

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

March 17, 2016

The meeting began at 2:11 p.m. The attendees were Robert Carver, Owners' Representative; Elliott Barowitz, Public Member; Joseph Gregory, Fire Department Representative; Chairperson Alexandra Fisher; Chuck Delaney, Tenants' Representative; and Daniel Schachter, Public Member.

INTRODUCTION

Chairperson Fisher welcomed those present to the March 17, 2016 public meeting of the New York City Loft Board.

VOTE ON FEBRUARY 18, 2016 MINUTES

Mr. Delaney commented that the February 18, 2016 meeting minutes were lacking in that the minutes did not report some of the points raised by the Board members. **Chairperson Fisher** expressed to **Mr. Delaney** that the minutes should not reflect every word of the discussion. **Mr. Delaney** stated that he understood that, but suggested that when there is a specific idea raised by one of the Board members, it should be noted in the meeting minutes. **Ms. Alexander** stated that every important point raised during the meeting was on the video recording, which is posted on the internet. The minutes reflect the issue that was discussed and the link to the video permits anyone who wishes to view the entire conversation.

Motion: Mr. Delaney moved to have the February 18, 2016 meeting minutes amended. Mr. Barowitz seconded the motion.

Members Concurring: Mr. Barowitz, Mr. Delaney, Mr. Schachter (3).

Members Dissenting: Mr. Gregory; Chairperson Fisher (2).

Members Abstaining: Mr. Carver (1).

Members Absent: Ms. Bolden-Rivera, Ms. Shelton (2).

MOTION DID NOT PASS. THE FEBRUARY 18, 2016 MINUTES AS THEY ARE WRITTEN WILL BE RE-VISITED IN THE APRIL 2016 BOARD MEETING.

REPORT OF THE EXECUTIVE DIRECTOR

There was no report by the Executive Director. However, **Mr. Delaney** requested more information regarding the notice that the Loft Board staff sent out to all interim multiple dwelling ("IMD") owners, attorneys and architects regarding the use of illegal direct vent heaters in residential units.

Ms. Alexander said that she had spoken about the heater issue with several people at Department of Buildings ("DOB"). She was informed that if DOB inspects the heating and finds a direct vent heater, it will either have the gas capped or in some instances vacate the building. Thus, the best way for the Loft Board to balance the concerns for safety of the tenants, while at the same time not acting in a way that would displace the tenants, was to ask the owners of all IMD buildings owners to determine if the IMD units in their buildings are using direct vent heaters; and where an owner finds these direct vent heaters are being used, install carbon monoxide detectors that are hard-wired onto the heaters so that the heater will switch off when carbon monoxide is present and have a licensed plumber come and inspect, and if necessary, repair the gas lines.

Ms. Alexander stated that she had conversations with owners of IMD buildings, attorneys and architects about possible solutions and asked them to expedite the changing of these heaters. **Ms. Alexander** also informed the Board members and the public that a copy of this notice has been posted on the Loft Board's website.

Mr. Delaney asked if there is a specific piece of equipment that does what the Loft Board has suggested. **Ms. Alexander** stated that the Loft Board cannot recommend a specific piece of equipment.

Mr. Barowitz asked whether this gas issue is Con Ed business. **Ms. Alexander** stated that it is DOB who calls the gas company, and if the gas company does not come, then DOB will vacate the building. **Ms. Alexander** also reminded everyone that it is not just a heat issue, as it also involves hot water and the ability to cook.

Mr. Barowitz observed that if these heaters are allowed in commercial spaces, how bad could they be? **Ms. Alexander** responded that these heaters are allowed in commercial spaces because they have been installed properly and are used in open areas. They are dangerous in a residential setting because the spaces are smaller with definitive boundaries which completely surrounds the heater and there is nowhere for the carbon monoxide to go.

Ms. Alexander again mentioned that these carbon monoxide detectors are only an "interim" solution and that these heaters will be removed during the legalization process.

Mr. Schachter asked what will the Loft Board do in cases where the owner of the IMD has done nothing and the tenant is forced to notify the Loft Board. **Ms. Alexander** stated that the Loft Board staff will handle it on a case by case basis.

