



CITY PLANNING COMMISSION

February 24, 2010/Calendar No. 10

C 100081 PPQ

IN THE MATTER OF an application submitted by the Department of Citywide Administrative Services (DCAS), pursuant to Section 197-c of the New York City Charter, for the disposition of one (1) city-owned property located at 87-35 131st Street, Block 9339, Lot 34, in the Jamaica Industrial Business Zone, South Jamaica Empire Zone, pursuant to zoning, Borough of Queens, Community District 9.

The application for the disposition of city-owned property was filed by the Department of Citywide Administrative Services (DCAS), Division of Real Estate Services (DRES) on August 26, 2009.

BACKGROUND

87-35 131st Street is an irregularly shaped lot measuring approximately 47,350 square feet at the intersection of 131st Street and Jamaica Avenue in an M1-1 district in the Richmond Hill neighborhood of Queens, Community District 9. The lot is located within the Jamaica Industrial Business Zone and South Jamaica Empire Zone. To the west of the property is the Long Island Rail Road right-of-way, with industrial/manufacturing uses further to the west. To the north along Jamaica Avenue are one- to two-story industrial, commercial, and residential uses. Immediately to the south and east of the property are primarily two-story residential buildings.

Upon approval of disposition, DCAS intends to dispose of the property to the New York City Economic Development Corporation (EDC). EDC intends to go into a direct sale with Boundary Fence & Railing Systems, Inc. (Boundary Fence), a manufacturer and wholesaler of fencing and ornamental metal products for industrial, commercial and residential use. Boundary Fence has held a lease with EDC on the property since 1984. There is currently a 23,500 square foot building on the site primarily used for manufacturing and accessory office space. Boundary Fence plans to construct a 2,000 square foot building for office and showroom uses and to make improvements to the existing building.

ENVIRONMENTAL REVIEW

This application (C 100081 PPQ) was reviewed pursuant to the New York State Environmental Quality Review Act (SEQRA), and the SEQRA regulations set forth in Volume 6 of the New York Code of Rules and Regulations, Section 617.00 *et seq.* and the New York City Environmental Quality Review (CEQR) Rules of Procedure of 1991 and Executive Order No. 91 of 1977. The lead is the Office of the Deputy Mayor for Economic Development.

This application was determined to be a Type II action which requires no further environmental review.

UNIFORM LAND USE REVIEW

This application (C 100081 PPQ) was certified as complete by the Department of City Planning on October 5, 2009 and was duly referred to Community Board 9 and the Borough President, in accordance with Title 62 of the Rules of the City of New York, Section 2-02(b).

Community Board Public Hearing

Community Board 9 held a public hearing on this application on November 10, 2009 and on December 8, 2009, by a vote of 35 to 1 with 1 abstention, adopted a resolution recommending approval of the application subject to the following condition:

Queens Community Board 9 approves the sale of this property to Boundary Fence & Railing System only on the commitment of Boundary Fence to the terms and conditions they have agreed to as stated on the attached document outlining the physical improvements to the street scape of the property.

Borough President Recommendation

The application was considered by the Borough President of Queens, who issued a recommendation approving the application on January 5, 2010 with the following conditions:

Boundary Fence & Railing Systems, Inc. should continue its communication with Community Board 9 and the Office of the Borough President as they implement the commitments outlined in their letter dated December 4, 2009.

Boundary Fence & Railing Systems, Inc. must keep their property and plantings well maintained and in good repair on an ongoing basis.

City Planning Commission Public Hearing

On January 6, 2010 (Calendar No. 5), the City Planning Commission scheduled January 27, 2010 for a public hearing on this application (C 100081 PPQ). The hearing was duly held on January 27, 2010 (Calendar No. 15). There was one speaker in favor of the application.

The speaker was a representative from EDC, who described Boundary Fence's current operations and the importance of the land purchase to support the growth of this business. The representative stated that Boundary Fence submitted a development plan to EDC consistent with their agreement with Community Board 9 detailed in the letter dated December 4, 2009. EDC's sales contract with Boundary Fence will require them to improve the property according to that development plan.

There were no other speakers and the hearing was closed.

CONSIDERATION

The Commission believes that the disposition of one city-owned property located at 87-35 131st Street (Block 9339, Lot 34) is appropriate.

