

BRONX COMMUNITY BOARD NO. 8

MINUTES OF THE HEALTH, HOSPITALS & SOCIAL SERVICES PUBLIC HEARING AND COMMITTEE MEETING, MAY 18, 2015

PRESENT

Steven Froot
Lisa Daub
Michael Heller
Sylvia Alexander
Beverly Fettman
Julia Gomez
Stanley Cohen
Dan Padernacht
Karen Pesce
Bob Bender
Laura Spalter
Pravin Mascerehas
Xian Edwards
Lawrence Domenech
Andrew Sandler
Adam Geller
Christopher Rizzo
Elizabeth & Joseph O'Hagan
Tara McMaster
Steven McConnell
Lisa Goldfarb
Vivian Oleen
Beth Torres
Marian Buffington
Pauline & Brendan Moynihan
Ann Clarke
Thomas Gilheaney
Joel Chaiken
Tom Doddato
Adrienne Johnson
Horace Earlington
Mary Donovan

AFFILIATION

Committee Chair
Committee Vice Chair
CB 8 - Committee member
CB 8 - Committee member
CB 8 - Committee member
Community Committee Member
Community Committee Member
CB 8
CB 8
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CB 8
Special Citizens Futures Unlimited
Special Citizens Futures Unlimited
NYS Office for People With Developmental Disabilities
Councilman Andrew Cohen
Park Gardens Rehab. & Nursing Center
Neighbor
Neighbors
Neighbor
Neighbor
Neighbor
Sopher Realty
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PUBLIC HEARING

The public hearing was called to order at 7:00 p.m. at the Park Gardens Rehabilitation & Nursing Center, 6585 Broadway (between West 260th-261st Streets), Bronx, NY 10471.

The Chair welcomed all in attendance and explained that the first part of this meeting is a public hearing, called pursuant to the Padavan Law, to consider the establishment of an Individual Residential Alternative ("IRA") at 6129 Delafield Avenue, between West 261st and 263rd Streets, proposed by Special Citizens Futures Unlimited ("SCFU").

The Chair introduced Adam Geller, the Administrator of the Park Gardens Rehabilitation & Nursing Center, and thanked him for hosting the public hearing.

The Notice of Public Hearing provided as follows:

Special Citizens Futures Unlimited (SCFU) plans to establish a non-24- hour Individual Residential Alternative (IRA) for five adults with Autism Spectrum Disorders, at 6129 Delafield Avenue, between West 261st-263rd Streets, Bronx, NY 10471. The group home is under the supervision of the NYS Office of People with Developmental Disabilities (OPWDD).

The Board office mailed a hearing notice and invitation to speak at the meeting to residents of Bronx Community Board 8 residing in the vicinity of the subject property and the entire Community Board mailing list.

SCFU was represented by its Chief Program Officer, Pravin Mascerenhas, and its Director of Residential Services, Xian Edwards. Mr. Lawrence Domenech, of the New York State Office for People With Developmental Disabilities (“OPWDD”), also contributed information about the location, as well as regulatory and other information.

The representatives of SCFU provided information about their organization, the proposed IRA at 6129 Delafield Avenue, the property itself, and other IRA’s run by SCFU in Community Board 8. The residents selected to live in the proposed IRA at 6129 Delafield Avenue would be five autistic adults, a combination of men and women ranging in age from mid-30s to mid-40s. Four of the residents have resided in the community at another SCFU-operated IRA with 24-hour staffing and the fifth resident has not been selected. The proposed IRA will be for persons who have graduated from other group homes and who require less support in a less restrictive setting. The proposed IRA will be staffed on a non-24-hour basis, with staff assisting residents with meal preparation and other daily living skills from 6 am-9 am and 2 pm -10 pm Monday-Friday, and 9 am- 9 pm on the weekend. Residents will work at job locations and attend educational and treatment programs off site; and staff and outside clinicians will come to the IRA to provide medical and other services to the residents as needed. The proposed site is a duplex apartment rental occupying the second floor of a private home at 6129 Delafield Avenue on a residential block stretching from West 261st to West 263rd Street. SCFU currently operates a supportive IRA for two autistic female adults in the two-bedroom rental apartment on the first floor of 6129 Delafield Avenue; and the landlord also rents out the basement apartment, thereby currently using the dwelling as a three-family home.

SCFU currently operates six other residences (3 owned, 3 leased) within Community Board 8 for people with autism, including IRAs at 251 West 261st Street (4 residents), 5743 Faraday Avenue (3 apartments housing a total of 6 residents), and 5757 Independence Avenue (12 residents), as well as other sites and day habilitation programs in the Bronx and in Westchester

Residents of the community who live on or near the proposed location were invited to speak at the hearing. Stephen McConnell (6141 Delafield Avenue) explained that there are already two group homes on the block. He stated that the group homes place a strain on parking and stated his understanding that the owner of the location, Patrick Rock, who also owns the properties adjacent to the proposed location, priced out the current occupants to making the housing available for SCFU. Christopher Rizzo (6111 Delafield Ave) stated that the Padavan Law provides that the Community Board can oppose the addition of a new specialized housing if there is already a concentration of specialized housing in the area. Mr. Rizzo is an attorney and indicated his intention to use every resource available to oppose this new housing. Elizabeth O’Hagan (6128 Delafield Ave) stated that she believes that there are multiple apartments in each of 6129 Delafield and 6125 Delafield, that the houses may have been illegally subdivided from two-family homes and that there is already a group home apartment operated by SCFU at each location. She stated that the group homes create noise issues when staff are picked up

after shifts end, that one car associated with the group residence already at the location often takes up two parking spots on the street and that she and her family have at times been fearful of the behavior of the two group home residents currently residing at 6129 Delafield. She indicated she had no problem with the residents of the SCFU group apartment at 6125 Delafield.

