

**Bronx Community Board 8 Land Use Committee Meeting
Minutes of January 25, 2018 Meeting at
College of Mount Saint Vincent, 6301 Riverdale Avenue,
Founders Hall Building, Smith Hall, 2nd Floor**

Community Board No. 8 Land Use Committee Members:

Present: S. Alexander, B. Bender, L. Daub, E. Dinowitz, M. Donato, P. Ellis, R. Fanuzzi, D. Gellman, R. Ginty, M. Joyce, C.G. Moerdler, D. Padernacht, K. Pesce, L. Spalter, M. Wolpoff, H. Young

Absent: E. Bell, D. Escano, S. Froot, D. Fuchs, M. Gluck, J. Gomez, M. Goodman, D.B. Jackson, I. Ladimer, R. Pochter-Lowe, T. Moran, O. Murray, L. Parker, J.M. Reyes, A.J. Robateau, D. Santiago, G. Santiago, J. Santiago, S. Sarao, I. W. Stone, J. Townes, S. Villaverde, M. Yamagata

Guests:

Complete guest sign-in sheets in file at the Board Office.

Chair of Land Use Committee, C. Moerdler called the meeting to order at 7:30 p.m.

C. Moerdler explained that the Hebrew Home would make an initial presentation that it is estimated to take about ½ hour. Second, the Board Members will have about 15 minutes to ask questions. Lastly, the members of the community will be able to ask questions for about 15 minutes.

Under ULURP a fixed timeline is provided for review of the application once certified by the City Planning Commission. Community Board 8 will be permitted 60 days to review and comment on the application, which will then go to the Borough President for a 30-day review period. Thereafter the application will go to the City Planning Commission for a 60-day review period and finally to the City Council for whatever action it deems appropriate.

Once certified the Land Use Committee will hold at least one public hearing on the application. It is anticipated that voluminous documentary data will be submitted as part of the certified application, including environmental review and other materials that will likely require study and explanation. Time permitting, every effort will be made to schedule a second Land Use Committee hearing at which meeting a Committee vote is expected. Before the expiration of the 60-day period, the full Community Board will vote on the application.

Hebrew Home representatives made a presentation which included the following:

- Thanked the Land Use Committee for hosting the meeting.
- This is the 4th informational meeting since 2013.
- Give facts relating to Continuing Care Retirement Community (CCRC).
- The Hebrew Home is a not-for-profit organization celebrating its 100 year anniversary.
- The presentation will discuss the Land Use process:
 - Emphasis on open space
 - Committed to transparency - Engaging with the community
 - Providing services to seniors in all income levels

- The Hebrew Home serves over 13,000 residents throughout the five boroughs of NYC – 1,000 on the Hebrew Home campus and 12,000 in their own homes.
- 98% of the people served by the Hebrew Home are on Medicaid, below the poverty line in New York City.
- 1880 Boston Road – affordable senior housing facility – online in about 8-10 months
- First shelter for victims of elder abuse.
- National creators of “Grandparent’s Day” in 1961.
- HOPE Program – program for learning disabled high school students that guarantees jobs for the students in the program.
- Services provided: support care; managed long-term care; assisted living program; short-term rehabilitation services; care management program; home-health agency; licensed home-care agency; senior housing – for all income levels – including low income.
- Hudson House on Johnson Avenue; assisted living on the Hebrew Home Campus; Riverwalk serves middle income and independent living.
- Help 14 other organizations around the country create emergencies shelters for victims of elder abuse.
- Buildings on campus (picture presented):
 - RiverWalk – eight story building, which is the middle income and independent living apartment building
 - Resnick Building Pavilion – eight story building – a skilled nursing facility and short-term rehabilitation
 - Jake O’Brien Pavilion – a skilled nursing facility
 - Stolz Building – assisted living, Medicaid assisted living and memory support
- The Goldfine Pavilion is a 5-story building that will be demolished to make way for the new building that will be built for the CCRC on the North campus.
- The CCRC will be a 12 story building but because of the break in the property, it will only be 10 feet taller than the Resnick Building on the campus.
- Changes made to the Medicaid program which changed the way nonprofit nursing homes could not survive and were sold off or closed.
- Two remaining nonprofit nursing homes in Riverdale: The Methodist Home and the Hebrew Home and only three left in The Bronx.
- Difference between a nonprofit and a for-profit facility: in a nonprofit facility if there is a surplus, that surplus is returned back to provide care and enhance care to the residents who live there; In a for-profit facility every attempt is made to skim expense as much as possible so that the owner can put it in their pocket.
- Continuing Care Retirement Community (CCRC) exist in every municipality around the country. NYC is the only municipality that does not have CCRC. NYC’s previous zoning did not allow for any to be built until the Mayor introduced the re-zoning proposal to create CCRC’s in New York.
- A CCRC is a licensed regulated entity that has to have three components: Independent living, Assisted living and a Skilled nursing component in order to be licensed by the New York State Department of Health and the New York State Department of Financial Services.
- The financial agreement that goes into a CCRC is an insurance component.
- In the Hebrew Home there is an entrance fee averages between \$400K to \$800K depending upon where the marketing shows and the construction is completed. That resident will get care for the rest of their lives. Upon the death or moving out of the resident, an 80% refund of the entrance fee. The resident does not own the real estate. The entrance fee allows them the privilege of staying in the Hebrew’s Home