DISCUSSION AND VOTE ON APPEAL/RECONSIDERATION CALENDAR CASES

1.	K&C II LLC	235-241 Berry Street, Brooklyn	AD-0078
----	------------	--------------------------------	---------

Motion: Mr. Schachter moved to accept the proposed order. Mr. Gregory seconded the motion.

Members Concurring: Mr. Carver, Mr. Barowitz, Mr. Gregory, Chairperson Fisher, Mr. Delaney, Mr. Schachter (6).

Members Absent: Ms. Bolden-Rivera, Ms. Shelton (2).

2.	Muriel Gould	247-249 West 16 Street	R-0343
----	--------------	------------------------	--------

Motion: Mr. Gregory moved to accept the proposed order. Mr. Schachter seconded the motion.

Members Concurring: Mr. Carver, Mr. Barowitz, Mr. Gregory, Chairperson Fisher, Mr. Delaney, Mr. Schachter (6).

Members Absent: Ms. Bolden-Rivera, Ms. Shelton (2).

3.	Jerrold Lerner and Jaye Nydick	247-249 West 16 Street	R-0344
----	--------------------------------	------------------------	--------

Motion: Mr. Schachter moved to accept the proposed order. Mr. Gregory seconded the motion.

Members Concurring: Mr. Carver, Mr. Barowitz, Mr. Gregory, Chairperson Fisher, Mr. Schachter (5).

Members Dissenting: Mr. Delaney (1).

Members Absent: Ms. Bolden-Rivera, Ms. Shelton (2).

DISCUSSION AND VOTE ON SUMMARY CALENDAR CASES

4.	Cortnie Loren Miller	57 Thames Street, Brooklyn	PO-0005
5.	Greg Boustead and Katharina Poblitzki	57 Thames Street, Brooklyn	PO-0019
6.	Nathaniel Ward	250 Moore Street, Brooklyn	TA-0214
7.	Ethel Kambourian and Mary Grossman	35 West 19 Street	TH-0198
8.	Gregory Kitchen	34 West 28 Street	TH-0201
9.	Octavio Molina, Doreen Gallo and Gayle Marriner-Smith	177 Water Street, Brooklyn	TM-0079
10.	Alon Cohen and Patrice Lerochereuil David Hocs, Rebecca Michaels, Kevin Wellech, Andrew Lee, David Brooks, Vanessa Wruble, Charlotte Glynn, Anne Libby, Peter Wilson and Kevin Zucker, Lisa Beckner, Stephen Siegrest, Ulalume Zavala, Pieter Woudt, Paul Bastin, Poonam Kahanna-Bastin and Moira Tierney	57 Jay Street, Brooklyn	TM-0081 TM-0083 TM-0084
11.	Paz Rental LLC	57 Thames Street, Brooklyn	TR-1210
12.	Anabel Murillo, Adam Harvey and Davy Woodward	107-109 North First Street, Brooklyn	TR-1249

Motion: Mr. Barowitz moved to accept the proposed orders. Mr. Carver seconded the motion.

Members Concurring: Mr. Carver, Mr. Barowitz, Mr. Gregory, Chairperson Fisher, Mr. Delaney, Mr. Schachter (6).

Members Absent: Ms. Bolden-Rivera, Ms. Shelton (2).

DISCUSSION AND VOTE ON MASTER CALENDAR CASE

13.	141 Spencer Street LLC	141 Spencer Street, Brooklyn	LS-0231
-----	------------------------	------------------------------	---------

Motion: Mr. Delaney moved to accept the proposed order. Mr. Gregory seconded the motion.

Members Concurring: Mr. Carver, Mr. Barowitz, Mr. Gregory, Chairperson Fisher, Mr. Delaney, Mr. Schachter (6).

Members Absent: Ms. Bolden-Rivera, Ms. Shelton (2).

Chairperson Fisher concluded the March 17, 2016 Loft Board public meeting at 2:50 pm and thanked everyone for attending. The Loft Board will hold its next public meeting at Spector Hall, 22 Reade Street, on April 21, 2016 at 2 p.m.