



CITY OF NEW YORK

**MANHATTAN COMMUNITY BOARD FOUR**

330 West 42<sup>nd</sup> Street, 26<sup>th</sup> floor New York, NY 10036  
tel: 212-736-4536 fax: 212-947-9512  
www.nyc.gov/mcb4

**Delores Rubin**  
Chair

**Jesse Bodine**  
District Manager

March 15, 2016

Martin Rebholz  
Manhattan Borough Commissioner  
NYC Department of Buildings  
280 Broadway  
New York, NY 10007

Louise Carroll  
Associate Commissioner of Housing Incentives  
NYC Dept. of Housing Preservation and Development  
100 Gold Street  
New York, NY 10038

**Re: 517-525 West 45<sup>th</sup> Street  
Block 1074, Lot 18**

Dear Commissioner Rebholz and Assistant Commissioner Carroll:

Manhattan Community Board 4 (MCB4) would first like to thank the New York City Department of Buildings (DOB) for taking action on Application No. 122204462 regarding 517-525 West 45<sup>th</sup> Street. In a letter to DOB, MCB4 stated that the application's proposed addition of two stories at 517 West 45<sup>th</sup> Street and one story at 521-525 West 45<sup>th</sup> Street would have exceeded the 66-foot height limit for the Special Clinton District (SCD).<sup>1</sup> On February 5, 2016, DOB disapproved Application No. 122204462.

At its February 10, 2016 meeting, the Clinton/Hell's Kitchen Land Use Committee discussed the project. Tenants of the building brought to the Board's attention the following:

1. Zoning-noncompliance – proposed plans for the addition do not meet the minimum distance between building window to window on the same zoning lot.
2. False information - PW1 forms containing falsified information were submitted along with these plans.
3. TPP Filing – Plans did not provide the requisite Tenant Protection Plans to DOB.

By a vote of 34 in favor, 0 opposed, and 0 present but not eligible to vote, MCB4 voted to request that DOB and HPD work together to ensure that any alteration to 517-525 West 45<sup>th</sup>

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<sup>1</sup> See Appendix A – Letter to DOB dated December 9, 2015

Street be in compliance with the Zoning Resolution. The Board also requests that DOB ensure that all applications and relevant forms contain accurate information regarding 517-525 West 45<sup>th</sup> Street be in compliance with DOB requirements.

**Background**

517-525 West 45<sup>th</sup> Street consists of five adjacent industrial loft buildings of differing heights, erected on a single zoning lot (Block 1074, Lot 18) between Tenth and Eleventh Avenues. The 517 building located on West 45<sup>th</sup> Street is four stories tall. Immediately to the west, the 525 building is five stories tall. Behind these two buildings, off an interior courtyard, is a two-story wing of the 525 building—called 525 Rear—as well as the 523 building, which is also a five-story building. The buildings are located in the Preservation Area of the Special Clinton District (SCD)

The buildings were first residentially occupied in 1963 under the Artist in Residence (AIR) Law, and became an IMD in 1986 (IMD #10516). Together, the buildings contain a total of 18 apartments, of which 10 are Interim Multiple Dwelling (IMD) units. The IMD tenants of this building have long faced a series of tenant harassment tactics, including withdrawal of services and threatened use of force, aimed at forcing IMD tenants out of their units.

**Current Unresolved DOB Compliance Matters**

***Zoning Resolution Requirement – Minimum Distance between Buildings***

These plans proposed in Application No. 122204462 are not in compliance with the Zoning Resolution Section § 23-711 (ZR § 23-711), which requires a minimum distance between buildings on a single zoning lot:

*23-711*

*Standard minimum distance between buildings<sup>2</sup>*

*R1 R2 R3 R4 R5 R6 R7 R8 R9 R10*

*In all districts, as indicated, the required minimum distance between the portion of a #building# containing #dwelling units# and any other #building# on the same #zoning lot# shall vary according to the height of such #buildings# and the presence of #legally required windows# in facing #building# walls. Such minimum distance shall be, in feet, as indicated in the following table:*

*Maximum #Building# Height  
above #Base Plane# or #Curb  
Level#, as Applicable (in feet)*

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<sup>2</sup> Emphasis added.

<i>Wall Condition*</i>	<i>25</i>	<i>35</i>	<i>40</i>	<i>50</i>	<i>Over 50</i>
<i>Wall to Wall</i>	<i>20</i>	<i>25</i>	<i>30</i>	<i>35</i>	<b><i>40</i></b>
<i>Wall to Window</i>	<i>30</i>	<i>35</i>	<i>40</i>	<i>45</i>	<b><i>50</i></b>
<i>Window to Window</i>	<i>40</i>	<i>45</i>	<i>50</i>	<i>55</i>	<b><i>60</i></b>

The existing structures are grandfathered in and do not have to comply with these requirements. ***However, any floor addition must meet the minimum wall to wall, wall to window, and window to window distances established by ZR § 23-711.*** In the PW1 form submitted with Application No. 122204462, the applicant checked a box acknowledging that the proposed alteration would have required compliance with New Building requirements (28-101.4.5). Therefore, the window to window minimum distance must be 60 feet. The existing window to window distance in the courtyard is less than 60 feet. With the construction of an addition of the front building increasing its height above 4 stories, any addition must comply with the 60 foot window to window minimum distance requirement from the existing south facing windows of the existing rear building.

The Board is further requesting that the Building and Land Development Services (BLDS) department at HPD further review the revision for zoning compliance. This is particularly important because any square footage addition in this building has a direct correlation to the square footage that will have to be provided by the owner under the Cure Requirement.

***False Forms under DOB Application No. 122204462***

It was brought to the Board’s attention that DOB PW1 forms containing false statements had been submitted in conjunction with Application No. 122204462.<sup>3</sup> A PW1 form submitted on April 1, 2015 erroneously stated that the building was for a Single Room Occupancy (SRO) Multiple Dwelling. This building is located in the Special Clinton District.

Additionally, the applicant did not answer the following questions in Section 9 of the application:

- Alteration required to meet New Building requirements (28-101.4.5)
- Alteration is major change to exits
- Change in number of dwelling units
- Change in occupancy / use
- Change is inconsistent with current certificate of occupancy
- Change in number of stories

In an earlier portion of the application, the applicant acknowledged that the Type 1 Alteration would in fact have to meet New Building requirements. In addition, the alteration would have had an effect on the number of units and stories.

Furthermore, an earlier PW1 form, received by on December 2, 2014, stated that the alteration would have entailed:<sup>4</sup>

- A change in the number of stories

<sup>3</sup> See Appendix B – PW1 Form dated March 24, 2015

<sup>4</sup> See Appendix C – PW1 form dated November 14, 2014

- A change in the number of dwelling units
- A change in occupancy and/or use

These statements, all of which are correct, contradict the form submitted in April of 2015.

*Over the past few months, this Board has seen over 20 falsified forms submitted to DOB. Some of these were accepted by the agency.* MCB4 requests that DOB take immediate action to ensure that this pattern ends.

***New DOB Tenant Protection Plan Requirement***

Beginning on January 25, 2016, DOB required that a Tenant Protection Plan be submitted for all buildings being altered or demolished, so long as they contain one or more dwelling units. The Board requests that DOB ensure that this requirement is met. Given the long term tenant harassment by multiple owners at this site, MCB4 requests both HPD and DOB ensure the safety and the provision of basic services for the long term IMD tenants in this building. The Board also requests that the proposed Tenant Protection Plan be reviewed by HPD's BLDS department and that DOB ensure that the protection plan is adequate.

