

**Brooklyn Borough President Recommendation**  
CITY PLANNING COMMISSION  
22 Reade Street, New York, NY 10007  
CalendarOffice@planning.nyc.gov



**INSTRUCTIONS**

1. Return this completed form with any attachments to the Calendar Information Office, City Planning Commission, Room 2E at the above address.
2. Send one copy with any attachments to the applicant's representatives as indicated on the Notice of Certification.

**APPLICATION #:** 170 BUFFALO AVENUE – 160028 ZSK

In the matter of the applications submitted by Buffalo Avenue Realty Associates, LLC pursuant to Sections 197-c and 201 of the New York City Charter seeking the grant of a special permit pursuant to Section 74-90 of the Zoning Resolution to allow Use Group 3, a 281-bed nursing home within an existing seven-story building, on the property located at 170 Buffalo Avenue, in Crown Heights, Community District 8.

COMMUNITY DISTRICT NO. 8

BOROUGH OF BROOKLYN

**RECOMMENDATION**

APPROVE  
 APPROVE WITH  
MODIFICATIONS/CONDITIONS

DISAPPROVE  
 DISAPPROVE WITH  
MODIFICATIONS/CONDITIONS

SEE ATTACHED

BOROUGH PRESIDENT

February 23, 2016

DATE

## **RECOMMENDATION FOR: 170 BUFFALO AVENUE – 160028 ZSK**

The applicant, Buffalo Avenue Realty Associates, LLC, is seeking a Special Permit pursuant to Zoning Resolution (ZR) Section 74-90 to allow for the use modification for certain community facility uses within the Weeksville section of Brooklyn's Community District 8. The proposed action would facilitate the conversion of an existing 286,084 square-foot, eight-story (seven-stories plus penthouse and cellar area) vacant former hospital building (Use Group 4) for use as a nursing home (Use Group 3).

The Borough President held a public hearing on this matter on January 28, 2016. There were three speakers on this item: two in favor and one in opposition. The speakers represented Community Board 8 (CB 8) and ProMark I Condominiums. The speakers in support of this project were grateful to the developer for working with the condominiums in order to resolve the condominium owners' flooding and easement issues, and excited about the prospect of bringing activity and jobs back to this neighborhood. The speaker in opposition was only specifically opposed to the unpaid internship opportunities that the developer has promised to the local community, and advised they reconsider providing some type of compensation.

In response to the Borough President's interest in utilization rate patterns of the applicant's nursing homes in consideration that the redevelopment of this site would significantly increase the number of nursing home beds, the representative stated that utilization rates for each of Center Health Care's (CHC) nursing homes will be provided subsequent to the hearing.

In response to the Borough President's interest regarding the closure and eventual redevelopment of the existing facility at 1455 Coney Island Avenue, the representative stated that the applicant would be willing to work with the local community, Community Board 14 (CB 14), and local elected officials to gather input for future reuse of the property.

In response to the Borough President's concerns regarding locally based hiring and inclusion of MWBE in the construction of this project, the representative for the developer stated that the new nursing home will allow for an additional 70 to 80 new jobs as well as internship opportunities. CHC plans on using local suppliers for the construction phase and the operations of the nursing home. Tracking will be done by the project manager in order to ensure proper participation of MWBEs in the construction phase of this project. The developer also agreed to enter into a letter of commitment with a local organization called DREAMS, which will grant people ages 17 to 24 the opportunity of an unpaid internship, with potential of developing into full-time employment, at CHC, both during construction and nursing home operations. The goal is to provide internship opportunities that will familiarize the interns with the processes and operations of nursing home facilities. Such positions will be filled through a competitive bidding process in coordination with CB 8. When employment opportunities arise, first hiring consideration will be given to the interns who have successfully completed the program and possess the necessary skills. DREAMS will be responsible for tracking the completion and transition of such internships to employment with CHC. CHC is willing to work with any other local organizations in order to fill any new positions as it is in the CHC's best interest. The developer has also been in contact with Weeksville Heritage Center (WHC) regarding weekly youth tours that will include the nursing home and encourage youth and elderly social interaction.

