

**MINUTES OF PUBLIC MEETING
New York City Loft Board Public Meeting Held at
22 Reade Street, 1st Floor
Spector Hall**

May 16, 2013

The meeting began at 1:13 p.m. The attendees were Gina Bolden-Rivera, Public Member; Chief Ronald Spadafora, Fire Department Representative; Chuck Delaney, Tenants' Representative; Daniel Schachter, Public Member; Mark Foggin, Manufacturing Representative; and Chairperson LiMandri.

INTRODUCTION

Chairperson LiMandri introduced himself and welcomed those present to the May 16, 2013 public meeting of the New York City Loft Board.

VOTE ON APRIL 18, 2013 MINUTES

Motion: Mr. Schachter moved to accept the April 18, 2013 minutes. Ms. Bolden-Rivera seconded the motion.

Members Concurring: Spadafora; Delaney; Bolden-Rivera; Foggin; Schachter (5)

Members Absent: Shelton, Mayer, Barowitz (3)

Members Abstained: LiMandri (1)

Adopted by the Loft Board on May 16, 2013.

REPORT OF EXECUTIVE DIRECTOR

Ms. Alexander presented two buildings statistics summaries: the milestones reached by all IMD buildings and the milestones reached broken down by §281(1)(4) and §281 (5) buildings:

- The summary of milestones reached by all 329 buildings in the Loft Board's jurisdiction was as follows:
 - 34 buildings obtained a certificate of occupancy with 19 pending removal applications and 15 that have no removal application pending;
 - 96 buildings with either a temporary certificate of occupancy or 7-B certification; 32 having a TCO and 64 with a 7-B certification;
 - 104 buildings were in the permit stage;
 - 58 buildings were in the narrative statement process: 18 had received certification and 40 were still in the process; and
 - There were 6 buildings with alteration type 1 filings; and
 - There were 31 buildings that had not filed an alteration type 1 as of yet.
- The second summary broke down § 281(1)(4) and § 281 (5) buildings as follows: There are 259 § 281(1)(4) buildings and 70 § 281(5) buildings.
 - Of the 34 buildings that had obtained a certificate of occupancy at set forth above, all were § 281(1)(4) buildings. None of the § 281 (5) buildings had reached this milestone;
 - Of the 96 buildings with either a temporary certificate of occupancy (TCO) or 7-B certification: 30 of the § 281(1)(4) and 2 of the §281(5) had a TCO; and 63 of the § 281(1)(4), and 1 of the § 281(5) buildings had 7-B certification;
 - Of the 104 buildings with permits: 100 were § 281(1)(4) buildings, and 4 were § 281(5) buildings;

- Of the 58 buildings in the narrative statement process: 16 of the § 281(1)(4) buildings and 2 of the § 281(5) buildings had received certification, and 14 of the § 281(1)(4) and 26 of the § 281(5) buildings were still in the narrative statement process; and
- There were 6 § 281(5) buildings with alteration type 1 filings; and
- There were 2 § 281(1)(4) buildings and 29 § 281(5) buildings that had not filed an alt 1 as of yet.

Ms. Alexander also told the Board that out of the 70 §281 (5) buildings registered with the Loft Board.

- 55 buildings are in Brooklyn;
- 14 buildings are in Manhattan; and
- 1 building is in Queens.

- Of the 329 buildings in the Loft Board's jurisdiction there are a total of 70 IMD buildings in Brooklyn. Twenty-five are 281(1)(4) buildings and 55 are 281(5) buildings.

Ms. Alexander reported that the five-year report was being worked on by the DOB communications and design team and should be ready soon for Board review.

Ms. Alexander announced that there was no longer a backlog of applications and that every application that was post answer had been sent to OATH.