**Conclusion**

Any improvements made on the property by the owner should be held up to the appropriate zoning and HPD requirements, and careful attention should be paid by city agencies to ensure that this is the case. MCB4 requests that any additions in 517-525 West 45<sup>th</sup> Street comply with minimum building window to window distance requirements. The Board also requests that false information on PW1 forms be corrected, and that the Tenant Protection Plan be filed and reviewed by BLDS and DOB prior to the Board's review of the Lower Income Housing Plan. The Board looks forward to working with HPD and DOB in achieving a Cure for Harassment in these buildings.

Sincerely,



Delores Rubin  
MCB4 Chair



Jean Daniel Noland, Chair  
Clinton Hell's Kitchen Land Use  
and Zoning Committee

cc: Rick Chandler, Department of Buildings Commissioner



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**CHRISTINE BERTHET**  
Chair

**Jesse R. Bodine**  
District Manager

December 9, 2015

Martin Rebholz  
Manhattan Borough Commissioner  
NYC Department of Buildings  
280 Broadway  
New York, NY 10007

**Re: 517-525 West 45<sup>th</sup> Street  
Current Alt 1 #122204462**

Dear Commissioner Rebholz,

At the Manhattan Community Board 4 (MCB4) Clinton/Hell's Kitchen Land Use Committee meeting on November 12, 2015, concerns about an Application filed with the NYC Department of Buildings (DOB) to add up to two additional stories were brought to MCB4's attention by the tenants living at 517-525 West 45<sup>th</sup> Street. By a vote of 41 in favor, 0 opposed and 0 present but not eligible to vote, MCB4 voted to request that DOB conduct a full audit of Application #122204462 in light of the attached land survey based on the analysis below noting discrepancies among the existing buildings' heights.

**Background**

517-525 West 45<sup>th</sup> Street consists of five adjacent buildings of differing heights erected on a single zoning lot (block 1074, lot 18) between Tenth and Eleventh Avenues. The 517 building located on West 45<sup>th</sup> Street is four stories tall. Immediately to the west, the 525 building is five stories tall. Behind these two buildings, off an interior courtyard, is a two-story wing of the 525 building, called 525 rear, and the 523 building, also a five-story building.

Originally a factory, the buildings were designated a *de facto* multiple dwelling and deemed subject to the loft law in the 1980s after the then-owner sought to evict the residential tenants who had moved into the upper floors a decade earlier. Currently, there are 18 apartments, of which 8 are interim multiple dwelling (IMD) units. The IMD tenants of this building have long faced a series of tenant harassment tactics, including withdrawal of services and threatened use of force.

Situated on the midblock of West 45<sup>th</sup> Street between Tenth and Eleventh Avenues, the buildings are located in the Preservation Area of the Special Clinton District (SCD). Among other

requirements, the SCD Zoning Resolution mandates that an owner must first obtain a Certificate of No Harassment before a permit for a material alteration can be issued<sup>1</sup> and secondly, pursuant to Section 96-104(c) of the SCD, that the building height on a narrow street cannot exceed 66 feet, or 7 stories, whichever is less.

**Current Alteration Type 1 Filing - Application #122204462**

The Alteration Type 1 (Alt 1) filing in question, Application No. 122204462 seeks to add two additional stories to the four-story brick building known as 517 West 45 Street, and one additional story to the five-story 521-525 buildings all of which front along West 45th Street. As it is currently filed, the application states that the resultant building height as measured from curb to roof, will be 64.11 feet<sup>2</sup> for each of the 517, 521 and 525 buildings which is less than the 66 foot maximum height permitted under 96-104(c) of the SCD Zoning Text. While neither the current height of the buildings nor the height of the proposed additions is specified on the ZD-1 zoning diagram, the building plans associated with the alteration filing (copy attached), state the existing height of the 517 building to be 43 feet 4 inches and the 521-525 West 45 Street building to be 54 feet. Those numbers are summarized below:

**Building Heights as per Owner Submission to DOB**

	<b>517 W 45</b>	<b>521 W 45</b>	<b>525 W. 45</b>
<b>Curb</b>			
<b>Roof</b>			
<b>Building height</b>	43' 4"	54	54
<b>No. of stories</b>	4	5	5

**Building Heights as per Survey dated 10/1/15**

However, a recent survey conducted by Thomas Piciocco, a licensed surveyor who was engaged by the Tenants' Association, determined that the building heights as listed in the submitted building plans are inaccurate. The accurate existing building heights are listed below:

	<b>517 W 45</b>	<b>521 W 45</b>	<b>525 W. 45</b>
<b>Curb</b>	25.29	25.29 <sup>3</sup>	23.64
<b>Roof</b>		85.22	85.34
<b>Building height</b>		59.93	61.70
<b>No. of stories</b>	4	5	5

<sup>1</sup> Section 96-110 of the SCD requires that an owner obtain a Certificate of No Harassment (CONH) before DOB can issue a permit for a material alteration. In 2010, the then owner, Shabbat LLC applied for a CONH under Section 96-110 of the Special Clinton District (SCD) regulations. After a hearing on this matter, the request for a CONH was denied by NYC Department of Housing Preservation and Development.

<sup>2</sup> The building plans submitted by the owner as part of its filing list the overall building height, including the proposed additions to be 63 feet 8 inches, a discrepancy of 1 foot 3 inches from the owner's summary on the ZD-1 diagram.

<sup>3</sup> The actual curb elevation for the easterly side of the 521 building is not indicated; the curb measurement for 517 (a distance of 11 feet 3.5 inches) is noted instead.

Given the building heights as per the 10/1/2015 survey, the proposed addition of 1 story at 9 feet 8 inches at the 521-525 building would result in a building height of 69.60 feet at 521 and 71.37 feet at 525. Since the proposed addition of 2 stories at 20 feet 4 inches is intended to make the 517 building level with the 521-525 building, the height at the 517 building would be at least 69.60 feet.

***Therefore, the proposed additions will exceed the 66 foot height limit of the SCD.***

In light of the attached survey and the resultant information, MCB4 requests that DOB review Application #122204462 and conduct a full audit of this filing (and any associated filings) based on the fact that the building heights as proposed, exceed the maximum height limit of 66 feet, as set forth in Section 96-104(a) of the SCD Zoning Resolution.

Sincerely,



Christine Berthet  
Chair



Jean-Daniel Noland  
Chair, Clinton / Hell's Kitchen Land Use Committee

Enclosure

cc: Hon. Brad Hoylman, State Senate  
Hon. Richard Gottfried, State Assembly  
Hon. Corey Johnson, City Council  
Deborah Rand, Assistant Commissioner, NYC HPD

18 L-B.1074

316871

FIVE STORY BRICK  
NOS 521-525

FOUR STORY  
BRICK  
NO: 517

ELEVATOR  
MACHINE ROOM

EL=85.34,RF  
EL=87.99,P

EL=85.22,RF  
EL=87.97,P

11'-3 1/2"

412'-6" TO ...  
ELEVENTH AVE.