The Deputy Borough President noted the Borough President's CROSS Brooklyn initiative — Connecting Residents on Safer Streets — which recognizes that making street crossings safer for children and seniors should be a priority. In response to the Borough President's interests in promoting pedestrian safety along the Buffalo Avenue connection to the Weeksville

Heritage Center, the representative agreed to work with CB 8 and local elected officials to explore curb extensions at the pedestrian crossings, specifically along Buffalo Avenue at Prospect Place and St. Mark's Avenue.

In response to the Borough President's concerns regarding increasing sustainability efforts, the representative for the developer stated that storm water retention tanks will be provided to keep all the water onsite, which will gradually disburse into the City's sewer system. The developer will also consider bioswales for the tree pits surrounding the facility. The applicant is willing to further their sustainability efforts by considering the provision of permeable pavers and further studies to provide a system of storm water retention and reuse for landscape watering purposes. While CHC has concerns in providing a green rooftop, as it poses increased structural risk, as well as accessibility issues for repairs and maintenance, he is willing to provide a white rooftop. Because specific health care facilities, such as nursing homes, require a ventilation system to allow a certain amount of fresh air into the building, a Passive House design will not be considered for this project. Due to the filtration requirements for such facilities, it would not be possible to provide a complete Passive House design. However, the developer will be installing a high degree of insulation and triple pane fixed windows throughout the building. Due to the need for a solid and reliable energy source for a health care facility, the developer will not be including rooftop renewable energy features, such as solar paneling.

### **Consideration**

CB 8 unanimously voted to approve this application without conditions. However, it was noted that the homeowners of the abutting ProMark Condominiums I and II voiced complaints of: poor drainage from the site, which causes flooding in their basements; lack of an easement to permit access for sanitation and waste removal services; a stench from the flooded sub-cellar, where 30 feet of water had collected due to a broken pipe; regular illegal dumping, and lack of rodent control. The community board urged CHC to consider these complaints.

CHC is a for-profit health care facility operator with multiple locations throughout the Tri-State-Area. The proposed, new nursing home facility will replace one of CHC's existing facilities, a 215-bed, approximately 60,000 square-foot nursing home located at 1455 Coney Island Avenue in the Midwood section of Brooklyn's Community District 14. This existing facility is currently significantly overcrowded and does not provide proper space for the necessary support operations, recreation, or physical therapy.

The proposed development is located at 170 Buffalo Avenue, in an R6 zoning district. The site is an irregularly-shaped lot occupying the eastern half of the block bounded by St. Mark's Avenue to the north; Buffalo Avenue to the east; Prospect Place to the south; and Rochester Avenue to the west. CHC proposes redevelopment of the former hospital to allow for a state-of-the-art nursing home with large open floor plans and easily accessible nurse's stations. The ground floor will provide a main street that will offer retail and beauty services. Additional floors will house a large recreational space and physical therapy. The eighth floor would be utilized entirely as mechanical space. There would be no changes to the building's bulk and its existing 1.73 Floor Area Ratio (FAR). Rather, the building would undergo substantial interior renovations and reconfiguring.

When constructed in 1975, as St. Mary's Hospital, the building required a variance from the Board of Standards and Appeals (BSA) to allow it to exceed the maximum permitted building height (600-75-BZ). This approval does not transfer with the proposed change of use, and CHC is seeking a concurrent application with the BSA to allow the excess height permitted for the hospital to be re-purposed as a nursing home. However, should the City Council adopt

the Department of City Planning's "Zoning For Quality and Affordability Text Amendment" (ZQA) as proposed, the ULURP actions would no longer be required, as the proposed use would be as-of-right, though, the above referenced height variance would still be necessary.

