



COMMUNITY BOARD # 4Q

Serving: Corona, Corona Heights, Elmhurst, and Newtown

46-11 104th Street

Corona, New York

11368-2882

Telephone: 718-760-3141

Fax: 718-760-5971

e-mail: qn04@cb.nyc.gov

Melinda Katz
Borough President

Louis Walker
Chairperson

Leroy Comrie
Deputy Borough President

Christian Cassagnol
District Manager

April 8, 2014

PUBLIC HEARING

DATE: TUESDAY, APRIL 8, 2014

TIME: 7:00 P.M.

PLACE: FLANDERS FIELD VFW POST #150
51-11 108 STREET
CORONA, NY

Subject: BSA Calendar #37-14BZ

86-10 Roosevelt Avenue (West corner of Elbertson Street and Roosevelt Avenue)

Block: 1502 Lot: 6

This is an application for a Special Permit to operate a Physical Culture Establishment (PCE), Enterprise Fitness Gym, filed pursuant to Z.R. S.73-36 and Z.R. S73-03. The application seeks a special permit authorizing a physical culture establishment which will occupy a portion of the second floor of a two story building in an R6/C2-3 zoning district.

Chairperson Louis Walker opened the Public Hearing at 7:05 p.m.

District Manager Christian Cassagnol took the attendance. A quorum was present.

Chairperson Walker read the subject matter into the record and introduced Mr. Michael Nacmias, Eric Palatnik PC, Attorney At Law, to make the presentation on the proposed gym.

Mr. Nacmias displayed large-sized plans to aid with the presentation. Executive Fitness Center has filed an application before the Board of Standards and Appeals for a Special Permit which would allow for the operation of a gym for the period of ten years from the date of the approval. The building is situated on a 25,000 sq. ft. lot in a two story commercial building. Presently, there are offices on the first and second floors.

He displayed the plan which depicts the offices there at the present time. The proposal is to convert two of the offices and allow for an approximate 7,000 sq. ft. gym on the second floor.

There will still be an office on the second floor, but the other two offices will be converted to one large gym, which will house aerobics classes, weight lifting, bicycles and free weights along Roosevelt Avenue. It is a

fully handicapped accessible elevator building with showers and bathroom. About seven employees will be at this location with independent contractors to conduct yoga classes. The hours of operation are Monday thru Friday from 5:00 a.m. to 1:00 a.m.; Saturday and Sunday 8:00 a.m. to 8:00 p.m.

The building has 75 parking spaces in the cellar level. He pointed out the area is also well serviced by mass transit.

No negative impact is expected to the downstairs tenants and offices. Many people who frequent the gym go in the off hours, explained Mr. Nacmias. Usually, people go to the gym before or after work. There are no residential properties that abut this building so that there would not be any negative impact to them, he added. Currently, there is a karate studio next door to the premises.

He concluded a gym at this location would fit the character of the neighborhood as well as an overall improvement to the neighborhood.

At this point, Mr. Nacmias took questions from the Board.

Board Member Lucy Schilero pointed out this is the former site of the old billiard place on the second floor, noting problems with the site. Secondly, she said behind the site there are two-family homes.

Subsequently, she inquired if any type of food or beverages would be served at the gym. Mr. Nacmias replied no.

Board Member Schilero asked about the licensees who will teach physical instruction. Mr. Nacmias answered as a condition to the Special Permit, if massages were given a licensed masseuse is a requirement. However, none of those activities will be on site. More focus on yoga classes is planned. Professional trainers would be licensed.

Next, Board Member Lester Youngblood asked about the capacity of the gym. Mr. Nacmias replied about 50 to 70 people at any given time since it is only 7,000 sq. ft.

Next, Board Member Giancarlo Castano asked if this applicant is related to the other gym opening on 78 Street & Roosevelt Avenue. Mr. Nacmias replied no. Board Member Castano continued is there some kind of interest on Roosevelt Avenue to open fitness centers as this is the second application to come before the Board in a short period of time. Mr. Nacmias did not have any specifics.

Next, Board Member A. Redd Sevilla asked why a Special Permit is required. Mr. Nacmias responded any time a gym needs to open in New York City an application must be filed with the Board of Standards and Appeals for a Special Permit because these are considered physical culture establishments. More details were provided on the law covering those establishments. Since a ten year term is being requested, after that term from the date of the approval, the applicant would have to go back to the BSA and make a renewal application for another ten years.

Next, Board Member Castano inquired about the rates and fees for the gym. Mr. Nacmias answered he is not involved in the operational aspect of the business. His firm handles the zoning aspect. Rates are getting a lot lower around the city. He surmised the pricing would be competitive.

Next, Board Member Gurdeep Singh Narula asked how many professional people would be on staff. Mr. Nacmias responded seven full time staff. Independent contractors would come in and teach yoga classes. Mr. Narula asked are they licensed. Mr. Nacmias answered yes, that particular person must have credentials to teach classes.

