

THE CHETRIT GROUP — AN “EQUAL OPPORTUNITY” DEVELOPER: EVERYONE GETS SHAFTED

Two resident parking lots of our Park West Village have until now remained untouched: the lots between Columbus and Amsterdam Avenues, one fronting on West 100th Street, the other on West 97th Street. A verbal “promise” given to tenants by the owners was that these lots would be converted into tree-filled recreational areas for residents... that is, until a tens-of-millions-of-dollars land swap appeared on the horizon.

The Chetrit Group plans to takeover the 2.16 acre area now occupied by the Jewish Home Lifecare (JHL) nursing home on 106th Street in exchange for the 97th Street lot — where the home would be relocated to a 24-story building pending construction.

Let’s look at the logic of this land swap. The current 14-story JHL facility on 106th Street features a lovely garden on 2.16 acres, with frontage of 530 feet on 106th Street plus frontage of 210 feet on 105th Street that accommodates loading and unloading, and all other extensive vehicular traffic associated with the home.

The plan is to replace the current home with a 24-story facility in an area on 97th Street that has 165 feet of frontage — less than 25% of the combined frontage of 740 feet at the current facility. These numbers alone raise some very crucial questions:

1. THE LEGALITY OF THE LOCATION ACCORDING TO THE STATE HOSPITAL CODE REGARDING NURSING HOMES.

According to Section 711.3, subdivision (c), entitled “Site Requirements,” of the State Hospital Code which governs the construction of all nursing homes and hospitals in New York, “Paved roads shall be provided within the lot lines to provide access to the main entrance, emergency entrance, entrances serving community activities and to service entrances, including loading and unloading docks for delivery trucks.” The code also states, “Paved walkways shall be provided for pedestrian traffic.”

How can this be accomplished in an area that is less than half the size of the current JHL location without encroaching on access to buildings adjacent to the proposed 97th Street location? When construction starts on the home, where would the crane be located? Where would the cement trucks and all of the trucks carrying steel and other building supplies unload?

2. THE ADVISABILITY OF THE LOCATION. ON 97th STREET BETWEEN COLUMBUS AND AMSTERDAM AVENUES, THERE IS ALREADY FREQUENT GRIDLOCK — NOT ONLY FOR VEHICLES, BUT ALSO FOR PEDESTRIANS.

West 97th Street is a through street from the Eastside to the Westside. It also provides access to:

- The Whole Foods loading dock
- Three commercial underground garages
- The driveway to 784 Columbus Avenue
- The Ryan Health Center (with its often-parked healthmobiles, including “SHOUT”)
- The PS 163 elementary school (with morning and afternoon school buses picking up and dropping off hundreds of children)
- The on-street loading dock area for the Associated Foods supermarket
- The Friday Farmer’s Market outside of 784 Columbus with its vendor trucks and pedestrian traffic
- On-street garbage and recycling pickup for the three Stonehenge buildings directly across from the driveway of 784 Columbus Avenue, and the corner building at 97th and Columbus — the Ryan Health Center — that also uses 97th Street for garbage removal in the same area.

Also, on weekday mornings during rush hour, numerous large food trucks and vans servicing Whole Foods line each side of 97th Street in close proximity to the Columbus and 97th Street intersection, often double-parked and leaving only one lane open for traffic.

3. SAFETY AND SANITARY CONSIDERATIONS FOR THE JHL FACILITY, ITS RESIDENTS, AND SURROUNDING BUILDINGS AND RESIDENTS.

- Last year alone there were more than two thousand fires in nursing homes. In an emergency, how quickly could a senior population be safely evacuated from a 24-story building?
- Where will the additional garbage go — medical waste and otherwise? Garbage disposal is already a problem, with Whole Foods’ seven-foot-high piles of garbage dumped curbside on 97th Street, along with the garbage and recycling from 808 Columbus Avenue disposed of in the same area. This garbage is already dumped directly on either side of a fire hydrant — what does the FDNY have to say about that?

4. WHAT ABOUT THE IMPACT ON THE STUDENTS AND FACULTY OF P.S. 163?

- Since the development of Columbus Square and the resulting increased traffic hazards for its school population, P.S. 163 has had to institute a program to build safety awareness to help their students walk safely to and from school. The addition of another service building on 97th Street and the attendant traffic will only increase the possibility of an accident waiting to happen.
- The noise created by the proposed long-term construction just on the other side of a chain link fence would seriously distract children trying to learn (and those teaching them).
- Construction activity would adversely affect air quality at a time when the incidence of asthma is increasing in children.

This all boils down to money and greed — at the expense of children, seniors, the residents of Park West Village, “Columbus Square” and our neighbors.



REMARKS BY HILLEL HOFFMAN AT THE NEIGHBORHOOD MEETING ON THE JEWISH HOME LIFECARE LAND SWAP - HOLY NAME SCHOOL AUDITORIUM, JULY 12, 2011

Good evening, everyone. My name is Hillel Hoffman. I live at 788 Columbus Avenue, which is the building next to the site of the proposed Jewish Home Lifecare (JHL) nursing home. And I am the Vice President of Westsiders for Public Participation.