The reuse would include 38 parking spaces, served through a new 20-foot-wide curb cut along Prospect Place, as well as new landscaping and a patio area. The existing loading bay on St. Mark's Avenue would remain. The entire property will be fenced off and secured. The former hospital's garage and ambulatory service facility will be used to house the backup power sources. A portion of the landscaped area is an approximately 60-foot wide extension of the lot, which would be restricted from development, aside from accessory parking, per a Restrictive Declaration executed in June 2007. This Restrictive Declaration was executed as part of the subdivision of the western portion of the block for development of ProMark Condominiums (ProMark) I and II, recently constructed three-story, multi-family, residential properties.

As part of the public review process, CHC was approached by the residents of ProMark with concerns regarding pre-existing problems with their properties. It was discovered that ProMark Condominiums I were constructed without a proper easement to achieve external access to the street from where refuse containers are stored in the rear of the residences. This results in the residents having to take their refuse through interior corridors and requires the use of stairs in order to get the containers to the curb. Additionally, residents of both ProMark I and II experience significant flooding that is attributed, to some extent, to the 60-foot wide extension of the proposed development lot, as the extension abuts the rear lot line of each condominium. As the lot extension is about four feet higher in elevation, during heavy rain a portion of the rainfall seeps out from under the retaining walls and floods the ProMark properties.

In order to accommodate ProMark residents, Buffalo Avenue Realty Associates, LLC developed plans that will use some of the nursing home's property to create two easements that will allow street access. In addition, CHC performed studies that determined the drainage issues were caused by a malfunctioning dry well underneath the elevated portion of the property. In order to accommodate ProMark residents, Buffalo Avenue Realty Associates, LLC developed engineering plans for a new storm water detention tank system. The detention tanks will be placed under the parking lot area and will direct the storm water away from ProMark properties.

The Borough President generally supports land use actions that would allow for the upgrading of Brooklyn's skilled nursing facilities, provide employment opportunities for local residents and reinvigorate derelict properties. If not already addressed by the adoption of ZQA, the granting of the proposed special permit, would allow CHC to relocate one of their nursing homes and expand their operations, resulting in both construction and permanent jobs. Additionally, the redevelopment of this site will reactivate and revitalize the neighborhood, including removing graffiti that has covered sections of the existing vacant building—further contributing to its blighted influence on the community for many years.

The Borough President believes that CHC should achieve MWBE standards consistent with City regulated projects as well as leverage its additional permanent jobs as opportunities for Brooklyn residents and create local relationships to fill subsequent job openings. He also sees opportunities to advance his CROSS Brooklyn initiative and sustainability and resiliency agendas. The Borough President believes that steps would be taken by CHC to provide alternative access for ProMark's rear yards, to eliminate the extent of drainage attributed to the CHC site, and to significantly improve the landscaped aesthetic of the portion of the CHC lot that extends between the rear sections of ProMark Condominiums I and II.

The Borough President believes that it is appropriate for CHC to provide status updates regarding its hiring efforts, pertaining to both the construction and ongoing operations. It is also appropriate for CHC to provide status updates in regard to steps taken from planning to physical construction of the access easement for the benefit of ProMark residents, site drainage, and landscaping of the extended portion of the property.

The Borough President believes that the homeowner associations for the ProMark should give additional consideration to supplementing the efforts of CHC to best rectify flooding issues and towards improving the logistics of its refuse disposal.

The Borough President believes that CHC's existing facility at 1455 Coney Island Avenue should promptly have new life after the successful relocation to 170 Buffalo Avenue. The building might lend itself to multiple community oriented uses. There is an opportunity to begin a planning and outreach process once the public approval process goes through, even before the BSA would be completed.

He supports efforts by CHC to work with the local community, CB 14, and local elected officials to gather input for future reuse of the existing facility, interest regarding its anticipated closure, and eventual redevelopment of that site so that the building transitions swiftly to a productive use.

### **Jobs**

The Borough President is concerned that too many residents of Brooklyn are currently unemployed or underemployed. It is his policy to promote economic development to create more employment opportunities. Double-digit unemployment remains a pervasive reality in many of Brooklyn's neighborhoods, and more than half of our community districts have experienced poverty rates of 25 percent or greater, according to averaged data from 2008 to 2012. Prioritizing local hiring will address this employment crisis. In addition, promoting Brooklyn-based businesses including those that qualify as MWBE and LBE is central to the Borough President's economic development agenda.