The Commission notes that in response to concerns raised by the Community Board, Boundary Fence & Railing Systems, Inc., the intended purchaser of the lot, committed to make physical improvements to the streetscape of the property, which entail installing a new fence along Jamaica Avenue and 132nd Street that will be backed by a green trellis system planted by landscape professionals, planting and maintaining 9 trees along Jamaica Avenue and 3 trees along 132nd Street, beginning installation of the fence and trellis within six weeks after closing with EDC, and completing the project within six months.

The Commission further notes that the disposition of this property will enable an existing business to remain in the community and expand, while making improvements to the property. The Commission acknowledges that Boundary Fence & Railing Systems, Inc. has operated at this location since 1984 and that this business is a viable manufacturer and an asset to the area's light industrial vitality. The Commission also notes that the proposed disposition will augment

the City's Industrial Business Zone policies and EDC's efforts to improve the surrounding business district.

RESOLUTION

RESOLVED, by the City Planning Commission pursuant to Section 197-c of the New York City Charter, that the disposition of one (1) city-owned property located at 87-35 131st Street, Block 9339, Lot 34, pursuant to zoning, in the Borough of Queens, Community District 9, proposed in an application by the Department of Citywide Administrative Services, dated August 26, 2009, is approved.

The above resolution (C 100081 PPQ), duly adopted by the City Planning Commission on February 24, 2010 (Calendar No. 10), is filed with the Office of the Speaker, City Council, and the Borough President in accordance with the requirements of Section 197-d of the New York City Charter.

AMANDA M. BURDEN, FAICP, Chair
KENNETH J. KNUCKLES, Esq., Vice Chairman
ANGELA M. BATTAGLIA, RAYANN BESSER, IRWIN G. CANTOR, P.E.,
ALFRED C. CERULLO, III, BETTY Y. CHEN, MARIA M. DEL TORO,
RICHARD W. EADDY, ANNA HAYES LEVIN,
SHIRLEY A. MCRAE, KAREN A. PHILLIPS, Commissioners

Community/Borough Board Recommendation

CITY PLANNING COMMISSION
22 Reade Street, New York, NY 10007
FAX # (212) 720-3356

Application # C100081PPQ
CEQR # _____
Community District No. 09 Borough: Queens
Community District No. ___ Borough: _____
Project Name: _____

INSTRUCTIONS

1. Complete this form and return one copy to the Calendar Information Office, City Planning Commission, Room 2E, at the above address.

2. Send one copy of the completed form with any attachments to the applicant's representative at the address listed below, one copy to the Borough President, and one copy to the Borough Board, when applicable.

Docket Description:

IN THE MATTER OF an application submitted by the Department of Citywide Administrative Services (DCAS), pursuant to Section 197-c of New York City Charter, for the disposition of one (1) city-owned property located at 87-35 131st Street, Block 9339, Lot 34, in the Jamaica Industrial Business Zone, South Jamaica Empire Zone, pursuant to zoning.

Applicant(s):

Dept. of Citywide Administrative Services
Division of Real Estate Services
One Centre Street, 20th Floor
New York, NY 10007

Applicant's Representative:

H. Hardy Adasko, Senior Vice President
NYC Economic Development Corporation
110 William Street
New York, NY 10038
212-312-3703

Community Board No. 9 Borough: Queens

Borough Board

Date of public hearing: 11/10/09

Location: _____

Was a quorum present? YES NO

A public hearing shall require a quorum of 20% of the appointed members of the board, but in no event fewer than seven such members.

Vote adopting recommendation taken: 12/8/09

Location: _____

RECOMMENDATION

Approve

Approve With Modifications/Conditions

Disapprove

Disapprove With Modifications/Conditions

Explanation of Recommendation-Modification/Conditions (Attach additional sheets if necessary)

Voting

In Favor: 35

Against: 1

Abstaining: 1

Total members appointed to the board: 43

Mary Ann Carey
Community/Borough Board Officer

District Manager
Title

Date

12/09/09

v.012006w



COMMUNITY BOARD NO.9

Queens Borough Hall

(718) 286-2686

120-55 Queens Boulevard, Room 310-A

Fax (718) 286-2685

Kew Gardens, NY 11424

Meeting Hotline (718) 286-2689

Email communitybd9@nyc.rr.com

Andrea Crawford, Chairperson * Mary Ann Carey, District Manager * Helen Marshall, Borough President