EL=23.98,S

87'-7"

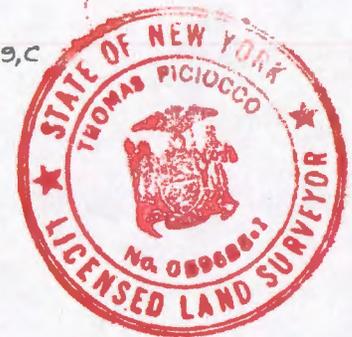
EL=25.81,S

CURB

EL=23.64,C

EL=25.29,C

WEST 45TH STREET



ELEVATIONS REFER TO NORTH AMERICAN  
VERTICAL DATUM OF 1988 (NAVD 1988)

SURVEYED OCTOBER 1, 2015  
EARL B. LOVELL - S.P. BELCHER, INC.

*Thomas Picocco*

L E D G E  
C CURB S SIDEWALK  
P PARAPET RF ROOF

LICENSED LAND SURVEYOR  
11 PARK PLACE

VICE PRESIDENT  
NEW YORK, N.Y. 10007



PW1: Plan / Work Application
Must be typewritten.

DEPT BLDGS Job No. 122204462
Scan Code ESHS6648348

1 Location Information Required for all applications.

House No(s) 517 Street Name WEST 45TH STREET
Borough MANHATTAN Block 01074 Lot 00018 BIN 1083791 C.B. No. 104
Work on Floor(s) 001 to 006 Apt. / Condo No(s)

2 Applicant Information Required for all applications. Fax, mobile telephone and e-mail address are optional information.

Last Name SOSKIN First Name ALEXANDER Middle Initial
Business Name A & D ENGINEERING, PLLC Business Telephone (718) 986-0800
Business Address 2613 EAST 65TH STREET Business Fax
City BROOKLYN State NY Zip 11234 Mobile Telephone
E-Mail ADNYENG@GMAIL.COM License Number 083057
Choose one: [X] P.E. [ ] R.A. [ ] Sign Hanger [ ] R.L.A. [ ] Other:

3 Filing Representative Complete only if different from applicant specified in section 2. Fax, mobile phone, and e-mail are optional info.

Last Name REZ/ROD/AMINOV First Name LEV/NOR/MARK Middle Initial
Business Name WILLIAM VITACCO ASSOCIATES, LTD Business Telephone (212) 791-4578
Business Address 299 BROADWAY, 5TH FLOOR Business Fax
City NEW YORK State NY Zip 10007 Mobile Telephone
E-Mail TDIMATTEI@VITACCO.COM Registration Number 00368

4 Filing Status Required for all applications. Choose one and provide specified associated information.

[ ] Initial Filing 5, 7, 11, 12A, 25-26 [X] Prior to Approval Actions 25-26 [ ] Reinstatement 24-26
Choose only one: [ ] Amend Existing Filing 4A [ ] Withdrawal 26
[ ] Standard Plan Examination or Review [X] Subsequent Filing 6-7, 8A (Alt-2 only), 11 [ ] Specified in 4A and 6
[ ] Professional Certification PC1, POC1 [ ] Post Approval Amendment (PAA) 4A, 6, 24-25 [ ] Entire Job
[ ] Professional Certification of Objections A11 Will PAA affect filing fees? [ ] Yes [ ] No 4A Indicate existing document number
affected by filing:
[ ] New (Superseding) Applicant 4A, 25-26

5 Job/Project Types Choose one and provide specified associated information.

[X] Alteration Type 1 or Alteration Type 1 required to meet New Building requirements (28-101.4.5) [ ] Alteration Type 2 5A, 6A-D, 8A-B, 9-10, 13C-E, & 14, 20, 22 [ ] Full Demolition 6B, 8D, 9A & 9C-D, 9K, 13D-E, 14, 21A, 22
6A-E, 8B-C, 9-10, 12, 13C-F, 14, 18-20, 22 & PW1A, PD1 [ ] Alteration Type 3 5A, 6B-F, 8C, 9-10, 13C-E, 20, 22 [ ] Subdivision 9A, 9D, 12A-B
[ ] New Building 6A-E, 8F-G, 9A, 9C-K, 10, 12 & 13A-E, 14, 18-20, PW1A, PD1 [ ] Condominium [ ] Improved 17
5A Directive 14 acceptance requested?
[ ] Alteration Type 1, OT: "No Work" 8C, 9-10 & 12, 13C-F, 14, 18-19, 22, PW1A, PD1 [ ] Sign 5A, 6B-D, 9A, 9D, 22-23 [ ] Yes [ ] No

6 Work Types Select all that apply but no more than allowed by job and filing type. "OT" required on all NB and Alteration 1 initial applications.

6A [ ] BL - Boiler PW1C [ ] FS - Fuel Storage PW1C [X] PL - Plumbing PW1B 6E [ ] CC - Curb Cut 16
[ ] FA - Fire Alarm [ ] FP - Fire Suppression [ ] SD - Standpipe PW1B [ ] OT/LAN - Landscape
[ ] FB - Fuel Burning PW1C [X] MH - Mechanical [ ] SP - Sprinkler PW1B 6F [ ] OT/ANT - Antenna
6B [ ] EQ - Construction Equipment 15 6C [ ] OT/GC - General Construction 6D [ ] OT - Other, describe: [ ] OT/BPP - Builders Pavement Plan 8D
[ ] OT/FPP - Fire Protection Plan
[ ] OT/MAR - Marquee 8E, 26B

**7 Plans/Construction Documents Submitted** *Plans are required for most applications.*

Are plans being submitted with this PW1?  Yes  No *If yes, do the plans include:*  FO — Foundation  EN — Energy Analysis

**8 Additional Information**

8A	WT	Cost	WT	Cost	WT	Cost	8B Is a building enlargement proposed?	8C Estimated Job Cost \$
	PL	175000					<input type="checkbox"/> No enlargement is proposed	8D Street Frontage: _____ linear ft.
							<input type="checkbox"/> Yes 12, PD1	8E Height: _____ ft. Width: _____ ft.
							<input type="checkbox"/> Horizontal <input type="checkbox"/> Vertical	8F Total Construction Floor Area: _____ sq. ft.
							Additional Construction Floor Area: _____ sq. ft.	

**9 Additional Considerations, Limitations or Restrictions**

9A Review is requested under which building code?  2014  2008  1968  Prior to 1968