As a redevelopment project, the conversion of the former hospital to a modern skilled nursing facility and grounds improvements provides opportunities to retain Brooklyn-based contractors and subcontractors, especially those that are designated LBEs, consistent with section 6-108.1 of the City's Administrative Code, and MWBE establishments, as a means to meet or exceed standards per Local Law 1 (no less than 20 percent participation). As indicated by the developer, tracking will be done by the project manager in order to ensure proper participation of MWBEs in the construction phase of this project.

The Borough President encourages responsible development and good practices by contractors and subcontractors. He believes that workers should be able to work in a non-threatening environment while promoting his agenda for achieving employment for Brooklynites through discretionary land use actions.

The Borough President believes that where development in Brooklyn would provide significant opportunity to add permanent jobs, businesses should be encouraged to maximize the employment of borough residents. The proposed nursing home would employ approximately 207 workers, 77 percent of these employees would be medical staff (nurses and nurse practitioners), while 23 percent would consist of administrative/managerial staff (food service, custodial, social workers, and office staff).

As CHC anticipates growing its staff to potentially 70 to 80 additional employees, the Borough President also believes it is appropriate for them to now establish relationships with appropriate Brooklyn institutions of higher learning as well as community-based organizations that offer job-training for such skilled labor and candidate placements. Such relationships would create a pipeline of skilled labor ready for employment. The Borough President applauds CHC's commitment to the local organization DREAMS for youth internship opportunities within the new nursing home, as well as during the construction phase. The internship opportunities for the renovation could lead to making connections for jobs in construction. The operational internships might help direct the participant to career opportunities and choice in further schooling as well as enhance the potential for permanent CHC employment, as positions become available. CHC should collaborate with DREAMS to maximize local awareness of interning on the renovation and grounds improvements. It should also establish additional relationships with local institutions of higher learning, like Kingsborough College and Medgar Evers College, and of local entities that provide skilled training and career placement for the surrounding community, and maximize awareness of such qualified training programs. The 1199SEIU Funds can also be a resource as they provide training for their existing members.

The Borough President's policy is to obtain a written commitment of intent as well as quarterly reporting to monitor such efforts. In a letter dated February 12, 2016, CHC has committed to provide for quarterly updates to CB 8 and local elected officials to demonstrate its monitoring and performance of such local hiring and internship efforts.

### **Advancing Vision Zero Policies**

The Borough President is a supporter of the Mayor's Vision Zero strategy. One component of Vision Zero is to extend sidewalks into the roadway as a means of shortening the path where pedestrians cross in front of traffic lanes. These sidewalk extensions, also known as bulb-outs or neck-downs, make drivers more aware of pedestrian crossings and encourage drivers to slow down at intersections where pedestrians are present. It is the Borough President's policy to support the Department of Transportation's (DOT) Safe Routes for Seniors/to School programs. One component of these programs is for DOT to install traffic calming infrastructure, like bulb-outs or neck-downs at intersections where senior citizen centers and/or child daycare centers exist, to improve safety.

In 2015 the Borough President also launched his own initiative, Connecting Residents on Safer Streets, or CROSS Brooklyn. This program supports the creation of curb extensions or bulb-outs at dangerous intersections in Brooklyn. During the program's first year, one million dollars was allocated to improve five dangerous intersections in Brooklyn. By installing more bulb-outs or neck-downs, the elderly and youth will benefit because more of their commute will be spent on sidewalks, especially near dangerous intersections. At the same time, all users of the roadway will benefit from a safer street. Such improvements need to be coordinated with DOT to locate improvements at high crash locations and around schools and senior centers. In addition, improvements should be coordinated with the expansion of slow zones.

