



The City of New York

Queens Community Board 11

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

Jerry Iannece Chairperson / **Susan Seinfeld** District Manager

COMMITTEE REPORT

TO: All Board Members
FROM: Christine Haider, Chair
North Bayside/East Flushing Zoning Committee
RE: BSA Cal. No. 73-12 BZ
Lucille Roberts/41-19 Bell Blvd.
DATE: April 26, 2012

On April 23, 2012 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, Ocelia Claro, Mohan Jethwani, Christine Scherer, Janet McEaney and Paul DiBenebeto. Also present were Susan Seinfeld, District Manager and the applicant's representatives Jeffrey Chester and Sol Niego, Jeni Pollack, Manager and Barbara Pallante, Director of Operations. Mr. Stanley Matejka of Cromwell Associates, the owner of the adjacent building also attended.

Mr. Chester reviewed the variance history for Lucille Roberts. They were established in 1993 and filed for a special permit for a physical culture establishment (PCE) in a, then, C4-2 zone. The area was rezoned, while they waited for the permit, to a C1-2 zone that does not allow a PCE. Lucille Roberts was then going to apply for a variance but they would not meet the findings and it was withdrawn. They then applied for a zoning change which was passed by the City Council in 2010. This allows them to apply now for the special permit at the BSA.

The Committee was told that the only work that will be done is to renovate the bathroom for handicapped access. The Committee reviewed some of the concerns that were raised the last time Lucille Roberts came before the committee regarding the easement in the driveway and the roll-down gate in the driveway. Questions were also asked about the use of the driveway for the adjacent businesses. Christine Haider said that she and Frank Skala went to visit the gym that day and were not allowed to visit. Lucille Roberts will not permit people in without corporate office approval for security reasons. Frank Skala said that he saw wiring on the outside that is exposed and should be fixed. Mr. Matejka stated that the noise and vibrations from Lucille Roberts is a problem especially because he has rental apartments on the second floor. The committee discussed how this could be mitigated and whether or not the decibel level rises to a violation of the noise code. Mr. Chester and the manager from Lucille Roberts stated that no one from the store or the apartments ever came to complain to them. On Thursday, the contractor will be available to discuss possible soundproofing. A tour of the facility was arranged for Thursday at 3 pm with the contractor.

A motion was made by Henry Euler to approve the application for the special permit with the follow conditions:

- 1- That the gate in the driveway be removed
- 2- That the exposed wires on the outside of the building be secured
- 3- That the facility takes steps to reduce vibrations and noise
- 4- That the committee is able to inspect the property
- 5- Information to be obtained as to the legal right-of-way for the driveway.

Paul DiBenedetto seconded the motion. A vote was taken and the committee voted three in favor, two opposed, two abstained and two voted present not voting.

Addendum:

On Thursday, April 26, Susan Seinfeld, Frank Skala and Mr. Matejka met at Lucille Roberts with Jeni Pollack, the manager, Sol Negri, the architect and Peter Gilfedder, the construction manager. We toured the facility. Mr. Gilfedder said he will look into the removal of the gate in the alley; the wires are all low voltage telephone wires and are not dangerous. One door will be labeled "NO EXIT" since the FDNY does not want it used. We were able to view all rooms. Susan asked that the music be played to listen for vibrations and decibel levels. Mr. Gilfedder will determine if there is soundproofing behind the wall that faces Mr. Matejka's property. The architect and the construction manager went with Frank Skala to the other property for a joint inspection.