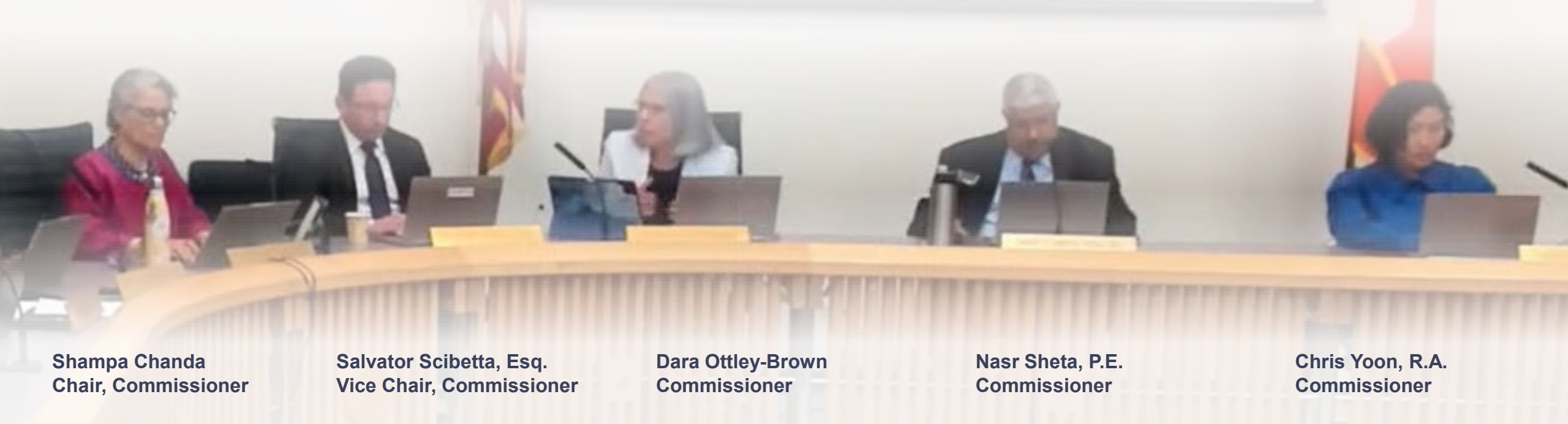


BSA Composition

The Board consists of **five commissioners** and must include:

- A Licensed **Engineer**;
- A Licensed **Architect**; and
- An Urban **Planner**.
- No more than two members can live in any one Borough.

Board **staff** consists of urban planners, architects, lawyers and administrative staff.



Shampa Chanda
Chair, Commissioner

Salvator Scibetta, Esq.
Vice Chair, Commissioner

Dara Ottley-Brown
Commissioner

Nasr Sheta, P.E.
Commissioner

Chris Yoon, R.A.
Commissioner

Application Process



Application Process

1. Application Filed At BSA
2. BSA Internal Review
3. Public Hearing Scheduled
4. Initial and Continued Hearings
5. Closed For Decision
6. Decision And Resolution

Application Process

- 1. Application Filed At BSA**
2. BSA Internal Review
3. Public Hearing Scheduled
4. Initial and Continued Hearings
5. Closed For Decision
6. Decision And Resolution

Within 3 days of filing to BSA, the Applicant must submit copy of application to:

- Community Board
- Borough President
- City Council Member
- Department of City Planning
- Department of Buildings

Application Process

1. Application Filed At BSA
2. **BSA Internal Review**
3. Public Hearing Scheduled
4. Initial and Continued Hearings
5. Closed For Decision
6. Decision And Resolution

- BSA project manager (PM) **assigned**.
 - Becomes **main point of contact** for the Applicant team and the public.
- Applications **reviewed for completeness**.
 - Comments issued and applications **amended as needed**.
 - CEQR review and commentary issued.

Application Process

1. Application Filed At BSA
2. BSA Internal Review
3. **Public Hearing Scheduled**
4. Initial and Continued Hearings
5. Closed For Decision
6. Decision And Resolution

Complete applications are scheduled for Public Hearing.