Should there be a need to replace the sidewalk along Buffalo Avenue in front of the nursing home, as the nursing home is across the street from the WHC, there might be an opportunity to enhance pedestrian connections to the museum by placing sidewalk extensions along Buffalo Avenue at both Prospect Place and St. Mark's Avenue. If so, the Borough President believes that CHC should investigate the logistics of incorporating curb extensions in coordination with DOT, and, in consultation with CB 8 and local elected officials, determine if

it is economically within scope for CHC to undertake such improvements and if implementation would have local support.

In a letter dated February 12, 2016, CHC has committed to exploring the possibility of installing sidewalk extensions.

### **Advancing Sustainable and Resilient Energy and Storm Water Management Policies**

It is the Borough President's sustainable energy policy to promote opportunities to utilize solar panels and/or blue/green/white roofs and develop according to Passive House construction practices. He encourages developers to coordinate with the Mayor's Office of Sustainability, NYSERDA and/or NYPA at each project site. Such modifications would reduce the development's carbon footprint and increase energy efficiency. Furthermore, as part of his storm resiliency policy, the Borough President also encourages developers to incorporate permeable pavers and/or establish bioswales that advance the Department of Environmental Protection's (DEP) green-water storm-water strategies. Blue/green roofs, permeable pavers and bio-swales would deflect storm-water from entering the City's water pollution control plants. According to the NYC Green Infrastructure 2014 Annual Report, Green Infrastructure has a critical role in addressing water quality challenges and provides numerous environmental, social, and economic co-benefits.

The Borough President acknowledges the building's roof would be painted white and the aggressive use of insulating materials, including installing new triple-glazed windows would enhance the building's energy use performance. Should a revamping of the sidewalk be required, there would be an opportunity through the Builders Pavement Plan to advance DEP green-water storm-water strategies through the installation of bio-swales. In addition, the plaza area and parking lot surface provide an opportunity to incorporate permeable pavers. Such improvements would enhance the operation of the Newtown Creek Water Pollution Control Plant (NCMPCP) during wet weather. Such bioswales have the added benefit of serving as a streetscape improvement.

Consideration should be given to government programs and grants, through government agencies such as the Mayor's Office of Sustainability, NYSERDA and/or NYPA, that might offset costs associated with enhancing the sustainability and resiliency of this development.

As the site is within ConEdison's Brooklyn Queens Demand Management zone (BQDM), maximum consideration should be given to energy-efficient heating and cooling systems. NYSERDA offers an incentive to projects through the Combined Heat and Power (CHP) Program, where NYSERDA provides a matching contribution towards the installation of the CHP system — which integrates the production of usable heat and power (electricity), in one single, highly efficient process, while also capturing usable heat that is produced in the process. The Borough President believes that it is appropriate for the developer to engage with NYSERDA and ConEdison regarding the provision and installation of a CHP. The Borough President encourages the developer to reach out to his office for any help opening the dialogue with any of the aforementioned agencies and further coordinating on this matter.

In a letter dated February 12, 2016, CHC has committed to exploring the possibility of installing bio-swales and permeable pavers and will consult with its mechanical engineers to investigate the possibility of installing a CHP system.

### **Issues Pertaining to ProMark Condominiums**

The Borough President acknowledges the concerns shared by residents of the two ProMark Condominium entities and is aware that its residents have engaged CHC regarding pre-

existing problems with their properties pertaining to the handling of its residential waste and flooding.

The residents of both condominiums attributed the 60-foot wide extension of the nursing home site that shares the rear lot line of each condominium as one of the sources of their flooding. This is because the strip of the section of the lot is elevated approximately four feet higher than the rear patios of the condominiums and during heavy rain the water seeps out from under the retaining walls and contributes to the flooding in the rear yards and basements.

Studies performed for CHC determined the drainage issues attributed to its property were caused by a malfunctioning dry well underneath the elevated portion of the property. CHC is having engineering plans developed as part of a new storm water detention tank system that is expected to be placed under the parking lot area. The landscape grading design is intended to direct the storm water away from condominiums. The design is dependent on excavations, which are currently underway. Once implemented, a segment of what contributes to the flooding should be resolved.