<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
9B <input type="checkbox"/> Alteration required to meet New Building requirements (28-101.4.5) <i>If yes, 13A-B</i>	<input type="checkbox"/> Change in number of dwelling units
<input type="checkbox"/> Alteration is a major change to exits	<input type="checkbox"/> Change in occupancy / use
9C <input type="checkbox"/> Façade Alteration	<input type="checkbox"/> Change is inconsistent with current certificate of occupancy
<input type="checkbox"/> Adult Establishment <i>If yes, plot diagram (except DM)</i>	<input type="checkbox"/> Change in number of stories
<input type="checkbox"/> Compensated Development (Inclusionary Housing)	<input type="checkbox"/> <input checked="" type="checkbox"/> Infill Zoning
<input type="checkbox"/> Low Income Housing (Inclusionary Housing)	<input type="checkbox"/> <input checked="" type="checkbox"/> Loft Board
<input type="checkbox"/> <input checked="" type="checkbox"/> Single Room Occupancy (SRO) Multiple Dwelling	<input type="checkbox"/> <input checked="" type="checkbox"/> Quality Housing
<input type="checkbox"/> Filing includes Lot Merger / Reapportionment <i>If yes, 17</i>	<input type="checkbox"/> <input checked="" type="checkbox"/> Site Safety Job/Project
	<input type="checkbox"/> Included in LMCCC
9D <input type="checkbox"/> <input checked="" type="checkbox"/> Landmark	<input type="checkbox"/> Filing to address violations (list #s—max. 5):
<input type="checkbox"/> Little "E" or RD Site	
<input type="checkbox"/> Unmapped/CCO Street	
<input type="checkbox"/> Requesting legalization of work where no work without a permit violations have been issued	
<input type="checkbox"/> Other (please specify on line provided below):	<input type="checkbox"/> Filing to comply with Local Laws (list #s—max. 2)
<input type="checkbox"/> CRFN(s) Restrictive Declaration / Easement (max. 4):	
<input type="checkbox"/> CRFN(s) Zoning Exhibit (I, II, III, etc. - max. 4):	
9E <input type="checkbox"/> BSA Calendar Numbers (max. 5):	
9F <input type="checkbox"/> CPC Calendar Numbers (max. 5):	
9G <input type="checkbox"/> Work includes lighting fixture and/or controls, installation or replacement. [ECC §404 and §505]	
9H <input type="checkbox"/> Work includes modular construction under New York State jurisdiction	9I High Rise Team tracking #:
<input type="checkbox"/> Work includes modular construction under New York City jurisdiction	
9J <input type="checkbox"/> <input checked="" type="checkbox"/> Structural peer review required per BC 16. <i>If yes, provide NYS P.E. license number:</i>	
9K <input type="checkbox"/> Work includes permanent removal of standpipe, sprinkler or fire suppression related systems	
9L <input type="checkbox"/> Work includes partial demolition as defined in AC §28-101.5, or the raising/moving of a building <i>If yes, 21B</i>	
<input type="checkbox"/> Structural stability affected by proposed work	

**10 NYCECC Compliance** *New York City Energy Conservation Code*

- To the best of my knowledge, belief and professional judgment, all work under this application is in compliance with the NYCECC\*
  - Code Compliance Path (choose one):  NYCECC  ASHRAE
  - Energy Analysis (choose one):  Tabular Analysis  REScheck  COMcheck  Energy Modeling (EN1)
- To the best of my knowledge, belief and professional judgment, all work under this application is exempt from the NYCECC\* in accordance with one of the following (choose one):
  - The work is an alteration of a State or National historic building.
  - The scope of the work is entirely in a "low-energy building" and is limited to the building envelope.
  - The entire scope of work involves a temporary structure and/or one or more of the following work types: FA, FP, SD, SP, FS, EQ, CC, OT/BPP, OT/FPP. Other work types are not exempt.
  - This is a post-approval amendment and exempt under a prior edition of the energy code. See statement of exemption on attached drawings.



**19 Open Spaces**

	Existing	Proposed		Existing	Proposed
Plaza Area	sq. ft.	sq. ft.	Arcade Area	sq. ft.	sq. ft.
Parking Area	sq. ft.	sq. ft.	Parking Spaces		
Loading Berths	sq. ft.	sq. ft.	Loading Berths		

**20 Site Characteristics**

- |   |  |
|---|--|
| Yes No  | Yes No   |
| <input type="checkbox"/> <input type="checkbox"/> Tidal Wetlands              | <input type="checkbox"/> <input type="checkbox"/> Freshwater Wetlands                  |
| <input type="checkbox"/> <input type="checkbox"/> Coastal Erosion Hazard Area | <input type="checkbox"/> <input type="checkbox"/> Urban Renewal                        |
| <input type="checkbox"/> <input type="checkbox"/> Fire District               | <input type="checkbox"/> <input type="checkbox"/> Flood Hazard Area <i>If yes, 20A</i> |

**20A Flood Hazard Area Information**

- |   |
|---|
| Yes No  |
| <input type="checkbox"/> <input type="checkbox"/> Substantial improvement?            |
| <input type="checkbox"/> <input type="checkbox"/> Substantially damaged?              |
| <input type="checkbox"/> <input type="checkbox"/> Floodshields part of proposed work? |

**21 Demolition Details** *\*Mechanical equipment other than handheld devices to be used for demolition or removal of debris (BC §3306.4).*

- Yes No
- 21A   Demo. filing is for a secondary structure? *If yes, specify structure being demolished:*  
  Mechanical means\* from out of building? *If yes, mechanical means will demolish:*  entire structure or  part of structure  
  Mechanical means\* from within building? *If yes, describe equipment proposed:*
- 21B   Demolition work affects the exterior building envelope  
  The scope of work involves raising/moving of a building

**22 Asbestos Abatement Compliance** *Choose one.*

- The scope of work requires related asbestos abatement as defined in the regulations of the NYC Department of Environmental Protection (DEP).  
 The scope of the work is not an asbestos project as defined in the regulations of the NYC DEP. *DEP Control # is required.*  
 DEP ACP-5 Control No. \_\_\_\_\_  
 The scope of work is exempt from the asbestos requirement as defined in the regulations promulgated by the NYC DEP (15 RCNY 1-23(b)) or is an alteration to a building constructed pursuant to plans submitted for approval on or after April 1, 1987, in accordance with § 28-106.1.

**23 Sign**

Purpose:	Type:	Estimated Cost: \$	23A Illuminated type:
<input type="checkbox"/> Advertising	<input type="checkbox"/> Illuminated 23A	Total Square Feet:	<input type="checkbox"/> Direct <input type="checkbox"/> Flashing <input type="checkbox"/> Indirect
<input type="checkbox"/> Non-Advertising	<input type="checkbox"/> Non-Illuminated	Height above Curb: ft. in.	Yes No
Location: <input type="checkbox"/> Ground <input type="checkbox"/> Roof 23B <input type="checkbox"/> Wall	Height above Roof: ft. in.	23B <input type="checkbox"/> <input type="checkbox"/> Is roof sign tight, closed or solid?	<input type="checkbox"/> <input type="checkbox"/> If sign projects beyond building line, is owner billed for annual permit? <i>If no, specify in 26B</i>
Yes No	23C Sign wording. <i>If extensive, provide only key wording.</i>	23D Distance from Arterial Highway: ft.	
<input type="checkbox"/> <input type="checkbox"/> Is sign inside building line? <i>If no, sign projects by:</i> ft. in.		23E Distance from Park 1/2 acre or more: ft.	
<input type="checkbox"/> <input type="checkbox"/> Designed for changeable copy? <i>If no, 23C</i>		23F OAC Sign Number:	
<input type="checkbox"/> <input type="checkbox"/> Does an OAC have an interest in this sign or location? <i>If yes, 23G</i>		23G OAC Registration Number:	
<input type="checkbox"/> <input type="checkbox"/> Within 900' and within view of an arterial highway? <i>If yes, 23D</i>			
<input type="checkbox"/> <input type="checkbox"/> Within 200' and within view of a park 1/2 acre or more? <i>If yes, 23E</i>			
<p>.....▶ <i>If answer is "yes" to either of the above two questions and this is an advertising sign, OAC sign number is required in section 23F</i></p>			