Next, Board Member Priscilla Carrow asked how many floors in the building. Mr. Nacmias responded it is a 2-story building and zoned for commercial use with 75 existing parking spaces in the cellar level.

Next, Board Member Giancarlo Castano inquired if the construction would have any effect on the businesses downstairs. Mr. Nacmias responded he did not think the construction would impact the offices on the first floor. He displayed the plans for the gym providing more details, including safety issues.

Next Board Member Lucy Schilero inquired if the building would have an elevator. Mr. Nacmias replied yes. Continuing Board Member Schilero inquired is this the first time the owners have owned such a property as this one. Mr. Nacmias did not know.

Next Board Member Priscilla Carrow asked who the owner is. Mr. Nacmias responded the lessee is Executive Fitness Center.

Next, Board Member Gurdip Narula asked about the noise issue for the downstairs tenants. Mr. Nacmias replied this is a relatively small work out space. For the bikes and free weights, there are large pads on the floor that soak up sound. These pads are sound absorption. Peak hours are early in the morning (before and after work for gym goers). No heavy activity during the 9:00 to 5:00 p.m. work hours is expected. The downstairs office staff might also use the gym during their lunch hours, he speculated.

Next, Board Member Roseann Geiger asked if the owners had looked into opening a gym in the local area. Mr. Nacmias responded he did not know if they were opening any locations in this area.

Next, Board Member Gurdip Narula asked what is the nature of the businesses on the first floor. Mr. Nacmias responded a food establishment is on the premises. The property is zoned for office use on the first floor, but there is a row of retail uses.

The question was asked if the owner had spoken to the tenants on the first floor regarding the proposed gym. Mr. Nacmias replied he did not know specifically if the owner contacted them.

The question was raised did the owners contact the residents in the neighborhood about this proposal. District Manager Christian Cassagnol responded since this a Public Hearing, the residents on that block were notified. Mr. Nacmias added since this is a zoning application, a list was generated to affected tenants and surrounding property owners within a 400' radius. Those residents were sent a letter of intent regarding the owners' plan. Part of the purpose of this Public Hearing is to give those people a voice. If anyone from the affected neighborhood is here tonight and had concerns, Mr. Nacmias would be happy to address those matters.

Next, a longtime resident living in the back of the establishment questioned since it is a gym, music is played, instructors are talking, and spinning is done. It was reported hours would be from 5:00 a.m. to 1:00 a.m. on weekdays and from 8:00 a.m. to 8:00 p.m. on weekends. How have the applicants/owners researched the noise factor from the facility, she questioned. She also noted the 75 parking spaces would not be utilized and gym goers would park in the street and block driveways.

Mr. Nacmias clarified peak hours are expected from 6:00 a.m. to 9:00 a.m., and most of the people would frequent the gym during the off hours not during 9:00 a.m. to 5:00 p.m. Most of the gym activity will be along Roosevelt Avenue. In this corridor, there will be an aerobics room for classes which will not generate too much noise. The back of the building is concrete. Mr. Nacmias pointed to the plans where the offices are located. There is a lot of space where the actual activity is going on in the gym and potential music which is mainly along the Roosevelt Avenue side versus any noise generated through the building into the backyard. He did not see a problem where tenants on the first floor would be affected or hear the activities in the gym.

The area resident continued since there were other businesses at that location in the past, windows were open and with the train passing by, noise was sent to the back.

Mr. Nacmias responded there is a corridor so there is not a way for the sound to travel to the back, reiterating much of the activities will be in the front of the building along Roosevelt Avenue. Any activity at the rear of the premises will be minimal.

Discussion ensued.

The resident further reported how noise is trapped behind the building explaining its use as a Laundromat in the 1980's. There is a T or corridor in the back alley trapping a lot of noise. The banging from the weights, music playing, and aerobics instructors spinning will increase volume.

Mr. Nacmias acknowledged the concern, but again stated much of the activity will be on Roosevelt Avenue. There are corridors and doorways which will make it difficult for sound to travel to the back of the building, affecting the neighbors.

Board Member Sandra Munoz asked if the facility would be an enclosed, controlled, air conditioned facility so that windows would not be opened. Or, is it a facility where people can open windows.

Mr. Nacmias replied the facility would be air conditioned/climate controlled and thus have no need to open windows.

Next, a Board Member asked if tow truck services would be provided to assist with illegal parking.

Mr. Nacmias answered his firm represents the gym, not the building owner. The gym is the lessee. The parking spaces on the cellar level are under the control of the building owner. Any concerns with the parking, should be addressed by the building owner. Executive Fitness Gym has no control over the parking spaces. It is an added advantage the building has parking. Mr. Nacmias' firm does not represent the building owner in any capacity.

At this point, Chairperson Walker closed the Public Hearing and announced a 5-minute recess before proceeding to the regular monthly meeting of the Board. The Public Hearing was closed at 7:30 p.m.