

**MINUTES OF THE HOUSING COMMITTEE
MEETING HELD ON DECEMBER 29, 2008
AT RIVERDALE MENTAL HEALTH ASSOCIATION,
5676 RIVERDALE AVENUE**

PRESENT

Thomas C. Durham
Tony Creaney
Philip Friedman
Thomas Giallorenzi
James Plaza
Margaret Groarke
Nick Judd
Lynn Schwarz

AFFILIATION

Committee Chair
CB 8
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Fort Independence Park Neigh. Assn.
Riverdale Press
Fort Independence Park Neigh. Assn.

1. Introductions of Board Members
2. Brief chairs report:
 - A. The new Acting DOB Commissioner, Thomas Fariello, will be the quest speaker at the January 26, 2009 Housing Committee meeting.
 - B. The Department of Homeless Services (DHS) will conduct operation HOPE (Homeless Outreach Population Estimate) on January 26, 2009.
 - C. Advised of the agenda changes and announced the absences of some invitees:
 - Mr. Robert Wagner and Michael Bookle, developing partners of Tulfan Terrace were unable to attend meeting.
 - Mr. Phil Friedman will provide an update on the Tulfan Terrace issue. Mr. Friedman is leading the committee on this issue.
 - Regarding Tulfan Terrace, Mr. Bookle is a resident and a shareholder of the building where the chair is employed and to avoid any conflict of interest, Mr. Friedman will chair that portion of the meeting.
 - Mr. John Benfatti from the Fieldston/Riverdale Ethical Center will not be able to attend because he along with advocate organizations are at an emergency strategy meeting to try to maintain their funding for the smaller homeless shelters.
 - The Chair will give an updated report on the third item on the agenda.
3. Agenda
 - A. 3882 Cannon Place Blueprints and DOB Applications
 - a. Update from last meeting, 3882 Cannon Place is being built to under all requirements and specifications on the filed applications and blueprints with one exception: they continue to not have a sponsor for the supportive home.
 - b. T. Durham entered the following statement regarding concerns he had received from emails regarding the function of the Community Board and the responsibility of the DOB:

- The Department of Buildings is a city agency that provides monitoring of city property and buildings within the borders of New York City. This includes everything from vacant lots to skyscrapers, construction to demolition. The DOB is responsible for safety and maintenance (building and electrical codes) of standing structures with or without certificates of occupancy. They are the agency that enforces the zoning laws and write violations where the laws and codes are disobeyed. These codes and laws can range from issues as simple as improper signage or lack of permits to safety and maintenance infractions.
- The DOB does not concerns itself with residents but with buildings and property for instance, assuring applicants that build a structure meets the zoning laws, and this structure meets all the safety requirements of the building codes. The DOB has then met its obligations under the City Charter.
- The Housing Committee and Bronx Community Board 8 operate in an advisory capacity as advocates for the residents and businesses in the district, as liaisons to the political leaders and the city agencies. We must remember that landowners and developers have rights, even the bad ones!
- Unfortunately, we have a developer with a track record of flaunting the rules and clearly as in this case, the DOB dropped the ball and allowed this builder to build three buildings, when the application Mr. Fernandez filed said he would only build two. Through the efforts of the Community Board, the houses were removed.
- Bronx Community Board 8 supports development that brings benefits, enriches and enhances the quality and value to our neighborhoods and its residents. Yet there are areas placed in the zoning laws where a landowner falls into the “as of right” category and the Board has limited influence in changing the course of a project.
- Ms. Groarke and Ms. Schwarz raise a valid point in the application: the applicant listed the Volunteers of America (VOA) as sponsors. Yet the VOA said that they have no involvement in the proposed supported home. Yet, DOB allowed the developer to continue building the project.
- Here is a perfect example that DOB was not being concerned with the occupant. Another example would be Manhattan College which planned to build a new garage and south to partner with Pathmark. Pathmark, for whatever reason pulled out. Yet Manhattan College built the garage, this happened because the engineered structural plans were sound and met all of the NYC codes and laws. The DOB is not concerned with the negotiations between the school and the supermarket chain.
- In this instance with Cannon Place, the supportive home will be built. And as Mr. Friedman (board member) stated here and at earlier meetings, the supportive housing is part of the Mayor’s initiative to reduce the city homeless population. Since 2005 the homeless number had steadily declined.
- Provided to you at this meetings is a copy of blueprints (the residents of VCV & KBH) to help you monitor the on-going construction. The important thing to

watch is to make sure the buildings' footprint is in scale to the R4 zoned lot. Do not be concerned over the floor plans because in many incidences, these plans will be modified or completely changed. Please keep us informed if you notice any drastic changes.

B. 3260 Oxford Avenue (aka Tulfan Terrace)

- a. For the record, to avoid any conflict of interest, the Tulfan terrace issue will be chaired by Mr. Phillip Friedman. Mr. Friedman met with Tulfan Terrace other developing partner, Mr. Robert Wagner. Mr. Wagner explained that the quickest way to resolve the building dilemma is to have it go through the foreclosure proceeding. Mr. Friedman said that the DOB has an Emergency Declaration placed on the site. This declaration demands that the site is to be secured and made safe. This entails the removing of dangerous debris, loose objects that can fall from the upper floors and any mechanical device ruled and found unsafe.

C. The Homeless Count

Mr. John Benfatti, will not be here tonight but as a reminder, the chair will be taking a part in operation HOPE (Home Outreach Population Estimate and will report my finding to the committee. This is the program where the Department of Homeless Services (DHS) does a citywide headcount.

4. New Business

- A. Invite the acting DOB commissioner to Committee meeting. The Acting Bronx Building Commissioner Thomas Fariello will be attending the January 26, 2009 committee meeting. Commissioner Fariello will introduce himself to our community and the changes brought to the DOB with the citywide budget cuts.

5. Adjourned Meeting

Next meeting will be Monday, January 26, 2009.

Respectfully submitted,

Thomas C. Durham, Chair
Housing Committee

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