**24 Comments** *Place additional comments on an AI-1 form. See Guide for proper incorporation of professional certification statements.*

PLEASE FORWARD ANY OBJECTIONS TO TDIMATTEI@VITACCO.COM

**25 Applicant's Statements and Signatures** Required for all applications.

Falsification of any statement is a misdemeanor and is punishable by a fine or imprisonment, or both. It is unlawful to give to a city employee, or for a city employee to accept, any benefit, monetary or otherwise, either as a gratuity for properly performing the job or in exchange for special consideration. Violation is punishable by imprisonment or fine or both. I understand that if I am found after hearing to have knowingly or negligently made a false statement or to have knowingly or negligently falsified or allowed to be falsified any certificate, form, signed statement, application, report or certification of the correction of a violation required under the provisions of this code or of a rule of any agency, I may be barred from filing further applications or documents with the Department. I prepared or supervised the preparation of the construction documents and specifications herewith submitted and to the best of my knowledge and belief, the construction documents and work shown thereon comply with the provisions of the NYC Administrative Code and other applicable laws and rules,  (←check here if) except as set forth in the accompanying documents. I acknowledge that I have read and complied with all instructions pertaining to this application and supplementary schedules submitted. Cluster Development Statement (if applicable): I hereby state that all specifications relating to this job are identical to those previously filed under the group lead job number, except as specified herein.

For initial New Building and Alteration 1 applications filed under the 2008 or 2014 NYC Building Code only: does this building qualify for high-rise designation?  Yes  No

Directive 14 initial applications only: I certify that the construction documents submitted and all construction documents related to this application do not require a new or amended Certificate of Occupancy as there is no change in use, exits, or occupancy.  Yes  No

Name (print): **ALEXANDER SOSKIN** 3/20/15

Sign and Date: \_\_\_\_\_

P.E. / R.A. Seal (apply seal; then sign and date over seal)

**26 Property Owner's Statements and Signatures**

Falsification of any statement is a misdemeanor and is punishable by a fine or imprisonment, or both. It is unlawful to give to a city employee, or for a city employee to accept, any benefit, monetary or otherwise, either as a gratuity for properly performing the job or in exchange for special consideration. Violation is punishable by imprisonment or fine or both. I understand that if I am found after hearing to have knowingly or negligently made a false statement or to have knowingly or negligently falsified or allowed to be falsified any certificate, form, signed statement, application, report or certification of the correction of a violation required under the provisions of this code or of a rule of any agency, I may be barred from filing further applications or documents with the Department. Furthermore, I understand that I am responsible for insuring that a final inspection be performed when the permitted work is complete, and that a satisfactory report of final inspection be submitted, along with all required submittal documents, so that the NYC Department of Buildings may issue a letter of completion or certificate of occupancy within the time prescribed by law.

I have authorized the applicant to file this application for the work specified herein and all future amendments. I will not knowingly authorize any work that is not in compliance with all applicable laws, rules, and regulations.

Yes No

**Fee Exemption Request (Non-Profit Owned and Operated)**  
In accordance with Administrative Code §28-112.1, Exception 1, I certify that the deed holder is a corporation or association organized and operated exclusively for the purposes indicated in such section, and that the property is used exclusively by such entity for such purpose. ★

**Fee Exemption Request (NYCHA/HHC, NYC Agency, or Other Government Owned and Operated)** The building or any part thereof to be constructed, renovated, altered or demolished is owned and operated exclusively for the purposes of the NYC Agency, NYC Authority, NYS Agency, Federal Government or any other government entity. ★

**Owner's Certifications Regarding Occupied Housing**  
The site of the building to be altered or demolished, or the site of the new building to be constructed, contains one or more occupied dwelling units that will remain occupied during construction. These occupied dwelling units have been clearly identified on the submitted construction documents.

The site of the building to be altered or demolished, or the site of the new building to be constructed, contains occupied housing accommodations subject to rent control or rent stabilization under Chapters 3 and 4 of Title 26 of the New York City Administrative Code. If yes, select one of the following:

The owner is not required to notify the New York State Homes and Community Renewal (NYSHCR) of the owner's intention to file because the nature and scope of the work proposed, pursuant to NYSHCR regulations, does not require notification.

The owner has notified the New York State Homes and Community Renewal (NYSHCR) of its intention to file such construction documents/apply for such permit and has complied with all requirements imposed by the regulations of such agency as preconditions for such [filing/application].

Provide date NYSHCR notified: \_\_\_\_\_

**Owner's Certification for Directive 14 Applications (if applicable)**  
I have read and am fully aware of the applicant's statement that the construction documents submitted and all construction documents related to this application will not require a new or amended Certificate of Occupancy as there is no change in use, exits, or occupancy and the work is not inconsistent with the current certificate of occupancy. Furthermore, I understand that I am responsible for retaining a qualified design professional to perform a final inspection when the permitted work is complete and this professional must submit a satisfactory final inspection report to the NYC Department of Buildings within the time following inspection prescribed by Department rule.

Notes for Section 26A: Section required if unit owner signed Section 26 Signature required for authorized representative of Condo or Co-Op board.

★ For fee waivers, please see the PW1 User Guide

Owner  Individual  Partnership  NYCHA / HHC  
Type:  Corporation  Other Government  NYC Agency  
 Condo Unit Owner or Co-Op Tenant-shareholder 26A

Is the deed holder a non-profit organization?  Yes  No

Name (please print): **SHAI BERNSTEIN**

Relationship to Owner: **OWNER**

Business Name/Agency: **517-525 WEST 45TH STREET, LLC**

Street Address: **190 BEDFORD AVENUE, #90**

City: **BROOKLYN** State: **NY** Zip: **11249**

Telephone Number: **(917) 310-8165** Fax: \_\_\_\_\_

E-Mail Address: **SHAI@NYC@GMAIL.COM**

Signature and Date  **3/24/2015**

**26A Condo/Co-Op Board** See note in bottom left corner of page.

Name (please print): \_\_\_\_\_

Title: \_\_\_\_\_

Street Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Telephone Number: \_\_\_\_\_ Fax: \_\_\_\_\_

E-Mail Address: \_\_\_\_\_

Signature and Date  \_\_\_\_\_

**26B Lessee Responsible for Annual Sign or Marquee Permit**

Name (please print): \_\_\_\_\_

Relationship to Owner: \_\_\_\_\_

Business Name/Agency: \_\_\_\_\_

Street Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Telephone Number: \_\_\_\_\_ Fax: \_\_\_\_\_

E-Mail Address: \_\_\_\_\_



# PW1: Plan / Work Application

Must be typewritten.



