

**NEW YORK**  
state department of  
**HEALTH**

Nirav R. Shah, M.D., M.P.H.  
Commissioner

Sue Kelly  
Executive Deputy Commissioner

September 27, 2011

Hon. Daniel O'Donnell  
Member of Assembly  
State of New York  
245 West 104<sup>th</sup> Street  
New York, New York 10025

RE: #062403 Jewish Home and Hospital for the  
Aged

Dear Assemblyman O'Donnell:

This is in response to your letter to Charles P. Abel, Assistant Director, Division of Health Facility Planning, wherein you describe concerns expressed by your constituents over the above noted contingently approved Certificate of Need application to build a replacement nursing home on West 100<sup>th</sup> Street in Manhattan. The constituents' concerns that you list include construction noise and increased traffic. While these are important issues, there are issues that the New York State Department of Health (Department) would expect addressed at a local zoning, planning or building code review or hearing, which generally includes an environmental impact study, and I would suggest that your constituents notify the appropriate local authority of their concerns.

The remaining contingencies for which the applicant must submit satisfactory material to the Department relate to final floor plans and financing commitments. The examination of the proposed facility's floor plans includes ensuring resident safety through our standards for assessing the adequacy of space for the number of licensed beds. These materials are generally handled administratively.

Thank you for writing to share your concerns. If you have additional questions or need further assistance, please contact Mr. James Clancy, Assistant Commissioner, Office of Governmental and External Affairs at (518) 473-1124.

Sincerely,



Richard M. Cook  
Deputy Commissioner  
Office of Health Systems Management

cc: Mr. Clancy