Regarding the Hearing Unit's statistics, **Ms. Alexander** reported that:

- There are 311 cases pending: 217 coverage applications and 94 non-coverage cases.
- Of the 94 non-coverage applications:
 - 3 are appeals of determination;
 - 1 is an alternate plan application;
 - 14 are extension applications;
 - 1 is a landlord-initiated rent dispute;
 - 7 are abandonment applications;
 - 6 are landlord initiated contests of coverage,
 - 22 are removals,
 - 3 are challenges to proposed Sales of Improvements;
 - 1 is an unreasonable interference application;
 - 3 are access applications;
 - 1 is for reconsideration;
 - 3 are code compliance rent adjustment applications;
 - 4 are tenant initiated rent dispute;
 - 2 are prime lessee compensation for improvements applications;
 - 8 are harassment applications;
 - 9 are diminution of service applications; and
 - 6 are non-compliance with code compliance deadline applications.
- Of the 311 cases;
 - 44 are non-OATH cases;
 - 3 are administrative appeals;
 - 3 are rent adjustment applications;
 - 19 are removal cases;
 - 14 are extension applications; and
 - 1 is a reconsideration application.
- 222 cases are in the Administrative process;
 - 29 are pre-OATH cases;
 - 8 are incomplete/defective; and
 - 21 cases are in the answer period.
- 109 are OATH cases:
 - 17 non-coverage cases; and
 - 92 coverage cases.

Ms. Alexander also reported that OATH had returned 84 cases.

- Twenty-nine of the returned cases were master cases:
 - 3 are abandonment applications;
 - 3 non-compliance with code compliance deadline applications;
 - 1 alternate plan application;
 - 19 coverage applications;
 - 2 rent dispute applications; and
 - 1 challenge to Proposed Sales of Improvements.
- Fifty-five of the returned cases were summary cases:
 - 48 coverage applications;
 - 1 access applications;
 - 1 landlord initiated rent dispute applications;
 - 1 challenge to proposed sale of improvements;
 - 3 landlord initiated contest of coverage applications; and
 - 1 diminution of service application.
- There are 3 currently in litigation;
- 4 applications are part of a conference by the Loft Board staff; and
- 42 applications are on the May 16th agenda.

DISCUSSION AND VOTE ON SUMMARY CALENDAR

1.	Jenny Scobel	135-139 Plymouth Street, Bklyn	TR-0922	MC/MC
2.	Joanne Kowalsky	135-139 Plymouth Street, Bklyn	TR-0923	MC/MC
3.	Michael Gibson and Priscilla Polley	135-139 Plymouth Street, Bklyn	TR-0927	MC/MC
4.	Arturo and Amy Rucci	135-139 Plymouth Street, Bklyn	TR-1027	MC/MC
5.	Michael Silberberg	135-139 Plymouth Street, Bklyn	TR-1047	MC/MC
6.	Deborah Schneider	135-139 Plymouth Street, Bklyn	TR-1049	MC/MC
7.	Babak Sadeghi	135-139 Plymouth Street, Bklyn	TR-1050	MC/MC
8.	Ebon Heath	135-139 Plymouth Street, Bklyn	TR-1056	MC/MC
9.	Howard Chambers and Balin Brandt	135-139 Plymouth Street, Bklyn	TR-1059	MC/MC

Motion: Mr. Delaney moved to accept the proposed orders. Mr. Schachter seconded the motion.

Members Concurring: Spadafora, LiMandri, Delaney, Bolden-Rivera; Foggin; Schachter (6)

Members Absent: Barowitz; Mayer; Shelton (3)

DISCUSSION AND VOTE ON MASTER CALENDAR

10.	Sebastian Holzmeister	135-139 Plymouth Street, Bklyn	TR-0911	MC/MC
11.	Tom Kieber	135-139 Plymouth Street, Bklyn	TR-0912	MC/MC
13.	William Etundi, Jr.	135-139 Plymouth Street, Bklyn	TR-0914	MC/MC
14.	Christopher and Mark Dunbrak	135-139 Plymouth Street, Bklyn	TR-0915	MC/MC