December 8, 2009

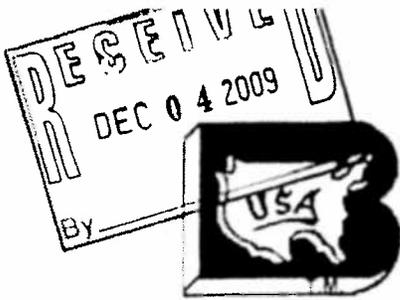
COMMUNITY BOARD 9Q LAND USE RESOLUTION

RE: ULURP #100081PPO - Boundary Fence

87-35 131 St., Richmond Hill, NY 11418

Boundary Fence is seeking to acquire a property of 47,350 sq. ft. on which sits a building of 23,500 sq. ft. This land is zoned for M1-1 industrial use and is in the South Jamaica Empire Zone. Boundary Fence has leased this property from NYC for over 25 years. The property would be conveyed by the City to EDC (Economic Development Corporation) which in turn would sell it to Boundary Fence.

Queens Community Board 9 approves the sale of this property to Boundary Fence & Railing System only on the commitment of Boundary Fence to the terms and conditions they have agreed to as stated on the attached document outlining the physical improvements to the street scape of the property.



BOUNDARY FENCE & RAILING SYSTEMS, INC.

131-02 Jamaica Avenue
Richmond Hill, NY 11418
USA

Tel: 800-628-8928
Tel: 718-847-3400
Fax: 718-805-9816
E-mail: sales@boundaryfence.net web: boundaryfence.net

Friday, December 4, 2009

Dear Community Board 9,

Fence: Boundary Fence & Railing Systems Inc. commits to installing fencing and greenery as specified below:

Location:

The proposed 10 foot high ornamental aluminum fence will be erected on both the length of our property on Jamaica Avenue (267 feet) and 132nd street (97 feet) as per the attached plan. The fence will be manufactured by our company.

Style:

The fence will be the Earl style & follow the specifications below:

Ⓢ Picket Size: 1" x 1" Square 16 gauge Ⓢ Rail Size: 1 5/8" x 1 5/8"

Color: Black

Ⓢ Posts: 4" x 4" .187 wall thickness Ⓢ Section: 10' Height x 6' Wide

Trellis:

The fence will be backed by a special green trellis system manufactured by GreenScreen, a company based in California. GreenScreen is a three dimensional, welded wire trellising system. The distinctive modular trellis panel is the building block of the greenscreen® system. Rigid and lightweight standard 3" or 2" thick panels are 4' wide x 6', 8', 10', 12', or 14' tall.

All panels are comprised of a rigid, three dimensional welded wire grid consisting of 14 gauge galvanized steel wire welded at each intersection to form a 2" x 2" grid on the front and back face of the panel, separated by bent wire trusses. All bent wire trusses are placed at 2" centers running the length of the panel and are welded to the top and bottom face grids at each truss apex. The trellis panel will be 3" thick mounted on the back of 4" x 4" posts. There is a 9" space in between the panels allowing ivy to grow & fill the space. Panels are attached to the post with 14 gauge galvanized steel clips. All bending, forming and drilling will be done prior to powder coating. Stainless steel screws will be used to join the panels to the clips.

Manufactured from recycled steel, this three dimensional welded wire system creates a captive growing space three inches deep to allow plant materials to intertwine and grow within the panel. With the easily adaptable system of attachment clips, the panel can attach to a building façade, and can span openings between floors or horizontally between posts.



BOUNDARY FENCE & RAILING SYSTEMS, INC.

131-02 Jamaica Avenue
Richmond Hill, NY 11418
USA

Tel: 800-628-8928
Tel: 718-847-3400
Fax: 8718-805-9816
E-mail: sales@boundaryfence.net web:boundaryfence.net

Plantings for the Trellis:

Greenscreen suggests that a horticulturist, landscape architect or garden designer be consulted for specific applications," i.e., what kind of plants will work in the zone and location to be planted.. Boundary Fence will consult with a New York based qualified horticulturist, landscape architect or garden designer. Moreover, Landscape professionals will do all plantings.

Street Trees:

We commit to planting 9 street trees on Jamaica Avenue & 3 trees on 132nd street, each no less than 4" in caliper. The trees are to be spaced every 25' with a 10' x 4' planting pit. Regarding the type of tree, we will consult with Parks Dept and the Queens Community Board 9. (Parks is now only planting trees that are resistant to the Asian Long-horned Beetle, as part of the effort to eradicate this invasive species. Examples of acceptable species are Dawn Redwood, Turkish Filbert, Honey Locust, Oaks, and Lindens.) Professional tree planters will do the planting.