Notice of Public Hearing must be sent twenty (20) days in advance to:

- Community Board
- Borough President
- City Council Member
- Department of City Planning
- Department of Buildings

Application Process

1. Application Filed At BSA
2. BSA Internal Review
3. Public Hearing Scheduled
4. **Initial and Continued Hearings**
5. Closed For Decision
6. Decision And Resolution

A BSA Hearing is comprised of:

- **Executive review session** by the Board Commissioners
- **Public hearing** with applicant testimony and public commentary

An application will **continue to be heard and revised as needed until relevant issues have been addressed** and the public record is complete.

Application Process

1. Application Filed At BSA
2. BSA Internal Review
3. Public Hearing Scheduled
4. Initial and Continued Hearings
5. **Closed For Decision**
6. Decision And Resolution

Once the Chair deems an application ready for decision, the Board will **vote to close** the application and prepare for decision.

An application **cannot be closed and decided upon in the same hearing.**

Application Process

1. Application Filed At BSA
2. BSA Internal Review
3. Public Hearing Scheduled
4. Initial and Continued Hearings
5. Closed For Decision
6. **Decision And Resolution**

The application is scheduled for decision, upon which date the Board will vote to **grant or deny** the application.

A **BSA Resolution** will be issued describing the Board's findings, conclusions and decision.

Resolutions are subject to court review within 30 days pursuant to Article 78.

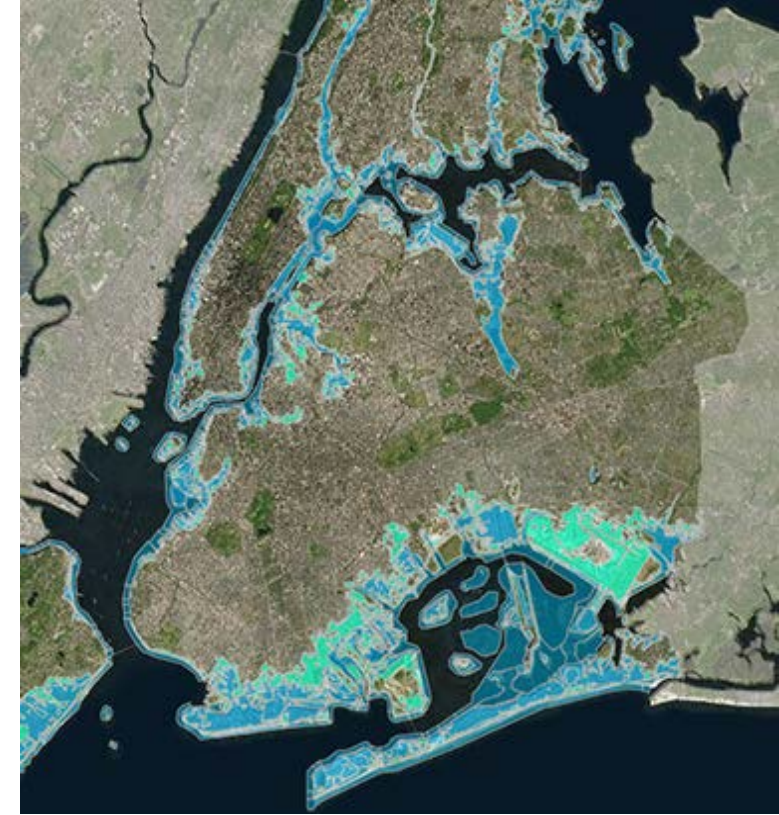
Past resolutions can be found at www.nyc.gov/bsa.



City Environmental Quality Review (CEQR)

CEQR is New York City's process for reviewing proposed actions that could have a significant impact on the urban environment.