- care for the rest of their lives. The resident will pay a monthly fee, that is not refundable, to provide the day-to-day maintenance, meals and skilled nursing care.
- CCRC's benefit and affect the public because the people who go on to live at CCRC's do not go on to be on Medicaid and tax payer beneficiaries. Their care will be paid by the entrance fee and the financial agreement made.
 - CCRC's are not apartment buildings and there is no purchase price.
 - CCRC's are intended for the middle class population
 - The Hebrew Home is building a CCRC because of the changing desires of older adults.
 - The CCRC being built on the Hebrew Home Campus will be the first in the City of New York.
 - The plans have taken 5 years of planning that has resulted in major changes to the original plans and application.
 - Plan has been made to stay concurrent with the 197-a Plan, staying consistent with the R1-1, and SNAD requirements.
 - The 2013 original plan 300 units on the south campus with 81% open space; in 2014 the density was reduced to 240 units with 86% open space; in 2015 the bulk in density was moved to the north campus, which resulted in 170 units and 84% open space on the south campus; in 2016 the plans were reduced to 117 units on the south campus with 92% open space.
 - The north campus density is a 12-story building and the south campus has a 6-story and 4 4-floor buildings – 117 units and 92% open space over a 5 year transitional period.
 - Established public access to the Hudson River Greenway; reduced the number of buildings to be constructed; reduced the bulk and height; reduced the traffic impact; reduced the unit count on the south campus; increased the open space; preserved the river view; moved density to the north campus; changed the traffic flow on the property to accommodate less traffic out on Palisade Avenue.
 - Hebrew Home had 1,317 units of various types which included the skilled nursing, assisted living, independent living apartments and retreat house units; in 2013 the Hebrew Home had 1,299 units; what is in the proposed plan that is presently with City Planning there are 1,221 units.
 - A drone was used to show how the views at the Skyview apartments will be affected.
 - There will be 150 beds out of use while the renovations are being done.
 - Will be seeking special permit & ULURP approval.
 - North end of the campus is SNAD not a ULURP.
 - CCRC monthly fee will be the same fee throughout the stay of the resident; it includes meals, education, pool, fitness and arts.
 - The project is respectful of zoning and keeping in the FAR limits.

Chair, C. Moerdler:

- Thanked Dr. Charles Flynn and the College of Mt. St. Vincent for hosting the meeting.
- Announced the presence of Councilmember Cohen, representatives of Senator Klein, representatives of Congressman Engel, Assemblyman Dinowitz, and representative of the Department of City Planning – Juton Horstman.

Board members questions:

L. Daub, Chair, Aging Committee asked:

- How many long-term beds were there before construction and how many will there be after?
 - Before renovations there were 845 skilled nursing beds, 35 assisted living and 137 independent living units. When the CCRC is completed there will be 590 skilled nursing beds, 105 assisted living and 570 independent living units
 - Right now there are 35 Medicaid assisted living, which will remain the same; the balance will be for paid assisted living
- Will beds be set aside for CCRC participants?
 - No, there will not be any setting aside of beds
 - Beds will be assigned based upon a persons' need
- If the CCRC people need beds – will it decrease the Medicaid beds?
 - No, it will not decrease the number of Medicaid beds; it is not a 1 to 1 turn-over
- Will there be special needs assisted living?
 - Yes, there will be special needs assisted living is being built.
 - Most CCRC's are required to build new beds for special needs assisted living. Hebrew Home already has the beds for special needs assisted living.
 - There will not be any preferential treatment; beds will be assigned on an as needed basis.
 - Plans are made in advance as a persons' condition is changing.
 - The Gilbert Pavilion was closed last year. It had 150 beds for skilled nursing. Those beds were moved to other locations within the campus. The building will be renovated into 70 assisted living apartments.

Ms. Ginty, Chair, CB8,

- Reported that this is an informational session. We do not have the application yet.
- Back in 2013, 1st presentation was made regarding the CCRC. At that point, the anticipation was to ask for a zoning change a portion of the R1-1 district to an R4. The R4 zoning, was necessary to allow the use of a multiple dwelling, which is not allowed in an R1.
- There is no request for the change in zoning, there is a request for a special permit.
- In the new ZQA, a CCRC is defined as a community facility. A community facility is allowed in an R1-1 district.
- The applicant has to address the findings in their application and those findings have to be reviewed to see if it is appropriate for the special permit to be granted.

B. Fanuzzi asked:

- Asked if the drawings being presented at this meeting will be the drawings being presented with the Hebrew Home application.
 - Yes, they will be.
- Are there storm water management measures included in the plan?
 - Yes, there are green roofs, a robust storm water management plan being presented as part of the application.

