

Bronx Community Board 8 Land Use Committee Meeting
Minutes of May 7, 2018 Minutes at
Riverdale YM/YWHA, 5625 Arlington Avenue, Multi-purpose Room

Community Board No. 8 Land Use Committee Members:

Present: S. Alexander, E. Bell, B. Bender, L. Daub, E. Dinowitz, M. Donato, P. Ellis, D. Escano, B. Fanuzzi, S. Froot, D. Fuchs, R. Ginty, M. Gluck, M. Goodman, M. Joyce, R. Pochter-Lowe, C.G. Moerdler, T. Moran, O. Murray, D. Padernacht, K. Pesce, G. Santiago, L. Spalter, J. Townes, M. Wolpoff, M. Yamagata, H. Young, R. Zavras

Absent: D. Gellman, J. Gomez, D.B. Jackson, I. Ladimer, L. Parker, J.M. Reyes, A.J. Robateau, J. Santiago, S. Sarao, I.W. Stone, S. Villaverde

Staff: L. Hernandez, Community Associate

Guests: Complete list of guests in file at the board office

Chair of Land Use Committee, C. Moerdler called the meeting to order at 7:40 p.m.

Agenda Item #5

ULURP Application: The applicant is seeking a special permit pursuant to ZR section 74-901 for a Long Term Care Facility (LTCF) (on the portion of the project site zoned R1-1) and multiple authorizations pursuant to the Special Natural Area District 2 requirements to facilitate the development of a Continuing Care Retirement Community (CCRC)/ LTCF at the existing **Hebrew Home campus located at 5701–5961 Palisade Avenue** in the Riverdale neighborhood of the Bronx. The applicant is also seeking a certification pursuant to Section 105-45 (Certification of Restoration Plan) for a proposed restoration plan with respect to natural features that were previously altered without prior approval of the CPC. The proposed project would include the demolition of several existing buildings and construction of three new buildings. Proposed programming includes: 137 Nonprofit Residences for the elderly, 105 assisted living units, 623 skilled nursing beds, and 388 Independent Senior Living units, with 525 parking spaces. CB review period deadline of June 22.

This session will be devoted primarily to public comment. A vote will not be taken.

Residents stated reasons they oppose the Continuing Care Retirement Community (CCRC) proposed to be built at the Hebrew Home campus:

- Request to exceed the 45 foot height limit by 99 feet on the current campus.
- The CCRC application does not meet the findings of compatible use, adequate buffers or traffic planning.
- The CCRC will reduce the nursing home beds from 843 to 600.
- Most of the residents cannot afford the buy in fee.

D. Reingold made presentation for the Hebrew Home:

- The Hebrew Home is a not-for-profit nursing home; serve about 18,000 people every day.
- The stay of people in nursing homes is paid by Medicaid.
- Changes to Medicaid, has changed the way nonprofit nursing homes run. Many cannot survive and are sold off or closed.
- 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 expenses as much as possible.

- The Hebrew Home takes care of 1,000 residents on the campus and 18,000 members in their own homes.
- 98% of the people served by the Hebrew Home are on Medicaid and below the poverty line in New York City.
- We take care and provide for the poor by creating subsidized housing like the one on Johnson Avenue – Hudson House.
- The Hebrew Home is also creating two affordable senior housing buildings on Boston Road and Arthur Avenue.
- 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.
- The Hebrew Home is the first shelter for elder abuse.

F. Manning, Planning and Development consultants:

- We primarily work with non-for-profit organizations. Twelve which have been CCRC's.
- CCRC's give seniors the opportunity to live independently in a social environment with the security of knowing they can receive health services.
- Seniors sign a life care contract that ensures that they receive the care they need, but need to show that they can live independently.
- In the Hebrew Home there is an entrance fee tied to the size of the apartment the resident chooses. Upon the death or moving out of the resident, there will be a refund based on the contract that the resident selected, to their estate or beneficiary. The entrance fee is not a real-estate transaction. The resident will pay a monthly fee, that is not refundable, to provide the day-to-day maintenance, meals, recreation and skilled nursing care.

G. Turnoff from Hebrew Home:

- We filed an application with CPC to build a CCRC facility.
- The Hebrew Home lies partially on an R1-1 district and partially on an R4 district.
- In an R1 district, large community facilities, such as long-term care facilities are allowed with a special permit. A CCRC is a part of a long-term care facility. In an R4 district, large community facilities are allowed as-of-right.
- The application is divided into two parts: the special permit for the R1-1 district and authorizations being requested under the Natural Area District regulations.
- The SNAD application includes: modification to natural topography, modification to outcroppings, tree preservation and removal of trees.
- We are requesting a waiver to allow us to build a taller building.
- We are allowed to cover up to 55% of the lot. But we are only covering 23% of the lot and leaving the rest as open space.

Residents and neighbors of the Hebrew Home made supporting and opposing comments to the Hebrew Home ULURP application.

D. Reingold:

- The project has been re-designed about fifteen times.
- We opened up the space and this project will result in a campus of 32 acres which will be 92% open space, green and compatible in this community.

