



The City of New York

## Queens Community Board 11

Serving the Communities of Auburndale, Bayside, Douglaston, Hollis Hills  
Little Neck and Oakland Gardens

**Christine L. Haider** Chairperson / **Susan Seinfeld** District Manager

### COMMITTEE REPORT

TO: Board Members  
FROM: Christine Haider & Ocelia Claro, Co-Chairs  
North Bayside/East Flushing Zoning Committee  
RE: BSA Cal. No. 227-10-BZ  
BP Gas Station—204-12 Northern Blvd.  
DATE: May 27, 2015

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On May 26, 2015, the North Bayside/East Flushing Zoning Committee met to discuss the above-referenced BSA application. Present were Board Members, Christine Haider, Board Chair, Ocelia Claro, 1<sup>st</sup> Vice Chair, Laura James 2<sup>nd</sup> Vice Chair, Eileen Miller, 3<sup>rd</sup> Vice Chair, Henry Euler, Christina Scherer, Mohan Jethwani, Mary Donahue and Jessica Sin. Also present were Susan Seinfeld, District Manager, Michael Nacmias, the applicant's attorney from Eric Palatnik, P.C. and Jeong-Ah Choi from the Borough President's office. There were nine residents from the community in attendance.

Mr. Nacmias explained to the committee that the applicant seeks an amendment to the ten -year term variance that was granted in September, 2011. The owner of the former Getty station went bankrupt in 2012 and British Petroleum (BP) became the operator of the station. BP wants to make the following amendments to upgrade the station to their standards: Install a canopy over the gas tanks, legalize the curb cuts that are smaller than on the approved plans, increase parking and include an ADA spot and ramp, legalize the signage, remove one above-ground fuel tank and four underground storage tanks and replace them with three new tanks. There will be no changes to the building or operating hours as granted by the variance.

Board members and residents stated that there is graffiti on the upper fence, there is overnight parking of cars and cars for sale. Another concern raised is the condition of the gas tanks. Mr. Nacmias said that at the time the variance was granted, BSA required a Type II environmental study in order to approve the variance. When tanks are removed or replaced, the NYCDEC oversees the removal and installation to determine if there are leaks. Residents are concerned about the lights from the canopy, the traffic going in and out of the site considering there is also two new developments on the corners of 204 Street. There are two storage containers that are on the property but not drawn on the proposed plans. Ms. Haider visited the site and was told that one is for parts and the other is an office. There are also tires piled up on the side.

Mohan Jethwani stated that there was too much information missing that Mr. Nacmias could not answer in order to proceed. Henry Euler made a motion to table the vote until more information is received. Mr. Jethwani seconded the motion and it was passed unanimously.

The following items must be answered by letter prior to the June 15<sup>th</sup> public hearing in order to proceed:

- 1- The storage containers must be removed.
- 2- The number of parking spaces must be clarified; the plans show six spots, the report states eight to fourteen.
- 3- Explain how the tanks are removed and the residents protected.
- 4- Graffiti must be removed from the fence.
- 5- State the height of the fence.
- 6- Advise how long the renovations will take.
- 7- Explain if there will still be an above-ground 240 gallon waste oil storage container on the site and where it will be located.
- 8- Explain where the dumpster is located. It is not on the plans.
- 9- Explain the status of the convenience store, if it is open to the public. If so, show where the store-only customers can park.
- 10-Residents stated that the site was closed twice and want to know what occurred during that time.
- 11-Explain the lighting plan and how the lights will affect residents on 45 Avenue considering the gas station pumps are operating 24 hours.
- 12-Clarify the hours of operation.
- 13-Show how the site will be landscaped.