J. Hostman, CPC,

- Explained that the application must meet three findings under 74-901 – long-term care facility within an R1, R2 zoning:
 - Such use is compatible with the character of the surrounding area;
 - The proposed building access, orientation and landscaping create an adequate buffer between the proposed facility and that of the nearby residences;

- That the street providing access to such use are adequate to handle the traffic generated;

D. Gellman, Chair, Budget Committee, asked:

- Were drawings done with the proposed constructions?
 - The drawings can be provided to the Board when they are complete.

D. Padernacht, Chair, Traffic & Transportation Committee, asked for the traffic plan for the proposed site.

- Preliminary studies show that traffic will be reduced.

C. Moerdler, Chair, Land Use Committee, asked:

- Will the Community Board receive a restrictive covenant that ensures that the area of the property being left vacant will remain vacant?
 - Mr. Reingold answered, yes.

Community Questions and comments:

- Resident stated that information provided in the FOIL documents was not consistent with the information being provided now regarding the entrance fee. The presentation shows an inaccurate picture of the obstruction of the view from Skyview.
 - The average entrance fee will be between \$400K to \$800K
 - The pictures being presented were taken by a drone and are accurate.
- Resident asked: What is going to happen to the Medicaid patients that will be displaced from the Hebrew Home?
 - Medicaid patients will not be displaced and no one will be displaced out of the Hebrew Home.
 - Hebrew Home is taking care of 13,000 people who live in their own home, all of which are on Medicaid.
- Resident asked: Is the corporation making the requests for the permit is a non-for-profit organization?
 - No, the Hebrew Home is a non-profit organization.
- Resident asked: What happened to the cottage proposal presented previously?
 - The cottage proposal is not a proposal it's an alternative as-of-right scheme.
 - The Hebrew Home has designed a project that fits within the R1-1 intent. The R1-1 intent is not exclusively for single family homes. The zoning was changed to allow for CCRC's to be built in R1-1 zone with a special permit consistent with the 197a Plan. The intention is to make an appropriate range of options available so seniors can access the level of care for their needs. To promote a more secure housing future for this rapidly growing population.
 - All of the elements of the plan proposed are consistent with the R1-1 zoning and 197a Plan: (a). that they be clustered developments to maximize the natural features. (b). the intent is designed to encourage direct public access to the Hudson River, encourage the Greenway, encourage open space and protect scenic views. (c). it is designed to protect the future viability of the institutions, such as the Hebrew Home and the College of Mount Saint Vincent.
 - The proposed plan encourages housing and support services for the elderly.

- Resident stated that with a \$400K to \$800K entrance fee and a \$4K to \$5K a month, is out of range for over 60% of the people that live in the United States.
- Resident asked: Does the public have access to the open space on the property?
 - Yes, the public has access to the open space.
- Resident asked: What happened to the more compact scheme, the cottage scheme?
 - When that project was presented with 460 units on the south campus and the Hebrew Home was asked to reduce the number of cottages to 80 units. We have now presented a plan where the number of units was reduced from 467 to 117 in two small low rise buildings that take roughly the exact foot print of an existing building that is now on the property.
 - The single cottage scheme, does not have to be presented the community board as it is as-of-right.
- Resident asked: Will the Hebrew Home request for the widening of West 261 Street?
 - No, the Hebrew Home has no intention of requesting the widening of West 261.
- Resident commented that the view from her apartment will be disrupted with the new buildings being constructed. Any buildings that are built should not be built above the tree line.
- Resident stated that the services the Hebrew Home provides are important to lots of the residents in Riverdale.
- Resident stated that the pictures presented, which were taken by the drones, are skewed to the North and are not depicting the complete view from the Skyview apartments.
- C. Moerdler stated that Skyview will be asked to give access to apartments for pictures to be taken that depict the views from said apartments.
- Resident asked: How can the Hebrew Home justify building a 12-story building in an R4 district?
 - Special regulations allow for such buildings to be built in the R1-1 zoning district.
- Resident states that the Land Use Committee worked hard to create the 197a Plan and that ZQA will change what is stated in the 197a Plan. The Hebrew Home does not meet the requirements. The Hebrew Home is introducing a precedence in changing the zoning regulations in the CB8 district.
- Resident asks: To what extent will the Hebrew Home building of these buildings will set the precedence that other groups will come and build CCRC's along the Hudson River?
 - No there will not be any other CCRC's built in an R1-1 zoning district. This is because there are elements of care required: contiguous to an existing nursing home and the relationship between the skilled nursing units and the independent living units has to be half and half.
- C. Moerdler stated that there are several tensions in the application: some maintain that it destroys views and natural area; that it sets precedence to other applications; some that maintain that it should be placed in a different area; some who remind that they are the elderly.

Chair, C. Moerdler, adjourned the meeting at 9:30 p.m.

Submitted by,

Lydia Hernandez
Community Associate