Agenda Item #3

SNAD application (N 180374 ZAX, N 180375 ZAX, and N 180376 ZAX) and the related drawings submitted by Kevin DeGroat pursuant to Sections 105-421, 105-422, and 105-425 of the Zoning Resolution, for the grant of authorizations for a modification of topographic features on Tier I sites, for authorization of a development, enlargement or site alteration on a Tier II site or portion of a zoning of having a steep slope or steep slope buffer, and for modification of botanic environment and tree preservation and planting requirements to facilitate the development of a five-story, 59,553 square-foot residence hall and nursing school and associated improvements, on the **College of Mount Saint Vincent campus located at 6301 Riverdale Avenue** (Block 5958, Lots 1 and 10) within the Special Natural Area District (NA-2), within Community District 8, Borough of The Bronx.

K. Degroat made presentation:

- The college is proposing to build a new 6-story, 64,000 sq. ft. building.
- The building will provide 164 beds for resident students and 19,000 sq. ft. of state of the art nursing laboratories.
- In order to grow and serve the demands of the college, it must expand its laboratories facilities, the equipment and technology of today.
- On the 2015 Master Plan, you can see where the building will be built and additional landscaping was preserved.
- The proposed location of the building, is where we think that the building will have the least impact on the botanical features of the campus. The proposed complies with R-4 zoning.

R. Froot: How many stories is the building?

- The building is 4 stories on one side and 6 stories on the other because where it is built.

C. Moerdler: Does the proposed building fall within the R4 zoning?

- Yes.

R. Fannuzi:

- Can you please give more details about the FAR? Can you tell us what is allowed?
 - J. Hortsman, R-4, allows up to a .75 FAR. The project is under the allowed FAR by City Planning.
- You have two other SNAD authorizations?
 - Yes.

C. Moerdler: Is this property within the Special Natural Area District?

- Yes.

B. Bender:

- Is this both a residence home and a nursing laboratory?
 - Yes, the top four stories are residence halls and the lower two stories are nursing laboratories.
- Are the residences for nursing students?
 - No, they are for the upper classmen.
- How large is the nursing program? What percentage of students?
 - About 60% of the students.

F. Fanuzzi:

- We are being to authorize two SNAD authorizations, what are they?
 - We are seeking three authorizations: modification of topographic features; development on a portion of a zinging lot having steep slope or steep slope buffer; modification of botanic environment and tree preservation and planting requirements.

C. Moerdler made motion to layover to allow for more information.

In Favor: 24

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Oppose: 4

B. Bender, T. Moran, L. Spalter, H. Young

Abstain: 0

Agenda Item #1

SNAD application (N 180319 ZAX) and the related drawings submitted by Claud Pappas pursuant to Sections 105-432 of the Zoning Resolution, for the grant of an authorization for a modification of yard, height and setback regulations, and parking location regulations to facilitate a 453 square foot vertical enlargement to an existing single family residence, on a site located at 4637 Grosvenor Avenue (Block 5822, Lot 2750) within the Special Natural Area District (NA-2), within Community District 8, Borough of The Bronx.

Home owner stated that the purpose of the application is to obtain city planning approval for vertical enlargement over an existing non-compliant section of the house. The existing FAR is .34 sq. ft. which the enlargement to an FAR of .42 sq. ft. The grading will not be changed. During construction, a plywood fence will be erected around the work area. We previously requested a Land Marks

C. Moerdler:

- We received an email that your garbage shed is partly on your neighbor's property.
 - It is possible. The previous owner placed the shed there before we purchased the home.
- At some point you received Land Marks approval?
 - Yes, back in November.
- Have you done any work to the home subsequent to the Land Marks approval?
 - No, we have not done any work.
- Do you have any kind of survey?
 - Yes, we have a survey.
- Neighbors behind you and next to you are both claiming interest on property you are also claiming.
- I suggest you get in contact with your neighbors and work it out and give us a written statement stating that they are onboard.
- Have you met with Fieldston Property Owner's Association (FPOA)?
 - Yes, we have shared the proposal with FPOA and they do not see anything controversial with the proposal.

Neighbor of 4367 Grosvenor Avenue stated his concerns with the project.

C. Moerdler read email submitted to the Board regarding the project.

Owner of property will rectify the situation.

R. Fanuzzi:

- What is the board being asked to authorize here? You are seeking an increase the height by 6 feet. Why is our authorization required?
 - J. Horstman, the existing building is grandfathered in and any additional construction to the building would deem it non-compliant, that is why authorization is needed.
- Is there any distance requirement?
 - Thirty feet rear yards from both homes and both homes are within the 30 ft.

B. Bender: We have not heard anything from FPOA, we need to know where they stand with the project.

- Your driveway is in a slant?
 - Yes, the driveway was already there and it is in a slant and partly on the neighbor's side.
 - There is a very large oak tree planted right next to the driveway.

C. Moerdler:

- Have you communicated with FPOA that the application is on today?
 - I was not aware that I needed to do so.

D. Padernacht asked that the applicant reach out to the neighbors.

C. Moerdler made the motion to hold-over the application to June 7 and asked the applicant to notify the neighbors and forward to the Board Office, via email or letter what the consensus of the neighbors was.

In Favor: 28

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Oppose: 0

Abstention: 0

C. Moerdler adjourned the meeting at 9:45PM.

Submitted by,

Lydia Hernandez
Community Associate