

COMMITTEE REPORT

To: Board Members

From: East Flushing/North Bayside Zoning Committee: Christine Haider, Chair

**Re: BSA Cal. No. 329-06 BZ – 34-34 Bell Blvd., Bayside
3Elements Healing Arts Center**

The Committee met on Thursday, August 9, 2007 to discuss the above referenced application to the Board of Standards and Appeals. Present from the Committee were: Christine Haider, Chair, Rose Bruno, Henry Euler, Frank Skala, Oselia Claro, James Colasante, Ryan Walsh, Christine Scherer, Andy Rothman, Community member, District Manager, Susan Seinfeld and Mark Scott from the Borough Presidents' office. The property owner, Seung Pak attended. No adjacent residents attended.

The BSA application filed is for a special permit for a physical culture establishment pursuant to Section 73-36 of the Zoning Resolution. Mr. Pak opened the establishment about three years ago offering massage therapy, acupuncture and chiropractic care. Mr. Pak hopes to expand his business to personal training, reiki and yoga. They also lease 36-36 Bell Boulevard where these additional services will be rendered. All services are licensed. He was not aware that a BSA special permit was needed for the massage therapy until a building inspector came and gave him a violation. The center is located on the bottom floor of a three-story apartment house in a C2-2 overlay zone in R-2A and R4 zones. He has three treatment rooms and the maximum number of people on premises at any time is ten. There are four parking spaces although eight cars could fit. The hours of operation are Tuesday- Saturday 10 am – 8 pm and Sunday and Monday are by appointment only.

There were no copies of the Certificate of Occupancy for both addresses in the material. The committee asked for copies and Susan Seinfeld went on line and printed them for the two addresses. The C of O's for both addresses are dated August 30, 2004 and state the following use for each address: First Floor – Commercial; Second Floor – Dwelling and Third Floor – Dwelling.

Board members discussed the problems with parking in the area and that there is not ample parking. Members who visited the site were concerned that the floor is warped in one of the rooms at 36-36 Bell Blvd. Mr. Pak gave his assurance that this would be fixed. Otherwise they found the facilities well maintained and clean at both addresses.

A motion was made by Frank Skala to approve the application, Rose Bruno seconded. The Committee voted in favor of granting the variance with a vote of seven to approve (Haider, Bruno, Claro, Colasante, Walsh, Scherer, Rothman) and two votes against (Skala, Euler) the application.