



Chairperson, Martha Taylor

*The City of New York
Borough of Queens*

Community Board 8

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District Manager, Marie Adam-Ovide

- PUBLIC HEARING:** **BSA Cal. No. 2017-230-BZ**
 138-17 Hillside Avenue
 Briarwood, NY

- DATE:** **Monday, September 25, 2017**

- PLACE:** **Melrose Credit Union**
 139-30 Queens Boulevard
 Briarwood, NY

- ATTENDANCE:** **Steven Konigsberg, Zoning Committee Chair**
 Seymour Schwartz, Area 2 Chair
 Bhitihara Fulton, Board Member

- Others in attendance:** **Elyse Foladare, Project Mgr. – Eric Palatnik, P.C.**
 Andy Stiliano – Operator, 138-17 Hillside Avenue
 Joe Aiello- Melrose Credit Union
 Marie Adam Ovide, CB 8 District Manager
 Alma Karassavidis, CB8 Staff Member

Purpose of Public Hearing

This application is being filed pursuant to Section 73-211 of the New York City Zoning Resolution to authorize the use of an automotive service station and accessory convenience store, drive-thru car wash, car detailing center on an irregularly shaped, 33,888 square foot lot located within a C4-3A zoning district.

Zoning Chairperson Steven Konigsberg called this Public Hearing to order at 7:35 p.m. The meeting was scheduled to begin at 7:30 p.m. We delayed beginning by five minutes in order to provide some additional time for anyone who might be interested in attending to arrive. He introduced the Board Members present and explained the rules governing the Hearing.

Public Participation

No members of the public signed up to speak for or against this application.

Seymour Schwartz –

Were notifications sent out to the nearby residents?

Answer: [DM Marie Adam-Ovide] – Yes.

Were there any responses?

Answer: [Alma Karassavidis]-We received a few telephone calls inquiring as to what the meeting was about.

Zoning Chairperson Steven Konigsberg introduced Elyse Foladare, representing 138-17 Hillside Avenue. She distributed handouts to everyone containing diagrams and photos of the site.

Presentation by applicant, represented by Elyse Foladare

I am here to represent 138-17 Hillside Avenue in Queens, NY. It is a Special Permit Application for a [Section] 73-211 to authorize the use of an automotive service station and accessory convenience store with a drive-through car wash, car detailing center and a 33,888 square foot lot located in a C4-3A zoning district. This was a pre-1961 variance but it expired in 1974. Then it was allowed as of right and now it has been re-zoned to a C4-3A so now they have to come back for a special permit. That is why we are here today. It has been in this area for decades. There are a lot of automotive uses in this area. We are right off the Van Wyck Expressway and Hillside Avenue, which is a perfect place for a gas station. It has 14 pump stations covered by a canopy. We are asking for a 1,130 square foot sales area which serves as a place for local workers to buy food. All of the DOB violations will be fixed during this process, one of which will be a new Certificate of Occupancy.

Zoning Chairperson Konigsberg asked Ms. Foladare if there is anything else she would like to add in support to the application.

Ms. Foladare stated that there was nothing else to add.

Zoning Chairperson Konigsberg opened the floor for questions from the Board Members.

Questions by the Board Members:

Seymour Schwartz:

Will there be any new construction?

Answer: *[Elyse Foladare]* – No. It will stay the same. We are just asking for a special permit for what is already there. You can see the plans on the hand-out that I distributed. Sometimes the Board of Standards and Appeal will ask for additional plantings and such.

Will there be any expansion of the store?

Answer: *[Elyse Foladare]* – No. It is just to get a special permit for what is already here.

No new construction? No change?

Answer: *[Elyse Foladare]* – No.

Bhitihara Fulton:

Has there been any objections from the outside community?

Answer: *[Elyse Foladare]* – No. We have not heard anything and the Community Board stated that they just received a few inquiries about it.

And it has been there since the 1960's?

Answer: *[Elyse Foladare]* – Before 1961. In 1974 it became as of right so they were not required to go to the Community Board.

Seymour Schwartz –

Prior to the re-zoning, the area was zoned for auto related businesses. With the re-zoning, it is now a mixed use area. The new zoning goes from Hillside Avenue beyond this building [referring to 139-30 Queens Boulevard] for another two blocks to 82nd Avenue to allow for mixed use.

Bhitihara Fulton:

So, you could have an apartment next door to the facility?

Seymour Schwartz –

It is relatively isolated. It extends for a full block and faces south. There are some trees and foliage that serve as a barrier from the back of the property to the nearest home. Perhaps that is why there is no objection.

Mr. Konigsberg asked if there were any additional questions. There were none.

Steven Konigsberg –

Ms. Foladare, you mentioned that you are a Project Manager with Eric Palatnik P.C.?

Answer: *[Elyse Foladare] – Yes.*

And you do make presentations to the BSA?

Answer: *[Elyse Foladare] – Yes.*

Is there anybody else from your office present when you make those presentations; an attorney, an engineer?

Answer: *[Elyse Foladare] – Sometimes there is, sometimes there is not. I passed the bar but I am still in the process of finishing my application for admission.*

Steven Konigsberg –

Mr. Konigsberg reiterated that this will be not be a change of structure, no change of usage, no additional construction, no modifications at all to the location. It is simply because of a quirk in the way the development of the zoning with regard to the location made it necessary to come before us on the part of this application.

Answer: *[Elyse Foladare] – After this we receive a Notice of Comment. We then answer the BSA and address any of their concerns and then go before the BSA.*

Seymour Schwartz –

What are we seeking now? A renewed variance?

Answer: *[Elyse Foladare] – We are seeking a special permit. It fits the requirements of a special permit.*

Steven Konigsberg –

Mr. Konigsberg stated that since we do not have a quorum at this time, we will go through the formalities of having a motion, a second and a vote which will only be a recommendation to the Full Board at the regular monthly meeting.

Seymour Schwartz made a motion to accept BSA Cal. No. 2014-230-BZ, 138-17 Hillside Avenue, pursuant to Section 73-211 of the New York City Zoning Resolution to authorize the use of an automotive service station and accessory convenience store, drive-thru car wash, car detailing center on an irregularly shaped, 33,888 square foot lot located within a C4-3A zoning district., seconded by Bhitihara Fulton.

Mr. Konigsberg asked if there were any comments by the members of the board with regard to this motion. Seeing none, a roll call vote was taken.

Vote:

3 in favor

0 opposed

0 abstention

Board Members who voted in favor: Bhitihara Fulton, Steven Konigsberg and Seymour Schwartz.

Board Members who voted against: None

Steven Konigsberg –

The motion was passed unanimously and was approved by the Committee by consensus. There were three Board members present; therefore, there was not a quorum. A vote will be taken by the full Board at the Community Board Meeting on Wednesday, October 18, 2017 at the Hillcrest Jewish Center, located at 183-02 Union Turnpike at 7:30 p.m. You do not have to be present. If you would like to make any kind of presentation in support of the application, there is a Public Participation portion of the meeting where you would have up to three minutes to speak. You would just need to call into the Community Board 8 office and ask that your name be added to the list.

Seymour Schwartz –

Please let it be noted that no one was present at the meeting representing the community even though proper notification was sent to them. There is no opposition or challenge of any kind on record.

Adjournment

This Public Hearing adjourned at 8:11 p.m.

Respectfully submitted

Alma Karassavidis, CB8 Staff

September 28, 2017