I am going to begin by reading to you from the State Hospital Code which governs the construction of all nursing homes and hospitals in New York State. The section I am reading from — Section 711.3 — is entitled “Site Requirements,” and it says the following in subdivision (c): “Paved roads shall be provided within the lot lines to provide access to the main entrance, emergency entrance, entrances serving community activities and to service entrances, including loading and unloading docks for delivery trucks.” It also says, “Paved walkways shall be provided for pedestrian traffic.”

In simple English, what this means is that a nursing home must provide roadways within its own boundaries to accommodate all of the traffic it generates, including access to the main entrance, access for people coming for community activities, and access for all of the delivery trucks and other vehicles that need to use its loading or unloading docks. And the obvious purpose of this requirement is that the traffic generated by a nursing home should be contained within its boundaries and not be a burden on the surrounding community.

So, knowing what we know about the size of the JHL’s existing facility on West 106th Street, and the size of the parking lot on West 97th Street, how can the JHL possibly comply with this basic requirement of the State Hospital Code?

According to a filing with the State which the JHL made in 2006 to rebuild its facility on West 106th Street, which was conditionally approved by the State, the JHL currently occupies 2.16 acres on West 106th Street and on West 105th Street, where it maintains its loading and unloading docks.

The JHL has 530 feet of frontage on 106th Street, a very wide street, and has almost all of the street to itself to accommodate its staff, its visitors and all of the other vehicles arriving at or departing from the nursing home. On one occasion I observed eight vans parked and double-parked in front of the JHL on West 106th Street. And, it has 210 feet of frontage on West 105th Street where it has its loading and unloading docks to accommodate its garbage trucks and its other service vehicles.

Now let's compare the site at 97th Street: According to documents recently filed by the JHL's architect with the New York City Buildings Department, the entire lot on 97th Street is 37,496 square feet, 0.86 of an acre, and only 40% of the size of the JHL's site on 106th Street. What is more significant is that the frontage on 97th Street is 165 feet, which is only 31% of the frontage the JHL has on 106th Street. And of course there will be no additional 210 feet of frontage behind the building which the JHL now has on 105th Street.

So a nursing home that now occupies more than two acres on 106th Street and 105th Street is now going to occupy a site on 97th Street that is 60% smaller. And instead of a total of 740 feet of frontage that the JHL has on 106th and 105th Streets, the JHL will have only 165 feet of frontage on 97th Street, which is only one-fifth of the frontage that it currently possesses.

So where will all of the traffic go that will be generated by this nursing home on 97th Street? I think we all know the answer to that question. The traffic generated by the JHL facility is going to back up in the driveway in front of the buildings in Park West Village — 784, 788 and 792 Columbus Avenue — which on any given day can be filled with FedEx trucks, UPS trucks, postal vehicles, Verizon trucks, delivery vans, our landlord's gardening trucks, and many automobiles of people visiting or working in Park West Village. And since none of these buildings have direct entrances from the side streets, and since 808 Columbus Avenue has blocked off our access from Columbus Avenue, the driveway in front of our three buildings is the only access to these buildings for emergency vehicles, fire trucks and police vehicles. And when construction starts on this new nursing home, where will the crane be located? Where will the cement trucks and all of the trucks carrying steel and other building supplies unload?

We need answers to these questions. And we need these answers at a public hearing, under oath and taken down by a stenographer, not from leaks to the press that we later learn from the documents on file that have no basis in fact.

And finally, why is JHL building this nursing home in our neighborhood when it already has approval from New York State and a zoning carve-out from the City to build on West 106th Street? A 24-story building that will deprive us of our last remaining open space and threaten our health and safety?

It's certainly not to improve our neighborhood, which is already overbuilt, overcrowded and overwhelmed by five new apartment buildings and retail stores on both sides of Columbus Avenue from 97th Street to 100th Street, turning Columbus Avenue into a suburban style shopping mall for people who don't live in our neighborhood. And surely it's not to provide a state-of-the-art green facility, which the JHL said in its original filing with the State that it was going to build on West 106th Street.

The answer is simple: It can be found in an article published in the *Wall Street Journal* on August 23, 2010, written by Lucette Lagnado and entitled "Nursing Home Plan Sets Off Protests." The author describes the land swap in which the JHL would give the Chetrit Group its existing facility on West 106th Street, and, in turn, the developers would give the JHL a site in Park West Village and, I quote, "'tens of millions of dollars,' according to JHL's president and chief executive officer, Audrey Weiner." So there you have it, folks: "tens of millions of dollars."

So three or four years down the road, when you're waiting for an ambulance to take you or one of your loved ones to the hospital, or you are waiting for car service to take you to your doctor's appointment, and traffic is snarled on West 97th Street, and our driveway is backed up with traffic generated by the JHL nursing home, and you ask yourself, how did this happen, why did this happen? Well, look no farther than what the president and the chief executive officer of the JHL said to the *Wall Street Journal*: "Tens of millions of dollars." That's what this is all about. "Tens of millions of dollars." Nothing more, nothing less.

Thank you!