Signage:

The Fence on Jamaica Avenue will bear a sign as shown on the attached draft. This will be a non illuminated sign.

Lighting:

Street Lighting will be provided by existing city street lamps.

Maintenance:

Boundary Fence will maintain the trees, fence, trellis and greenery for so long as it holds/and or occupies the property.

Time Table:

Boundary Fence will begin the fence & trellis construction within 6 weeks after closing with the EDC. Boundary will complete the project within six months. All planting will be completed as soon as possible, i.e., by the first planting season after the closing.

Thanks,

Aldo Sibeni
President

STATE OF NEW YORK
COUNTY OF QUEENS
SIGNED BEFORE ME
THIS 4 DAY OF Dec 2009

ROBERT S. DEHNKE
NOTARY PUBLIC, State of New York
No. 4072011
Qualified in Queens County
Commission Expires Feb. 16, 2010

Queens Borough President Recommendation

DEPARTMENT OF CITY PLANNING

JAN 08 2010

APPLICATION: ULURP # C 100081PPQ

QUEENS OFFICE

COMMUNITY BOARD: Q09

DOCKET DESCRIPTION

IN THE MATTER of an application submitted by the Department of Citywide Administrative Services (DCAS), pursuant to Sections 197-c and 201 of the NYC Charter, for the disposition of one (1) city-owned property located at 87-35 131st Street, Block 9339, Lot 34, within the Jamaica Industrial Business Zone and South Jamaica Empire Zone pursuant to zoning, Zoning Map 14d, Richmond Hill, Borough of Queens.

PUBLIC HEARING

A Public Hearing was held in the Borough President's Conference Room at 120-55 Queens Boulevard on December 17, 2009, 2009, at 10:30 A.M. pursuant to Section 82(5) of the New York City Charter and was duly advertised in the manner specified in Section 197-c (i) of the New York City Charter. The applicant made a presentation. There were no other speakers. The hearing was closed.

CONSIDERATION

Subsequent to review of the application and consideration of testimony received at the public hearing, the following issues and impacts have been identified:

DCAS and the New York City Economic Development Corporation (EDC) are proposing to dispose of one (1) city-owned property to the current lessee Boundary Fence & Railing Systems, Inc. Boundary Fence & Railing Systems, Inc. has leased and been in operation on the site for over twenty-five (25) years;

The property is a 47,350 sf corner lot at the intersection of 131st Street and Jamaica Avenue in an M1-1 district. The property is also within the New York State designated South Jamaica Empire Zone and the New York City designated Industrial Business Zone. The site is developed with a 23,500 sf building primarily used for manufacturing and accessory office uses;

Boundary Fence & Railing Systems Inc. renders and assembles fencing for delivery and installation from this location. There are also administrative offices at this site. Upon closing on this property Boundary Fence & Railing Systems, Inc. will modernize and upgrade the facility. This upgrade will also allow creation of approximately twelve (12) new jobs;

The surrounding area is mix of industrial, transportation, ground floor commercial/retail, and residential uses. Directly west of the site across 131st Street there is a Long Island Rail Road right-of-way. Jamaica Avenue in this area is developed with a mix of industrial, commercial and residential uses. The areas north and south of Jamaica Avenue are mostly developed with low density residences;

Boundary Fence & Railing Systems, Inc. met several times with the Community Board 9 and the Borough President regarding the proposed disposition of property. During these meetings the community board representatives raised several issues about design improvements and site maintenance. In response, Boundary Fence & Railing Systems, Inc. submitted a letter to the community board in which they make certain commitments to address concerns that were raised. These included the size, location and plantings on fencing on the perimeter of the property, planting of street trees in consultation with the Department of Parks, and maintenance of its property;

Community Board 9 (CB9) approved this application with conditions by a vote of thirty-five (35) in favor, one (1) against and one (1) abstention at a public hearing held on December 8, 2009. CB 9's condition of approval was that the items outlined in the letter from Boundary Fence & Railing Systems, Inc. should be adhered to and implemented.

RECOMMENDATION

Based on the above consideration, I hereby recommend approval of this application with the following conditions:

- Boundary Fence & Railing Systems, Inc. should continue it's communications with Community Board 9 and the Office of the Borough President as they implement the commitments outlined in their letter dated December 4, 2009;
- Boundary Fence & Railing Systems, Inc. must keep their property and plantings well maintained and in good repair on an ongoing basis.


PRESIDENT, BOROUGH OF QUEENS


DATE