15.	Melissa Gundlach	135-139 Plymouth Street, Bklyn	TR-0916	MC/MC
16.	James Paul Willis	135-139 Plymouth Street, Bklyn	TR-0917	MC/MC
17.	Kevin Vertress	135-139 Plymouth Street, Bklyn	TR-0918	MC/MC
18.	Amy Elizabeth	135-139 Plymouth Street, Bklyn	TR-0919	MC/MC
19.	Ulises Beato	135-139 Plymouth Street, Bklyn	TR-0920	MC/MC
20.	Jose Gay Costa	135-139 Plymouth Street, Bklyn	TR-0921	MC/MC
21.	Robert Thiele	135-139 Plymouth Street, Bklyn	TR-0924	MC/MC
22.	James Seward and Erin Hudak	135-139 Plymouth Street, Bklyn	TR-0925	MC/MC
23.	Christopher Yu	135-139 Plymouth Street, Bklyn	TR-0926	MC/MC
24.	Kevin Spett	135-139 Plymouth Street, Bklyn	TR-0928	MC/MC
25.	Kalyani Thiruchelvam and Jordan Poling	135-139 Plymouth Street, Bklyn	TR-0929	MC/MC
27.	W. Wynne Noble	135-139 Plymouth Street, Bklyn	TR-0931	MC/MC
28.	Cindy Chwe	135-139 Plymouth Street, Bklyn	TR-0932	MC/MC
29.	Jo-an Tremblay and Andrew Shepherd	135-139 Plymouth Street, Bklyn	TR-0934	MC/MC
30.	Kevin Kelly	135-139 Plymouth Street, Bklyn	TR-0935	MC/MC
31.	Rea Mochiach	135-139 Plymouth Street, Bklyn	TR-0936	MC/MC
32.	Fabio Fagiolo	135-139 Plymouth Street, Bklyn	TR-0937	MC/MC
33.	Mark W. Rosenberg	135-139 Plymouth Street, Bklyn	TR-0939	MC/MC
34.	Harvey Goldwasser	135-139 Plymouth Street, Bklyn	TR-0953	MC/MC
35.	Joanna Shihadeh	135-139 Plymouth Street, Bklyn	TR-0987	MC/MC
36.	David Latti	135-139 Plymouth Street, Bklyn	TR-0990	MC/MC
37.	Matthieu Boardman	135-139 Plymouth Street, Bklyn	TR-1017	MC/MC
38.	Patrick Kennedy and Robert Pearson	135-139 Plymouth Street, Bklyn	TR-1026	MC/MC
39.	Mary Gillette	135-139 Plymouth Street, Bklyn	TR-1052	MC/MC

Motion: Mr. Delaney moved to accept the proposed orders. Mr. Foggin seconded the motion.

Members Concurring: Spadafora, LiMandri; Delaney; Bolden-Rivera; Foggin; Schachter (6)

Members Absent: Barowitz; Mayer; Shelton (3)

DISCUSSION AND VOTE ON MASTER CALENDAR

12.	Byron Stigge	135-139 Plymouth Street, Bklyn	TR-0913	MC/MC
26.	Mark Bellomy and Michelle Langlie	135-139 Plymouth Street, Bklyn	TR-0930	MC/MC

Motion: Ms. Bolden-Rivera moved to accept the proposed orders. Mr. Delaney seconded the motion.

Members Concurring: Spadafora; LiMandri; Delaney; Bolden-Rivera; Schachter (5)

Members Absent: Barowitz; Mayer; Shelton (3)

Members Abstained: Foggin (1)

DISCUSSION AND VOTE ON MASTER CALENDAR

40.	Loft Board-Initiated Application for 71-73 Franklin Street	71-73 Franklin Street	LE-0274	MC/MC
41.	67 Vestry Street LLC	67-73 Vestry Street	LE-0615	MC/MC
42.	Country Club Recovery LLC	64-68 Fulton Street	LE-0617	MC/MC

Motion: Mr. Delaney moved to accept the proposed orders. Mr. Foggin seconded the motion.

Members Concurring: Spadafora; LiMandri; Delaney; Bolden-Rivera; Foggin; Schachter (6)

Members Absent: Barowitz; Mayer; Shelton (3)

Immediately following the monthly Loft Board meeting the Loft Board held a Public Hearing on 29 RCNY sections 1-06.1, 2-01; 2-01.1; 2-02; 2-03; 2-05; 2-08; 2-11.1; and 2-12. After testimony, the Loft Board agreed to hold further discussion and possible vote on the rules at the June 20, 2013 meeting.

Chairperson LiMandri concluded the May 16, 2013 Loft Board public meeting at 2:30 pm and thanked everyone for attending. The next public meeting will be held at Spector Hall, 22 Reade Street, on Thursday, June 20, 2013 at 1:00 p.m.