The attorney for the condominiums provided the Brooklyn Borough President's office with a plumber's evaluation of the flooding. Though not an engineering report, it seemed to adequately present what might be the sources that contribute to the flooding. These seem to include house connections to the City sewer pipe at too low an intersection. As the elevation of the water increases, these house connections get dammed and water flowing from the residents, and/or the rear patio and roof, has nowhere to go as the "stream" of collected storm water in the sewer is not allowing more water to get into the sewer pipe. It would be useful to understand which explicit addresses might be intersected too low in relation to the City sewer and what the cost would be to properly reconnect at a higher section of the City sewer.

The problem is compounded by the fact that these condominiums were developed with no impervious services as the property handles all the rainfall on its roof and its fully paved front and rear yards. Therefore, other considerations worth exploring are to disconnect the rear drainage system to the house sewer connection from the sewers and then replace with drywells — where the water either is detained or at least is deferred from entering the City's sewer system, and/or to create landscapes that function comparable to the bioswales that are being placed along streets.

The Borough President believes that, given the financial challenges of being a recent condominium there is nominal reserve fund cash to tackle such projects, he recommends that the condominiums give consideration to submitting a proposal through DEP ([http://www.nyc.gov/html/dep/html/stormwater/nyc\\_green\\_infrastructure\\_grant\\_program.shtml](http://www.nyc.gov/html/dep/html/stormwater/nyc_green_infrastructure_grant_program.shtml)) as part of its Green Infrastructure Grant Program. The City would benefit because the storm water would be either diverted or delayed from reaching the NCWPCP and thus would not need to undertake grey water strategies such as under land adjacent to Paedergat Basin where there was significant cost. For example, segments of the rear yard concrete patios might be transformed into a landscaped setting that allows water to seep into the ground. If the yard water is kept from the sewer system then the sewages from the homes would have more holding capacity when the combined city sewers are filling up. Diverting the front and/or rear roof leaders from dispersing rain water to the house connection line and resurfacing the extended sidewalk front yard section per such a DEP grant could also be part of the solution. This would create bioswales along the front façade that would be filled by the roof water that normally gets added to the city sewers after the heavy rain has left the street sewers, allowing for more capacity.

In regards to waste handling, the logistics are complicated because ProMark I was constructed without an exterior route to connect its rear patios with the street. Because the refuse containers are stored in the rear of the residences, the containers have to be taken through interior corridors and along stairs in order to get them to the curb. In an attempt to accommodate its neighbors, CHC intends to provide an easement route along its perimeter with the rear lot boundaries of the condominiums that would be bordered by a newly placed fence to restrict access to the remainder of its property. This easement would connect to the street at St. Marks Avenue. The legal agreement to memorialize this improvement is in preparation.

Though there might be reasons the residents prefer to retain the staging of the refuse containers in the rear of the buildings, the Borough President understands that there can be a means to contain the bins in an aesthetically appropriate means in the front yard of the buildings. Though the bottom of the ground floor windows do not provide sufficient clearance to place containers in front of them, there appears to be room to place two rows of containers perpendicular to the street, in the front yard, between the windows of the condominiums. Such containers could be housed in aesthetically pleasing bins – including those that permit planters above. If such bins held five containers and the length of such bins projected beyond the street property line, it would be possible for the condominiums to explore being granted a revocable consent from DOT for such placement of the bins. In having the collection in front of the buildings, the logistics of managing the refuse collection would be significantly improved and might result in cost-savings pertaining to labor of managing the trash and recyclables. The easement obtained from CHC would still have an important function when it comes to bringing work crews for exterior renovations of the condominium and for the potential rear yard landscaping concept noted above.

The Borough President calls on CHC to provide a flow chart outlining the tasks and timeline required to implement access, the design and construction of the site's drainage improvements, and landscaping of the property extension between both ProMark condominiums as a means to keep the residents informed. This includes execution of the easement agreement between CHC and ProMark condominiums. Regular updates should be provided to the Borough President and CB 8 as details unfold.