Areas of review including but not limited to:

- Hazardous Materials
- Air Quality
- Noise
- Transportation/Parking Impacts
- School Safety
- Waterfront Revitalization Program Consistency
- Historic and Cultural Resources
- Shadows Creation
- Open Space



 Proposed building
 Sunlight-sensitive resources subject to analysis

Application Types



Application Types

BSA Calendar Application Type

A	Appeals
BZ	Variances
	Special Permits
SOC	Extension of Term

Application Types

BSA Calendar Application Type

A	Appeals	<ul style="list-style-type: none">• The BSA can hear and decide appeals to DOB (or other agency) interpretations of the Zoning Resolution or other development codes.• Also included in the A calendar are:<ul style="list-style-type: none">• Appendix G waivers• Common Law Vesting• Multiple Dwelling Law (MDL) Waivers §§ 277 and 311• Statutory Vested Rights Z.R. § 11-33• General City Law Waivers (GCL) (§§ 35 and 36)
BZ	Variances	
	Special Permits	
SOC	Extension of Term	

Application Types

BSA Calendar Application Type

A	Appeals	
BZ	Variances	Applications where practical difficulty and hardship inherent in a property necessitate relief under ZR 72-21
	Special Permits	Over 50 Special Permits for use and bulk waivers to: <ul style="list-style-type: none">• Permit certain uses in districts where such uses are not permitted by the ZR;• Modify parking regulations, including provisions for existing and new affordable and senior housing;• Increase of height, floor area, and other bulk regulations.
SOC	Extension of Term	