### 1 Location Information *Required for all applications.*

House No(s) 517 Street Name WEST 45TH STREET

Borough MANHATTAN Block 01074 Lot 00018 BIN 1083791 C.B. No. 104

Work on Floor(s) 001 to 006 Apt. / Condo No(s)

### 2 Applicant Information *Required for all applications. Fax, mobile telephone and e-mail address are optional information.*

Last Name BERNSTEIN First Name DANIEL Middle Initial

Business Name KUTNICKI BERNSTEIN ARCHITECTS Business Telephone (212) 431-5552

Business Address 434 BROADWAY, 4TH FLOOR Business Fax

City NEW YORK State NY Zip 10013 Mobile Telephone

E-Mail DB@BANYC.COM License Number 016854

Choose one:  P.E.  R.A.  Sign Hanger  Other, please specify:

### 3 Filing Representative *Complete only if different from applicant specified in section 2. Fax, mobile phone, and e-mail are optional info.*

Last Name RODR/RODR/RUSSE First Name DIAN/NORB/GIOV Middle Initial

Business Name WILLIAM VITACCO ASSOCIATES, LTD Business Telephone (212) 791-4578

Business Address 299 BROADWAY, 5TH FLOOR Business Fax

City NEW YORK State NY Zip 10007 Mobile Telephone

E-Mail DRODRIGUEZ@VITACCO.COM Registration Number 03368

### 4 Filing Status *Required for all applications. Choose one and provide specified associated information.*

Initial Filing 5, 7, 11, 12A, 25-26  Prior to Approval Actions 25-26  Reinstatement 24-26

Review is requested under which Building Code?  Amend Existing Filing 4A  Withdrawal 26

2008  1968  Prior to 1968  Subsequent Filing 6-7, 8A (Alt-2 only), 11  Specified in 4A and 6

Choose  Standard Plan Examination or Review  Post Approval Amendment (PAA) 4A, 6, 24-25  Entire Job

one:  Professional Certification PC1, POC1 Will PAA affect filing fees?  Yes  No 4A Indicate existing document number affected by filing:

Professional Cert. of Objections A11  New (Superseding) Applicant 4A, 25-26

### 5 Job/Project Types *Choose one and provide specified associated information.*

Alteration Type 1 6A-E, 8B-C, 9-10, 13C-F, 14 &  Alteration Type 1, OT: "No Work" 8C, 9-10 &  Full Demolition 6B, 8D, 9B-D, &

18-20, 22, PW1A, PD1, select all that apply: 12, 13C-F, 14, 18-19, 22, PW1A, PD1 13D-E, 14, 21A, 22

Change in Exits  Alteration Type 2 5A, 6A-D, 8A-B, 9-10, &  Sign 5A, 6B-D, 9B, 22-23

Change in Number of Stories 13C-E, 14, 20, 22  Subdivision 9B, 12A-B

Change in Number of Dwelling Units  Alteration Type 3 5A, 6B-F, 8C, 9-10, 13C-E, 22  Condominium  Improved 17

Change in Occupancy / Use  New Building 6A-E, 8F-G, 9A-C, 9L, 10, 12, 13A-E 5A Directive 14 acceptance requested?

Change inconsistent with current Cert. of Occup. (13B: 2008 Code only), 14, 18-20, PW1A, PD1  Yes  No

### 6 Work Types *Select all that apply but no more than allowed by job and filing type. "OT" required on all NB and Alteration 1 initial applications.*

6A <input type="checkbox"/> BL - Boiler PW1C <input type="checkbox"/> FS - Fuel Storage PW1C <input type="checkbox"/> PL - Plumbing PW1B	6E <input type="checkbox"/> CC - Curb Cut 16
<input type="checkbox"/> FA - Fire Alarm <input type="checkbox"/> FP - Fire Suppression <input type="checkbox"/> SD - Standpipe PW1B	6F <input type="checkbox"/> OT/ANT - Antenna
<input type="checkbox"/> FB - Fuel Burning PW1C <input type="checkbox"/> MH - Mechanical <input type="checkbox"/> SP - Sprinkler PW1B	<input type="checkbox"/> OT/BPP - Builders Pavement Plan 8D
6B <input type="checkbox"/> EQ - Construction Equipment 15	<input type="checkbox"/> OT/FPP - Fire Protection Plan
6C <input checked="" type="checkbox"/> OT/GC - General Construction	<input type="checkbox"/> OT/MAR - Marquee 8E, 26B
6D <input type="checkbox"/> OT - Other, describe:	

DOB Reference Number: T00001137625-000102  
User Ref ID: 292390T

**7 Plans/Construction Documents Submitted** *Plans are required for most applications.*

- AR - Architectural  
  BP - BPP Checklist  
  DM - Demolition (Full/Partial)  
  EN - Energy Analysis  
  FO - Foundation or  
  NP - No Plans  
 ME - Mechanical  
  OT - Other  
  PL - Plumbing  
  ST - Structural  
  ZO - Zoning

**8 Additional Information**

8A	WT	Cost	WT	Cost	WT	Cost	8B Is a building enlargement proposed? <input type="checkbox"/> No enlargement is proposed <input checked="" type="checkbox"/> Yes 12, PD1 <input type="checkbox"/> Horizontal <input checked="" type="checkbox"/> Vertical Additional Construction Floor Area: 9418 sq. ft.	8C Estimated Job Cost \$ 1505000 8D Street Frontage: _____ linear ft. 8E Height: _____ ft. Width: _____ ft. 8F Name of cluster or development below: Project lead job no.
8G Total Construction Floor Area: _____ sq. ft.								

**9 Additional Considerations, Limitations or Restrictions**

Yes No 9A <input type="checkbox"/> <input checked="" type="checkbox"/> Structural peer review required per BC §1627 <i>If yes, 9F</i> 9B <input type="checkbox"/> <input checked="" type="checkbox"/> Filed to Comply with Local Law <i>If yes, 9G</i> <input type="checkbox"/> <input checked="" type="checkbox"/> Other, specify: _____ <input type="checkbox"/> <input checked="" type="checkbox"/> Restrictive Declaration / Easement <i>If yes, 9M</i> <input type="checkbox"/> <input checked="" type="checkbox"/> Zoning Exhibit (I, II, III, etc.) <i>If yes, 9N</i> <input type="checkbox"/> <input checked="" type="checkbox"/> Requesting legalization of work where no work w/o a permit violations have been issued 9C <input type="checkbox"/> <input checked="" type="checkbox"/> Adult Establishment <i>If yes, plot diagram (except DM)</i> <input type="checkbox"/> <input checked="" type="checkbox"/> Compensated Development (Inclusionary Housing) <input type="checkbox"/> <input checked="" type="checkbox"/> Low Income Housing (Inclusionary Housing) <input type="checkbox"/> <input checked="" type="checkbox"/> Single Room Occupancy (SRO) Multiple Dwelling <input type="checkbox"/> <input checked="" type="checkbox"/> Filing includes Lot Merger / Reapportionment <i>If yes, 17</i> 9D <input type="checkbox"/> <input checked="" type="checkbox"/> Includes permanent removal of standpipe, sprinkler or fire suppression related systems 9E <input type="checkbox"/> <input checked="" type="checkbox"/> Work includes partial demolition as defined in AC §28-101.5 <i>If yes, 21B</i> <input type="checkbox"/> <input checked="" type="checkbox"/> Structural Stability affected by proposed work 9L <input type="checkbox"/> <input checked="" type="checkbox"/> Work includes lighting fixture and/or controls, installation or replacement. [§ECC 404 and 505] 9M CRFN(s) Restrictive Declaration / Easement (max. 4): 9N CRFN(s) Zoning Exhibit (I, II, III, etc. - max. 4):	Yes No <input type="checkbox"/> <input checked="" type="checkbox"/> Landmark <input type="checkbox"/> <input checked="" type="checkbox"/> "Little E" or RD Site <input type="checkbox"/> <input checked="" type="checkbox"/> Unmapped Street <input type="checkbox"/> <input checked="" type="checkbox"/> Filing to Address Violation(s) <i>If yes, 9H</i> <input type="checkbox"/> <input checked="" type="checkbox"/> Included in LMCCC <input type="checkbox"/> <input checked="" type="checkbox"/> Infill Zoning <input checked="" type="checkbox"/> <input type="checkbox"/> Loft Board <input type="checkbox"/> <input checked="" type="checkbox"/> Quality Housing <input type="checkbox"/> <input checked="" type="checkbox"/> Site Safety Job/Project	9F Structural Peer Reviewer License No. _____ P.E. 9G Local Law No(s) _____ Year _____ 9H Violation No(s) _____ 9I BSA Calendar No(s) _____ 9J CPC Calendar No(s) _____ 9K High-Rise Team Tracking Number: _____
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**10 NYCECC Compliance** *New York City Energy Conservation Code*