In a letter dated February 12, 2016, CHC has committed to provide such ongoing status updates to the Borough President.

### **Recommendation**

Be it resolved that the Borough President of Brooklyn, pursuant to section 197-c and 201 of the New York City Charter, recommends that the City Planning Commission and City Council approve of the land use actions requested.

Be it Further Resolved that CHC commit to the following:

1. To seek to retain Brooklyn-based contractors and subcontractors, especially those that are designated LBEs consistent with section 6-108.1 of the City's Administrative Code, and MWBE and LBE establishments, as a means to meet or exceed standards per Local Law 1 (not less than 20 percent participation), as well as to coordinate the monitoring of such participation as documented in quarterly reports provide to the Borough President;
2. To provide for quarterly updates to CB 8 and local elected officials to demonstrate its monitoring and performance of such local hiring and internship efforts;

3. To explore the possibility of installing sidewalk extensions at the corners of Buffalo Avenue, at Prospect Place and St. Mark's Avenue;
4. To explore the possibility of installing bio-swales and permeable pavers, and consult with its mechanical engineers to investigate the possibility of installing a CHP system; and
5. To provide ongoing status updates to the Borough President regarding the execution of the easement agreement between CHC and ProMark Condominiums I and II, implementation of associated easement improvements, all steps associated with the design and construction of the site's drainage improvements and landscaping of the property extension between both ProMark Condominiums I and II.

**ERIC PALATNIK, P.C.**

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February 12, 2016

Brooklyn Borough President Eric Adams  
ATTN: Richard Bearak, Director of Land Use  
209 Joralemon Street  
Brooklyn, NY 11201

*Re: 170 Buffalo Avenue  
Brooklyn, New York  
Block 1362, Lot 1*

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Dear Borough President Adams,

We wanted to keep you updated regarding the following aspects concerning 170 Buffalo Avenue:

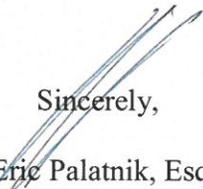
- **Utilization Rates** – We are securing the utilization rates for other Centers for Healthcare (CHC) facilities but please note that it may take time to gather this significant amount of information;
- **Employment:**
  - **Minority and Woman owned Businesses** – CHC is utilizing their best efforts to bid jobs to all interested parties, specifically including local institutions such as MWB. Tracking will be done by the project manager in order to ensure proper participation of MWBs in the construction phase of the project with quarterly reporting to monitor such efforts.
  - **DREAMS** – CHC will seek to collaborate with DREAMS to maximize local awareness of internships on the renovation and grounds improvements.
  - **Local intuitions and Local Entities** – CHC will seek to collaborate with local institutions and local entities that provide skilled training and career placement in the surrounding community of such qualified training programs.
  - We would also like to note that though 70-80 jobs are likely to be created, there might also be some transfers from other CHC facilities to achieve advancement and/or preferable commutes;

## ERIC PALATNIK, P.C.

- **Curb Extensions at the pedestrian crossings along Buffalo Avenue at Prospect Place and St. Marks Avenue** – CHC is currently working with CB8 and local elected officials to further develop this opportunity;
- **Permeable pavers and bioswales for the tree pits surrounding the facility** – CHC is willing to consider the provision of permeable pavers to provide a system of storm water retention and reuse within the site for landscape watering purposes. They will consult with its mechanical engineers to investigate the possibility of installing a CHP system.
- **Status Updates** – CHC will provide ongoing status updates to the Borough President regarding the execution of the easement agreement between CHC and ProMark condominiums. Additionally, updates will also concern the implementation of associated easement improvements, all steps associated with the design and construction of the site's drainage improvements and landscaping of the property extension between both ProMark condominiums.

We will continue to update you but please contact our office should you have any questions.

Thank you.

  
Sincerely,  
Eric Palatnik, Esq.