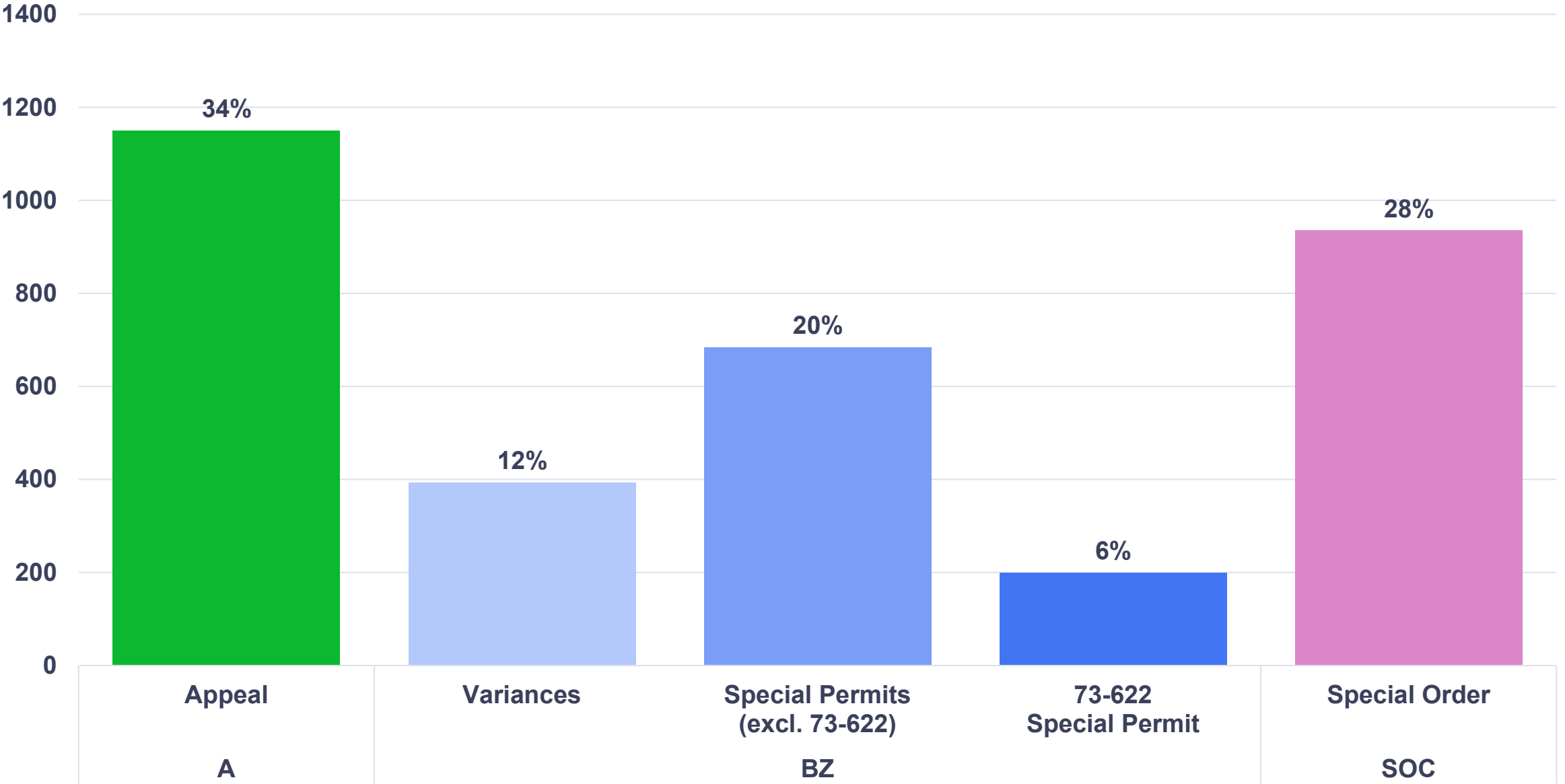
Application Types

BSA Calendar Application Type

A	Appeals	
BZ	Variances	
	Special Permits	
SOC	Extension of Term	<ul style="list-style-type: none">• Applications for extension of prior Board grants or amendment to prior grants.• Majority are sites with automobile repairs and gas stations.