To the best of my knowledge, belief and professional judgment, all work under this application is in compliance with the NYCECC\*  
 Energy analysis is on another job number: \_\_\_\_\_  
 Yes No  
  This application is, or is part of, a project that utilizes trade-offs among different major systems  
  This application utilizes trade-offs within a single major system  
 To the best of my knowledge, belief and professional judgment, all work under this application is exempt from the NYCECC\* in accordance with one of the following: *Choose one*  
 The work is an alteration of a State or National historic building.  
 The scope of work is entirely in a "low-energy building" and is limited to the building envelope.  
 The scope of work does not affect the energy use of the building.  
 This is a post-approval amendment and exempt under a prior edition of the energy code. See statement of exemption on attached drawings.

\* Note: Exceptions to Section ECC 101.4.3 are NOT exemptions. For exceptions, check compliance statement and use the Energy Analysis.

**11 Job Description**      **11A Related DOB Job Numbers**

APPLICATION FILED FOR ZONING AND EGRESS REVIEW ONLY AS PER COMMISSIONER APPROVAL 10/30/14. GENERAL CONSTRUCTION IN CONJUNCTION WITH CHANGE OF USE TO RESIDENTIAL AND IMD UNITS AS PER ARTICLE 7-C M.D.L. RENOVATION IN AREAS SHOWN AND VERTICAL ENLARGEMENT OF BUILDING.


11B Primary application job no. \_\_\_\_\_

DOB Reference Number: T00001137625-000102  
 User Ref ID: 292390T

12 Zoning Characteristics

12A District(s) R8
Overlay(s)
Special Dist.(s) CL
Map Number 8C
12B Street legal width: 60 ft.
Street Status: [X] Public [ ] Private
If the zoning lot includes multiple tax lots, list all tax lots here

12C Proposed: Use\* Zoning Floor Area District FAR
RESIDENTIAL 49891 sq. ft. R8 3 .6
COMMERCIAL 6681 sq. ft. R8 0 .48
Proposed Lot Details: Lot Type: [ ] Corner [X] Interior [ ] Through
Proposed Yard Details: Check here if no yards: [X] or
Proposed Other Details: Enclosed Parking? [ ] Yes [X] No
\*Use can be one of the following: residential, commercial, manufacturing, or community facility. List only one use per line.

13 Building Characteristics \*Main use/dominant occupancy per AC §28-101.5. \*\*Use 2008 Code equivalents only. †Residential w/other use.

13A Primary structural system, choose one: [ ] Masonry [ ] Concrete (CIP) [ ] Concrete (Precast) [ ] Wood [ ] Steel (Structural) [ ] Steel (Cold-Formed) [ ] Steel (Encased in Concrete)
13B Structural Occupancy Category Existing Proposed
13C Occupancy Classification\* RES [ ] Yes [X] No R-2 [X] Yes\*\*
13D Building Type: [ ] 1, 2, or 3 Family [X] Other
13E Building Height Existing Proposed
Building Height 53 ft. 64 ft.
Building Stories 5 6
Dwelling Units 1 39
13F Building was originally erected pursuant to which Building Code: [ ] 2008 [ ] 1968 [X] Prior to 1968

14 Fill Choose one.

[X] Not Applicable [ ] On-Site [ ] Off-Site [ ] Under 300 cubic yards

15 Construction Equipment

[ ] Chute [ ] Sidewalk Shed Construction Material:
[ ] Fence Size: linear ft. BSA/MEA Approval No.
[ ] Supported Scaffold [ ] Other:

16 Curb Cut Description

Size of cut (with splays): ft.
Distance to nearest corner: ft.
to street:

17 Tax Lot Characteristics

Original tax lots being merged or reapportioned (if applicable):
Tentative tax lot numbers (new tax lots only):

18 Fire Protection Equipment

Existing Proposed
Yes No Yes No
Fire Alarm [ ] [X] [X] [ ]
Fire Suppression [ ] [X] [ ] [X]
Sprinkler [ ] [X] [X] [ ]
Standpipe [ ] [X] [X] [ ]

19 Open Spaces

Existing Proposed Existing Proposed
Plaza Area sq. ft. sq. ft. Arcade Area sq. ft. sq. ft.
Parking Area sq. ft. sq. ft. Parking Spaces
Loading Berths sq. ft. sq. ft. Loading Berths

20 Site Characteristics

Yes No
[ ] [X] Tidal / Fresh Water Wetlands
[ ] [X] Urban Renewal
[X] [ ] Fire District
[ ] [X] Flood Hazard Area

**21 Demolition Details** \*Mechanical equipment other than handheld devices to be used for demolition or removal of debris (BC §3306.4).

Yes No

21A   Demo. filing is for a secondary structure? *If yes, specify structure being demolished:*  
  Mechanical means\* from out of building? *If yes, mechanical means will demolish:*  entire structure or  part of structure  
  Mechanical means\* from within building? *If yes, describe equipment proposed:*

21B   Demolition work affects the exterior building envelope

**22 Asbestos Abatement Compliance** Choose one.

The scope of work requires related asbestos abatement as defined in the regulations of the NYC Department of Environmental Protection (DEP).  
 The scope of work does **not** require related asbestos abatement as defined in the regulations of the NYC DEP.  
 The scope of work is exempt from the asbestos requirement as defined in the regulations promulgated by the NYC DEP (15 RCNY 1-23(b)).

**23 Sign**

Purpose:	Type:	Estimated Cost: \$	23A Illuminated type:
<input type="checkbox"/> Advertising	<input type="checkbox"/> Illuminated 23A	Total Square Feet:	<input type="checkbox"/> Direct <input type="checkbox"/> Flashing <input type="checkbox"/> Indirect
<input type="checkbox"/> Non-Advertising	<input type="checkbox"/> Non-Illuminated	Height above Curb: ft. in.	Yes No
Location: <input type="checkbox"/> Ground <input type="checkbox"/> Roof 23B <input type="checkbox"/> Wall	Height above Roof: ft. in.		<input type="checkbox"/> <input type="checkbox"/> If sign projects beyond building line, is owner billed for annual permit? <i>If no, specify in 26B</i>
Yes No			23B <input type="checkbox"/> <input type="checkbox"/> Is roof sign tight, closed or solid?
<input type="checkbox"/> <input type="checkbox"/> Is sign inside building line? <i>If no, sign projects by:</i> ft. in.			23C Sign wording. <i>If extensive, provide only key wording.</i>
<input type="checkbox"/> <input type="checkbox"/> Designed for changeable copy? <i>If no, 23C</i>			23D Distance from Arterial Highway: ft.
<input type="checkbox"/> <input type="checkbox"/> Does an OAC have an interest in this sign or location? <i>If yes, 23G</i>			23E Distance from Park 1/2 acre or more: ft.
<input type="checkbox"/> <input type="checkbox"/> Within 900' and within view of an arterial highway? <i>If yes, 23D</i>			23F OAC Sign Number:
<input type="checkbox"/> <input type="checkbox"/> Within 200' and within view of a park 1/2 acre or more? <i>If yes, 23E</i>			23G OAC Registration Number:

*If answer is "yes" to either of the above two questions and this is an advertising sign, OAC sign number is required in section 23F*

**24 Comments** Place additional comments on an AI-1 form. See Guide for proper incorporation of professional certification statements.