Tara McMaster (6660 Sylvan Avenue) stated that in her experience the group residence operated by SCFU at 5743 Faraday Avenue, a number of blocks south of the proposed location, has created serious parking and noise issues. She indicated that the problems were not caused by the residents, but by staff. Another neighbor, Beth Torres, described problems incident to the establishment of the Faraday Avenue group residence.

The Chair noted that 6129 Delafield Avenue is zoned as a 1–2 family home and that the Certificate of Occupancy on the Department of Buildings website specifies that “is a two-family dwelling and occupancy by more than two families is unlawful.” It was also brought out that SCFU currently operates a non-24-hour IRA for two autistic male adults in a rental apartment at 6125 Delafield Avenue, which is the property next door to the proposed IRA and which is owned by the same landlord as 6129 Delafield Avenue. Bronx Community Board 8 was never asked to evaluate the establishment of the two-person IRA at 6125 Delafield Avenue (or the existing two-person IRA at 6129 Delafield Avenue) because, according to Mr. Domenach of OPWDD, a non-24-hour supervised IRA for only two residents does not require Community Board approval. The Chair pointed out that 6125 Delafield Avenue currently also appears to be operated as a three-family home notwithstanding that the NYC Department of Buildings website indicates that it is zoned as a 1-2 family home.

Lisa Goldfarb (6126 Delafield) stated her view that the other specialized housing program on the block, at 6125 Delafield, was also situated in an illegally converted 1-2 family home. Vivian Oleen of Sopher Realty stated that any conversions to more than two apartments in these locations would require a new Certificate of Occupancy. In this regard, Mr. Domenech of OPWDD stated that if the apartment proposed for an IRA is an illegal conversion, OPWDD would not approve the residence.

Mr. Edwards of SCFU disputed that parking has been an issue. He stated that the staff leave at 10:00 pm. Additionally, Mr. Edwards stated that 6129 Delafield is currently a three-apartment house; up until recently, two families in addition to the SCFU group residence occupied the three separate apartments, two with entrances in the front of the building and the basement apartment with an entrance off the driveway. He stated that the SCFU-sponsored IRA at 6129 Delafield houses two female residents and has been operating there for seven years.

The chair recommended to the representatives of SCFU present at the meeting that a Community Advisory Board be established to communicate with neighbors living near the current housing operated by SCFU, and SCFU agreed to work toward that goal, indicating that Mr. Edwards should be the point of contact.

The Chair, with the assistance of Mr. Heller, used an interactive Google Map to demonstrate the extent to which social service facilities and group residences were located in the North Riverdale neighborhood in the vicinity of 6129 Delafield Avenue. IRAs with two or fewer residents were generally not included on the map, because the OPWDD list provided to the Community Board does not include such facilities.

The map depicted the following other IRA or IRA/ICF locations in the surrounding area:

- 251 West 261st Street (4 residents) (SCFU)
- 281 West 261st Street (10 residents) (Young Adult Institute)

- 6125 Delafield Avenue (2 residents) (SCFU)
- 6240 Riverdale Ave. (14 residents) (Advocates for Services for Blind/Multi-handicapped)
- 600 Depeyster Street "A"—"B"—"C" (15 residents in 3 adjacent homes) (Leake & Watts)

The concept of what the Padavan Law refers to as "saturation" was discussed. A number of community members present at the meeting indicated that they believed their block was at the saturation point, insofar as the group residences changed the nature and character of the block.

The public hearing concluded at approximately 8:00 pm.

COMMITTEE MEETING

Minutes: The minutes of the March 26, 2015 meeting were approved.

Resolution

The proposal to establish a group residence in the second floor apartment at 6129 Delafield Avenue was discussed. The Committee approved a resolution to recommend that the Board vote to disapprove the establishment of the proposed IRA at 6129 Delafield Avenue.

7 in favor (S.Froot, L.Daub, M.Heller, S.Alexander, B.Fettman, J.Gomez, S.Cohen)

0 against

0 abstaining

Chair's Report

Mr. Froot reported that the only 31% of the eligible seniors in the Riverdale/Kingsbridge area are utilizing the rent subsidies provided by the Senior Citizen Rent Increase Exemption (SCRIE) program, the income limit for which was recently raised to \$50,000. The Chair distributed flyers that provide information about SCRIE and highlight the recent rise in the income eligibility ceiling. The Committee has no plans to address the issue, in deference to the Housing and Aging committees of the Board.

Old Business: Budget Recommendations

The Vice Chair addressed the expense budget recommendation submitted by the Committee last year, which was to fund Innovative Services for Seniors (ISS), a geriatric mental health program operated by Riverdale Mental Health Association (RMHA) and focused on healthy independent living for seniors. Ms. Daub explained that the City is committed to "baselining" the amount allocated to ISS and programs of its kind, and possibly consolidating the number of such programs that receive allocations—which RMHA vigorously opposes. The Committee unanimously voted in favor of including the request in the next cycle, utilizing substantially the same description as last year, and designating the responsible agency as DOHMH, because even though funds originate with the City Council, the money is processed and distributed by DOHMH, and not DFTA, as has been suggested in comments received from DOHMH in the last budget cycle.

New Business

Ms. Fettman brought up continuing concerns with the operation of the Access-A-Ride program operated by the MTA. She mentioned the problems of cars arriving late or not at all, poor route planning that unduly lengthens the time the passenger must take to reach the destination, and drivers who do not speak English.

The meeting was adjourned at 9:00 p.m.

The Committee will hold its next meeting at 7:30 PM on Monday, June 15, 2015 at the Board Office.

Prepared by Julia Gomez, Community Committee Member
Approved by Steven Froot, Chair
Health, Hospitals & Social Services Committee