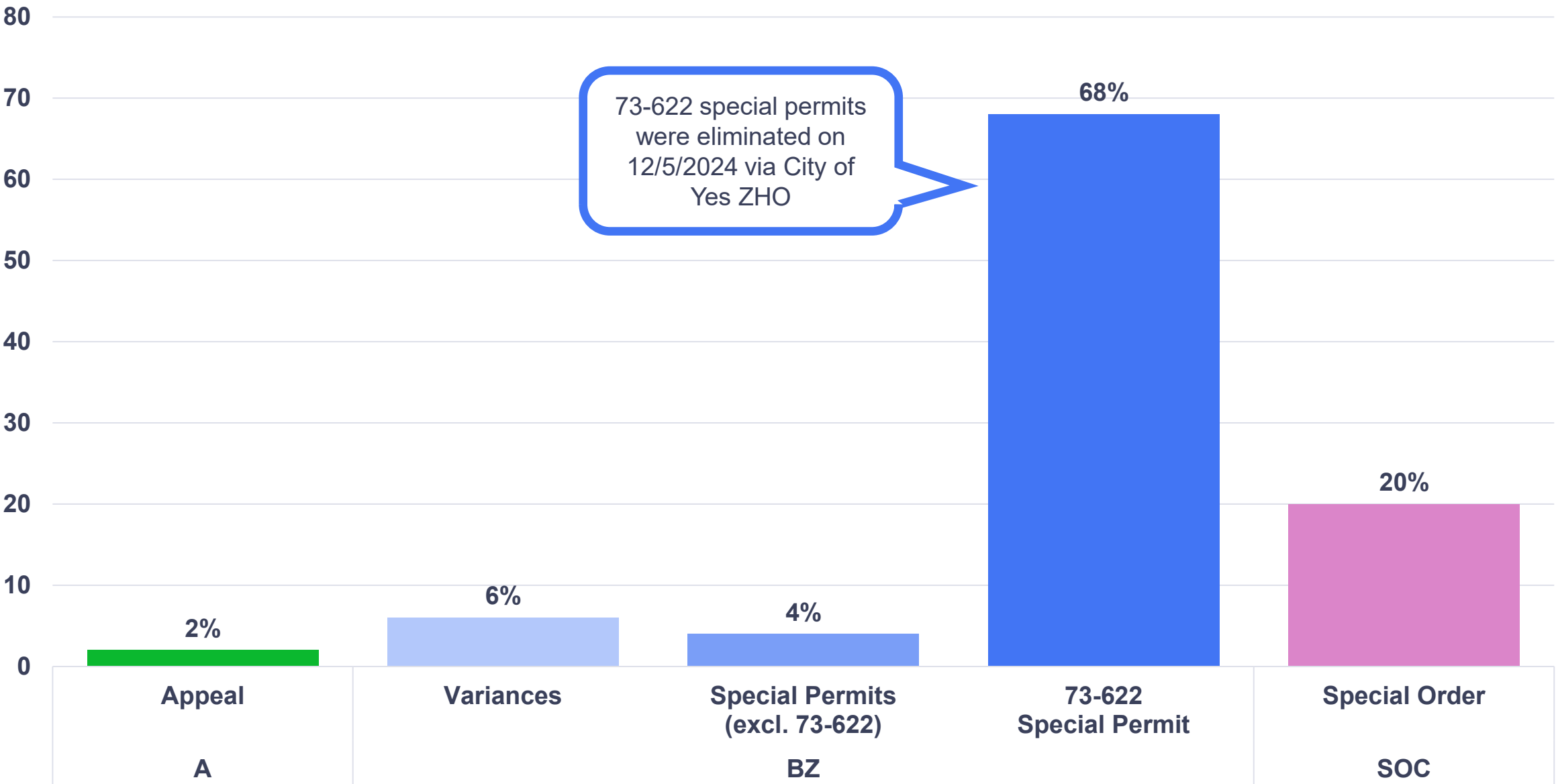
Applications in NYC

2014 to 2025
Total: 3,361 Applications



Applications in CB 14 BK

2014 to 2025
Total: 100 Applications



Changes to ZR 73-622: Previous

Before ZHO, 73-622 was a special permit permitting certain bulk modifications in specific parts of Brooklyn.

73-622 - Enlargements of single- and two-family detached and semi-detached residences

LAST AMENDED
5/12/2021

SUPERCEDED 12/5/2024

The Board of Standards and Appeals may permit an #enlargement# of an existing #single-# or #two-family# #detached# or #semi-detached# #residence#, except #cottage envelope buildings# as such term is defined in Section [64-11](#) (Definitions), utilizing the provisions of Section [64-33](#) (Special Bulk Regulations for Cottage Envelope Buildings), within the following areas:

- (a) Community Districts 11 and 15, in the Borough of Brooklyn;
- (b) R2 Districts within the area bounded by Avenue I, Nostrand Avenue, Kings Highway, Avenue O and Ocean Avenue, Community District 14, in the Borough of Brooklyn; and
- (c) within Community District 10 in the Borough of Brooklyn, after October 27, 2016, only the following applications, Board of Standards and Appeals Calendar numbers 2016-4218-BZ, [234-15-BZ](#) and 2016-4163-BZ, may be granted a special permit pursuant to this Section. In addition, the provisions of Section [73-70](#) (LAPSE OF PERMIT) and paragraph (f) of Section [73-03](#) (General Findings Required for All Special Permit Uses and Modifications), shall not apply to such applications and such special permit shall automatically lapse and shall not be renewed if substantial construction, in compliance with the approved plans for which the special permit was granted, has not been completed within two years from the effective date of issuance of such special permit.

Such #enlargement# may create a new #non-compliance#, or increase the amount or degree of any existing #non-compliance#, with the applicable #bulk# regulations for #lot coverage#, #open space#, #floor area#, #side yard#, #rear yard# or perimeter wall height regulations, provided that:


- (1) any #enlargement# within a #side yard# shall be limited to an #enlargement# within an existing #non-complying# #side yard# and such #enlargement# shall not result in a decrease in the existing minimum width of open area between the

New Section ZR 23-242

In lieu of special permit 73-622, certain provisions have become as-of-right.

23-242 Special provisions for certain community districts

LAST AMENDED 12/5/2024

 HISTORY



(a) Borough of Brooklyn

For R1 through R3 Districts south of Avenue H in Community Districts 11, 14 and 15 in the Borough of Brooklyn, the maximum *floor area ratio* for standard *zoning lots* set forth in Section **23-21** (Floor Area Regulations for R1 Through R5 Districts) shall be increased to 1.0.

Since ZHO, two applications have been filed in CB14 BK with initial hearings scheduled for September and October 2025.