PLEASE FORWARD ANY COMMENTS TO DRODRIGUEZ@VITACCO.COM

**25 Applicant's Statements and Signatures** Required for all applications.

Falsification of any statement is a misdemeanor and is punishable by a fine or imprisonment, or both. It is unlawful to give to a city employee, or for a city employee to accept, any benefit, monetary or otherwise, either as a gratuity for properly performing the job or in exchange for special consideration. Violation is punishable by imprisonment or fine or both. I understand that if I am found after hearing to have knowingly or negligently made a false statement or to have knowingly or negligently falsified or allowed to be falsified any certificate, form, signed statement, application, report or certification of the completion of a violation required under the provisions of this code or of a rule of any agency, I may be barred from filing further applications or documents with the Department. I prepared or supervised the preparation of the construction documents and specifications herewith submitted and to the best of my knowledge and belief, the construction documents and work shown thereon comply with the provisions of the NYC Administrative Code and other applicable laws and rules.  (*check here if except as set forth in the accompanying documents.* I acknowledge that I have read and complied with all Instructions pertaining to this application and supplementary schedules submitted.)

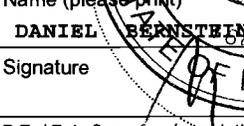
**Cluster Development Statement** (if applicable): I hereby state that all specifications relating to this job are identical to those previously filed under the group lead job number, except as specified herein.

Yes No

**For initial New Building and Alteration 1 applications filed under the 2008 NYC Building Code only:** does this building qualify for high-rise designation?

**Directive 14 initial applications only:** I certify that the construction documents submitted and all construction documents related to this application do not require a new or amended Certificate of Occupancy as there is no change in use, exits, or occupancy.

Name (please print)  
**DANIEL BERNSTEIN**

Signature  Date **11/18/14**

P.E. / R.A. Seal (*apply seal, then sign and date over seal*)

DOB Reference Number: T00001137625-000102  
 User Ref ID: 292390T

**26 Property Owner's Statements and Signatures**

Falsification of any statement is a misdemeanor and is punishable by a fine or imprisonment, or both. It is unlawful to give to a city employee, or for a city employee to accept, any benefit, monetary or otherwise, either as a gratuity for properly performing the job or in exchange for special consideration. Violation is punishable by imprisonment or fine or both. I understand that if I am found after hearing to have knowingly or negligently made a false statement or to have knowingly or negligently falsified or allowed to be falsified any certificate, form, signed statement, application, report or certification of the correction of a violation required under the provisions of this code or of a rule of any agency, I may be barred from filing further applications or documents with the Department. Furthermore, I understand that I am responsible for insuring that a final inspection be performed when the permitted work is complete, and that a satisfactory report of final inspection be submitted, along with all required submittal documents, so that the NYC Department of Buildings may issue a letter of completion or certificate of occupancy within the time prescribed by law.

I have authorized the applicant to file this application for the work specified herein and all future amendments. I will not knowingly authorize any work that is not in compliance with the New York City Energy Conservation Code (NYCECC).

Yes No

**Fee Deferred Request Statement**  
I hereby request a fee deferral for the work proposed on this application and understand that **all fees must be paid before issuance of any Certificate of Occupancy or job sign off.**

**Fee Exemption Request Statement**  
In accordance with §28-112.1 of the NYC Administrative Code I hereby state that the proposed work involves a building or property owned or used exclusively for the purposes indicated in such section.

**Owner's Certifications Regarding Occupied Housing**  
The site of the building to be altered or demolished, or the site of the new building to be constructed, contains one or more occupied dwelling units that will remain occupied during construction. These occupied dwelling units have been clearly identified on the submitted construction documents.

The site of the building to be altered or demolished, or the site of the new building to be constructed, contains occupied housing accommodations subject to rent control or rent stabilization under Chapters 3 and 4 of Title 26 of the New York City Administrative Code. **If yes, select one of the following:**

The owner is not required to notify the Division of Housing and Community Renewal (DHCR) of the owner's intention to file because the nature and scope of the work proposed, pursuant to DHCR regulations, does not require notification.

The owner has notified the Division of Housing and Community Renewal (DHCR) of its intention to file such construction documents/apply for such permit and has complied with all requirements imposed by the regulations of such agency as preconditions for such [filing/application].

**Provide date DHCR notified:**

**Owner's Certification for Adult Establishments**  
I authorize and intend to create, enlarge, or extend an establishment with adult activity and/or adult material as defined in ZR §12-10 "adult establishment" or related sign at the subject premises.

**Owner's Certification for Directive 14 Applications (if applicable)**  
I have read and am fully aware of the applicant's statement that the construction documents submitted and all construction documents related to this application will not require a new or amended Certificate of Occupancy as there is no change in use, exits, or occupancy. Furthermore, I understand that I am responsible for retaining a qualified design professional to perform a final inspection when the permitted work is complete and this professional must submit a satisfactory final inspection report to the NYC Department of Buildings within the time following inspection prescribed by Department rule.

Owner type:  Individual  DCAS  HHC  NYCHA  
 Partnership  DOE  HPD  NYS  
 Corporation 26A  Other Government  
 Condo Unit Owner or Co-Op Tenant-shareholder 26A

Is the owner a non-profit organization?  Yes  No

Name (please print): **SHAI BERNSTEIN**

Relationship to Owner: **OWNER**

Business Name/Agency: **517-525 WEST 45TH STREET, LLC**

Street Address: **190 BEDFORD AVENUE, #90**

City: **BROOKLYN** State: **NY** Zip: **11249**

Telephone Number: **(917) 310-8165** Fax:

E-Mail Address: **SHAI@NYC.GMAIL.COM**

Signature and Date  **11/14/14**

**26A Condo/Co-Op Board or Corporation Second Officer**

Name (please print):

Title:

Street Address:

City: State: Zip:

Telephone Number: Fax:

E-Mail Address:

Signature and Date\* 

*\*Signature required for authorized representative of Condo or Co-Op board. Second officer signature not required for corporations.*

**26B Lessee Responsible for Annual Sign or Marquee Permit**

Name (please print):

Relationship to Owner:

Business Name/Agency:

Street Address:

City: State: Zip:

Telephone Number: Fax:

E-Mail Address:

<b>Internal Use Only</b>	
Pre-Filer Name:	
Pre-Filer Signature:	Date:
Cost Estimate: \$	
Amount Due: \$	Verified by ▼ Date ▼
Initial Amount Paid: \$	
Balance Due: \$	
Stamps, Certifications and Notes:	