



The City of New York

Queens Community Board 11

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

Paul DiBenedetto Chair / **Joseph Marziliano** District Manager

TO: All Board Members
FROM: Eileen Miller, Committee Chair
DATE: August 17, 2023
RE: BSA Cal. No. 716-82BZ
209-34 Northern Blvd.

On Tuesday, August 15, 2023, the CB11 Central/South Bayside Committee met to review the above-referenced application to the NYC Board of Standards and Appeals (BSA). This meeting was for informational purposes only.

Present

Eileen, Committee Chair
Henry Euler, 2nd Vice Chair
David White, Committee Member
Seihee Ryu, Community Committee Member
Joan Garippa, Non-Committee Board Member

CB11 Staff

Joseph Marziliano, District Manager

Guests

Todd Dale, Rothkrug, Rothkrug and Spector, applicant's representative

Mrs. Miller started the meeting by asking all present to introduce themselves.

Mr. Dale gave an overview of the application to the BSA for the Staples store located at the above-referenced address. The application seeks an extension of term of a variance previously granted permitting in C2-2 (R6B) and R4 zoning districts a change in use to permitted retail stores and/or offices with accessory parking at the rear of the building. The term expired June 13, 2023. This application was filed in May of 2023.

Mr. Dale explained this is an irregular, through lot with 300' of frontage on Northern Blvd. and 225' on 45 Road (although there is no access from 45 Road). The lot is 52,500 sq. ft. The northern half of the property lies within a C2-2 overlay. The southern half is in an R4 zoning district. The one-story building on the lot is approximately 20,800 sq. ft. The FAR is 0.4. There are 61 accessory parking spaces. Mr. Dale stated that this application is strictly for the accessory parking. The building conforms to the zoning regulations.

Mr. Euler asked if there were plans for Staples to expand in the future. Mr. Dale is not aware of any upcoming plans but did say they do have a bit more FAR they could use on the front portion of the lot. However, right now, they are only seeking the extension of the previously granted variance.

Mr. Dale gave a brief history of the filings with the BSA which began in 1983 for automobile use (sales and repair). The change in use to retail stores and offices was granted in 1991; the Use Group went from 16 to 6 with this change. Applications to extend the use were made May 2003 and August 2017. Mr. Dale stated they have already had an initial hearing at BSA; the next one is scheduled for September 18, 2023. Mrs. Garippa interjected and questioned the date of the last BSA filing. Mr. Dale said it was filed late. The BSA granted the application but backdated it to the previous expiration date in 2013 (the term was 10 years).

Mr. Dale stated that at the initial hearing with BSA, they were mostly satisfied but requested that the landscaping be updated, which is in progress, and they wanted to confirm that the “right turn only” sign is installed for vehicles exiting the lot (Staples will also paint that directive on the pavement). BSA also asked them about a curb cut that is currently not used in front of the store. There was also discussion about the store’s delivery hours. The last time Staples met with CB11, it was requested that there be no deliveries after 10 p.m. Mr. Dale said Staples will be asking for 9 p.m.; he said the variance states 8 p.m. There is some sort of mix-up regarding delivery times. Mrs. Garippa feels that 8 p.m. would be good so deliveries could be completed by the time the store closes.

Mrs. Garippa questioned the curb cut in front of the store. Discussion ensued regarding the curb cut. Mr. Dale stated that there is no loading or unloading at the curb cut. He also stated it has existed at this location for years with no issues.

Mrs. Miller made a motion to recommend this application with the conditions that the Right Turn Only sign and markings be installed, deliveries be made between 8 a.m. and 8 p.m., the landscaping be updated, and it be noted that the Committee takes exception to the curb cut in front of the store due to loading/unloading concerns. Mr. Euler seconded the motion. There was no further discussion. A vote by a show of hands was taken. The motion passed unanimously.

Mr. Marziliano explained that due to the number of applications CB11 has had over the summer and the fact that this one is non-controversial, CB11 is waiving their right to a public hearing regarding this application. A letter will be sent regarding the Committee’s concerns to the BSA.

The meeting adjourned at 7:55 p.m.

Respectfully submitted August 18, 2023