BSA Hearings

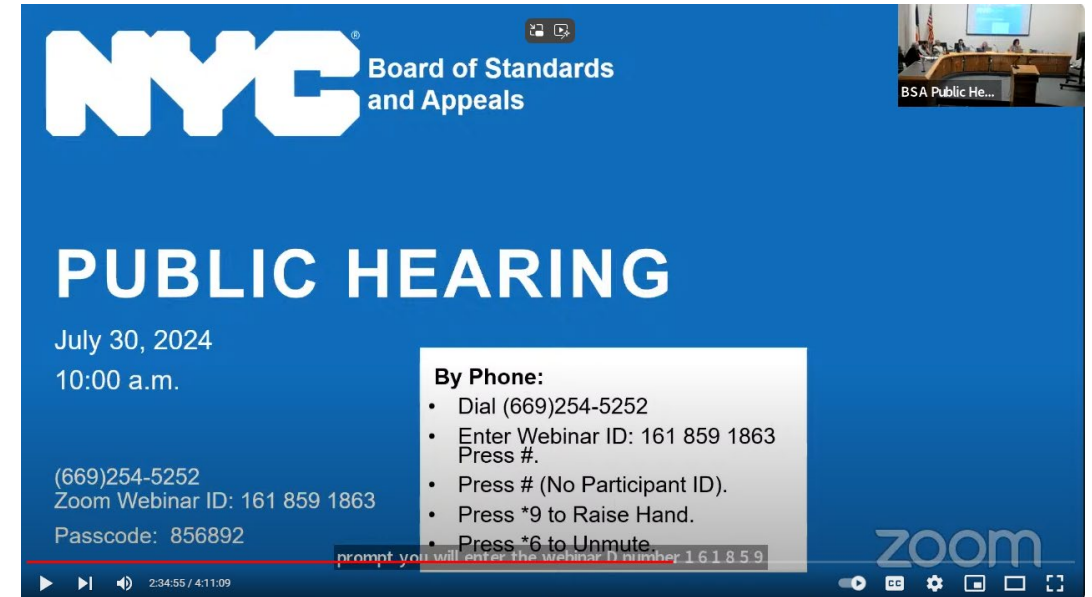


BSA Hearings

All hearings are conducted in a hybrid format (online and in person).

Hearings are generally conducted in two sessions:

- **Executive Review session**
 - BSA Commissioners discuss applications in the order of the day's agenda.
 - No public participation permitted.
- **Public Hearing Session**
 - Applicant teams will respond to Board comments.
 - Each application will be opened to the public for commentary.



Spector Hall, 22 Reade St, Manhattan

BSA Hearings

More information on **how to participate, upcoming agendas, and hearing schedules** can be found on the BSA website under the Public Hearings tab.

Upcoming Hearing Info - BSA

nyc.gov/site/bsa/public-hearings/upcoming-hearing-info.page

NYC Board of Standards and Appeals

311 Search all NYC.gov websites

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Public Comments

Past Public Hearing Dispositions

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Upcoming Agenda

Public Hearing & Executive Session Agendas for September 8th & September 9th, 2025

Participate

There are several ways to participate in a BSA public hearing. For more information, visit our [Procedures for Attendance page](#).

Annual Public Hearing Calendar

[2025 BSA Public Hearing Calendar](#)

[2026 BSA Public Hearing Calendar](#)

Register to Attend via Zoom

To participate in the Public Hearings via Zoom:

[Register in advance for the Zoom webinar for Monday, September 8th, 2025](#)

Webinar ID: 161 190 9993

Passcode: 993588

Or dial in using the numbers below:

669-254-5252 - Webinar ID: 161 190 9993

[Register in advance for the Zoom webinar for Monday, September 9th, 2025](#)

Webinar ID: 161 614 0807

Passcode: 663677

Or dial in using the numbers below:

