

## COMMITTEE REPORT

TO: Board Members  
FROM: Christine Haider, Chair  
North Bayside/East Flushing Zoning Committee  
RE: BSA Cal. No. 201-08 BZ  
40-38 216<sup>th</sup> Street  
DATE: September 5, 2008

---

On August 27, 2008 the North Bayside/East Flushing Zoning Committee met, at 7:30 PM in the District Office, to discuss the above referenced BSA application. Present were Board Members, Christine Haider, Chair; Henry Euler, Frank Skala, Christina Scherer, JoAnn Ferrari, Melvyn Meer, Jack Fried, Ocelia Claro and Andy Rothman. Also present were Susan Seinfeld, District Manager and the applicant's attorney, Todd Dale. There were several residents from the community in attendance.

The applicant seeks a variance to permit, in an R3X zoning district, development of a one-story warehouse with storage of commercial vehicles. The proposed building would be used by Lund Fire Products for storage and parking in connection with their existing adjacent business. The lot is currently vacant, a total of 18,564 ft. in area, situated between the eastern side of 215<sup>th</sup> Place and the western side of 216<sup>th</sup> Street. A substantial portion of the premises are located within the bed of a mapped, but undeveloped, portion of 41<sup>st</sup> Avenue further encumbered by a recorded sewer easement running through the bed of 41<sup>st</sup> Avenue. The property abuts active Long Island Railroad tracks (Port Washington branch).

The FAR for the proposed warehouse would be 0.38, substantially less than the bulk permitted by the C8-1 district south of the premises (1.0) and even less than the bulk permitted within the underlying R3X district (0.5). The proposed building will not be higher than the existing building.

Mr. Todd Dale stated there is an application to demap the privately owned portion of 41<sup>st</sup> Avenue in front of the premises and has been pending with the City Planning Commission. The committee would like to know the status of this application.\*\*

The adjacent lot, housing Lund Fire Products, has existed and contained commercial uses since at least 1932 doing business as Thomas Laundry. The C. of O. authorizes a wet wash laundry use. In 1985 The Board of Standards and Appeals granted a resolution permitting a change in use for the lot from the laundry to the current establishment.

The committee, and members of the community that attended, had a lengthy discussion about the site and "quality of life issues" that affect the neighborhood. Some of the concerns were as follows:

1. Large trucks using residential streets with deliveries at all times of the day and up to 2:00 AM.
2. Garbage pickup in the very early morning or late at night
3. Workers' cars blocking resident driveways
4. Increased congestion

The residents felt that the expansion of Lund Fire Products would increase these "quality of life" issues. The residents also stated that the proposed building should not be built and that the vacant lot be used for parking of vehicles.

Mr. Dale said he would inform the applicant about these concerns.

After a very lengthy discussion, a motion was made by Frank Skala to approve the variance; seconded by Mel Meer. The committee voted unanimously to recommend disapproval of the variance.

Addendum:

On September 8<sup>th</sup> the Board received a letter and petition from area residents in opposition to the application.

\*\*The demapping application was filed in 2001. The Department of City Planning has not received all the documents they need from the applicant to proceed with the application.