



COMMUNITY BOARD 11

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*Jerry Iannece
Chair*

*Susan Seinfeld
District Manager*

COMMITTEE REPORT

TO: Board Members
FROM: Christine Haider, Chair
North Bayside/East Flushing Zoning Committee
RE: BSA Cal. No. 207-08-BZ
40-38 216 St.
DATE: December 21, 2010

On December 13, 2010 the North Bayside/East Flushing Zoning Committee met to discuss the above referenced BSA variance application. Present were Board Members, Christine Haider, Chair, Henry Euler, Andy Rothman, Frank Skala, Mohan Jethwani and Christine Scherer. Also present were Susan Seinfeld, District Manager, the applicant's representative Todd Dale from the law firm of Rothkrug, Rothkrug and Spector, and Mark Scott, Borough President's office. Eleven residents also attended.

Mr. Dale explained to the committee that the applicant, For Our Children, Inc. has applied to BSA for a variance to permit the development of a one story office building (Use Group 6) in an R3X zoning district. The property is currently vacant land. R3X would permit five irregularly shaped detached two family homes to be built against the LIRR with a sewer easement to the north. It was noted that the owner had applied about two years ago for a Use Group 16 warehouse building under the same Calendar number, but it was withdrawn (the application asked if the premises was subject of previous BSA application and applicant checked "No"). The applicant is now returning with a Use Group 6 proposal. The main entrance is planned for 216 Street and 12 parking spaces are required. At this time, a building is being designed as an office and could be used by Lund Fire Products or as lease space for professional offices.

Discussion followed. It was stated that there were several errors in the application which needed to be corrected. Mohan Jethwani requested that the application be withdrawn and applicant should return when items were corrected. Mr. Dale refused to withdraw. He said that it would be corrected before the BSA hearing date. Residents were concerned that truck traffic will increase, that the gate on 216 Street would eliminate parking, that the parking spaces on 215 Place that the condominium residents use will be eliminated. Lund Fire Products already uses this property for truck storage and parking rental. There was concern that the FDNY and DSNY need turnaround space at the dead end. Mr. Dale reminded the committee that since the apartments were built there was a zoning change to R3X so that now only detached two family homes could be built. Residents still preferred the building of homes at the site. Mr. Dale said that the site was not conducive to homes since they would have to be built against the LIRR at level grade with the tracks and the northern portion of the lot left vacant for a sewer easement.

A motion was made by Frank Skala to approve the application as written, Henry Euler seconded the motion. A vote was taken and the committee unanimously recommended disapproval of the application.