669-254-5252 - Webinar ID: 161 614 0807

Zoom Participation

<https://www.nyc.gov/site/bsa/public-hearings/upcoming-hearing-info.page>

Community Boards and BSA



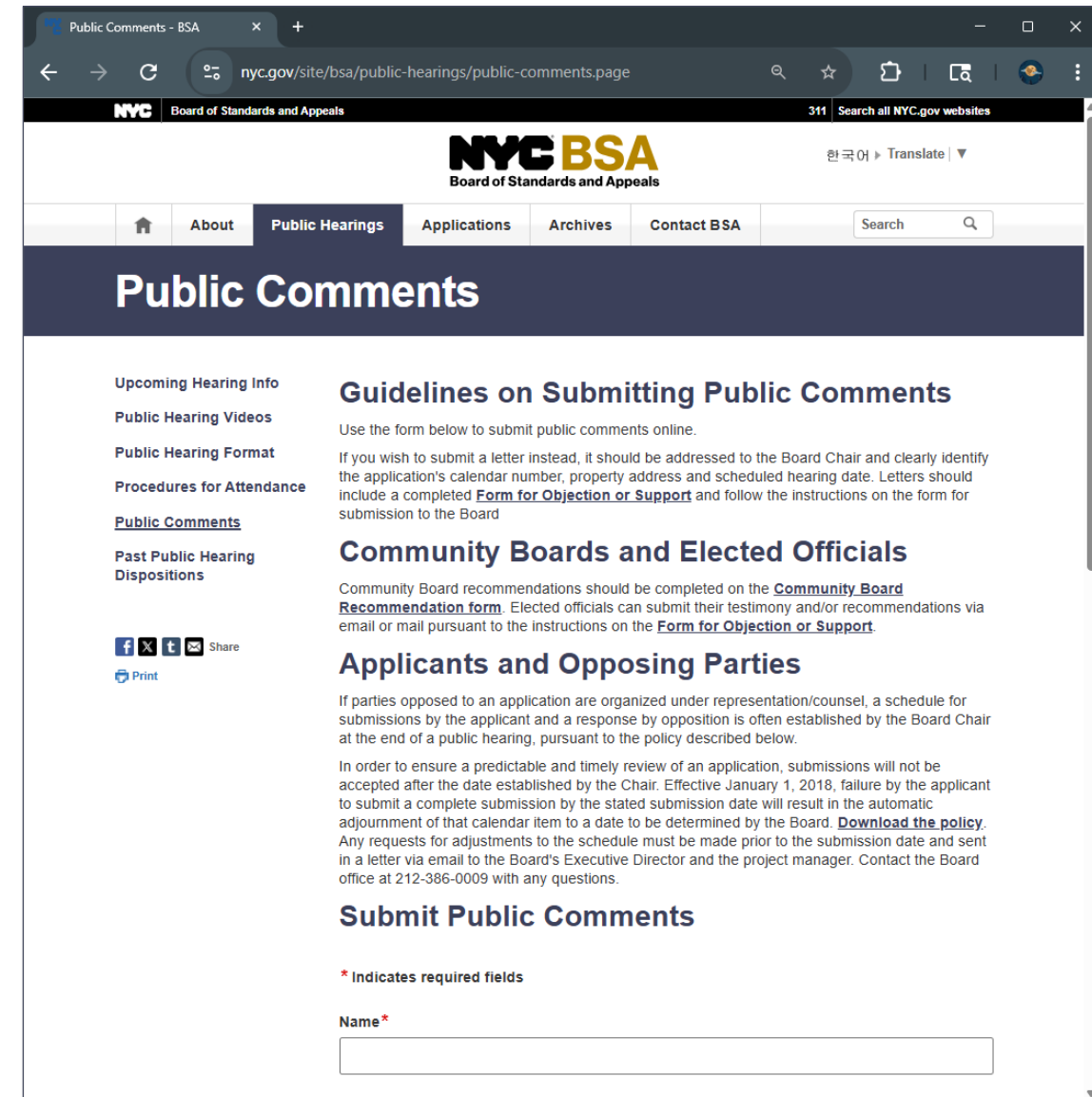
Recommendations from Affected Parties

Notifications of applications and hearings are sent to:

- Community Board
- Borough President
- City Council Member
- Department of City Planning
- Department of Buildings

BSA welcomes recommendations and/or comments from all affected parties and members of the public in written form or at a BSA hearing.

Visit the [BSA Public Comments](https://www.nyc.gov/site/bsa/public-hearings/public-comments.page) page for more information.

A screenshot of the NYC Board of Standards and Appeals (BSA) Public Comments page. The page has a dark blue header with the NYC BSA logo and navigation links. The main content area is white with a dark blue sidebar on the left containing links to various hearing-related information. The main content area features a section titled 'Guidelines on Submitting Public Comments' with instructions on how to submit comments online or in writing. Below this is a section titled 'Community Boards and Elected Officials' and another titled 'Applicants and Opposing Parties'. At the bottom, there is a 'Submit Public Comments' section with a form field for 'Name' and a note indicating required fields.

Public Comments - BSA

nyc.gov/site/bsa/public-hearings/public-comments.page

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Guidelines on Submitting Public Comments

Use the form below to submit public comments online.

If you wish to submit a letter instead, it should be addressed to the Board Chair and clearly identify the application's calendar number, property address and scheduled hearing date. Letters should include a completed [Form for Objection or Support](#) and follow the instructions on the form for submission to the Board.

Community Boards and Elected Officials

Community Board recommendations should be completed on the [Community Board Recommendation form](#). Elected officials can submit their testimony and/or recommendations via email or mail pursuant to the instructions on the [Form for Objection or Support](#).

Applicants and Opposing Parties

If parties opposed to an application are organized under representation/counsel, a schedule for submissions by the applicant and a response by opposition is often established by the Board Chair at the end of a public hearing, pursuant to the policy described below.

In order to ensure a predictable and timely review of an application, submissions will not be accepted after the date established by the Chair. Effective January 1, 2018, failure by the applicant to submit a complete submission by the stated submission date will result in the automatic adjournment of that calendar item to a date to be determined by the Board. [Download the policy](#). Any requests for adjustments to the schedule must be made prior to the submission date and sent in a letter via email to the Board's Executive Director and the project manager. Contact the Board office at 212-386-0009 with any questions.

Submit Public Comments

* Indicates required fields

Name *

<https://www.nyc.gov/site/bsa/public-hearings/public-comments.page>

Recommendations from CBs

The BSA [Community Board Recommendation Form](#) was recently updated in May 2025.

Recommendations are most helpful when they **speak directly to the findings** specific to that application.

For Variances and Special Permits:

- Neighborhood character and impacts;
- Unique conditions;
- Other developments in the area.

For Amendments and Extensions:

- Neighborhood character and impacts; and
- Compliance with conditions of previous approval(s).



NYCBSA
Board of Standards and Appeals

Community Board (CB)
Recommendation Report

Section A Site Data			
BSA Calendar Number		Property Address	
Applicant / Representative		--Select--	
		Borough	Block Lot(s)
CB Recommendation Date		CB Number	

Section B | Project Description

Section C Recommendation of Community Board		Votes	
<input type="checkbox"/>	Approve	<input type="text"/>	In Favor
<input type="checkbox"/>	Approve with Modifications / Conditions	<input type="text"/>	Against
<input type="checkbox"/>	Disapprove	<input type="text"/>	Abstaining
<input type="checkbox"/>	Recommendation Waived	<input type="text"/>	Number of Community Board Members

Section D | Conditions / Comments

Is there a minority report? ☐ NO ☐ YES (if yes, summarize on attached report).

Section E | Signature of CB Officer

Signature	Print Name	Title	Date
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Email a copy of this completed form along with any attachments to submit@bsa.nyc.gov. For additional information or assistance, contact the BSA office at (212) 386-0009.

Apr 2025

22 READE STREET, 1ST FLOOR, NEW YORK, NY 10007 · (212) 386-0009 · WWW.NYC.GOV/BSA

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Contact the BSA

NYC Board of Standards and Appeals

22 Reade Street

1st Floor

New York, NY 10007

(212) 386-0009

nyc.gov/bsa