



Hearing before the City Council Committee on Mental Health, Developmental Disability, Alcoholism, Substance Abuse and Disability Services  
Intros 0881-2015, 0882-2015, & 0883-2015  
October 22, 2015

Testimony by: Robert Piccolo, 1st Deputy Commissioner, Mayor's Office for People with Disabilities

Good afternoon, I am Robert Piccolo, 1st Deputy Commissioner, Mayor's Office for People with Disabilities.

To begin, I would like to say that MOPD supports the principals in all three of the bills before us today and shares the Council's goal of improving access to public meetings for people with disabilities and providing ADA Coordinators in City agencies.

As you are aware, the Mayor's Office for People with Disabilities (MOPD), in operation since 1972, works to ensure that New Yorkers with disabilities can lead happy, healthy and productive lives. The MOPD staff work hand-in-hand with other City offices and over 50 agencies to ensure that the voice of the disabled community is represented and that City programs and policies address the needs of people with disabilities. The Office provides information on accessible programs, accessible transportation, employment, health services, activities and other resources to the over 800,000 New Yorkers with disabilities. In addition, the Mayor's Office for People with Disabilities works with organizations on specific issues affecting people with disabilities, and aims to bring about dialogue that leads to meaningful outcomes for those living with disabilities. The dedicated staff of the Mayor's Office for People with Disabilities works hard every day to make New York City the most accessible city in the world.

Let me start off by saying that we appreciate your constant partnership in advocating for those with disabilities. These bills represent steps to ensure that all New Yorkers, regardless of any disability, have the opportunity to take part in the civic life of the City. We look forward to our continued partnership on making this a reality

I would like to take the opportunity to comment on each of the proposed bills.

First, Intro 881, a Local Law to amend the administrative code of the city of New York in relation to designating ADA coordinators within agencies. MOPD supports the designation of ADA Coordinator positions in key city agencies to work closely with MOPD and act as liaisons to New Yorkers with disabilities, creating easy access points for New Yorkers with disabilities to obtain information, services, and assistance.

As you may know, prior to being appointed Commissioner of MOPD, Commissioner Calise was the first ADA Accessibility Coordinator at NYC Department of Parks and Recreation. Thus, working with the various agencies to identify coordinators is currently an MOPD initiative. In addition to the Department of Parks, the Department of Transportation and the Human Resources Administration have hired full time ADA Coordinators. MOPD is currently working with other agencies that are in the process of designating ADA Coordinator positions, including but not limited to the Department of Buildings, Taxi and Limousine Commission, and Department of Design and Construction.

Intro 882, a Local Law to amend the administrative code of the city of New York in relation to requiring that all public meetings and hearings be held in a facility equipped with assistive listening systems, where possible in the form of induction loop assistive listening systems. Currently, public entities conducting public meetings and hearings reasonably accommodate the needs of individuals with disabilities and to "take appropriate steps to ensure" that communications with people with disabilities are as effective as communications with others. This can include providing assistive listening systems and interpreter services. However, by requiring that facilities be equipped with a permanently installed induction loop system unless a waiver is granted, Intro 882 would commit the City to large investments in this particular technology even though other technologies may be more practicable for certain circumstances and better technologies may become available in the future. The bill provides for a waiver process that will become burdensome on our office or another agency the Mayor would designate. The bill's standard for granting a waiver is "extreme hardship," which is higher than the "undue hardship" standard established by the Americans with Disabilities Act and our own Human Rights Law.

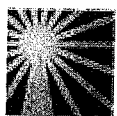
Another element to consider is that a significant number of public meetings take place in spaces that are leased by the City. One option might be to require that landlords allow for the installation of such systems where appropriate. We would of course need to determine the cost of such installations and who would bear that



cost. Finally, the reporting requirement is problematic as it requires reporting for both public and private entities on the details of the various types of devices installed, justification for the device that was installed, and yearly costs for all devices installed in public and private facilities. This information may not be readily available from private entities.

Intro 883, a Local Law to amend the administrative code of the city of New York in relation to advertising and other materials pertaining to certain public events to include information regarding accessibility for people with disabilities. We support this initiative as it reinforces the provisions of the Americans with Disabilities Act. We believe that the retroactive application to organizations or business that received funding from the city of New York for the prior two years to be impractical as it would require identifying entities that are no longer receiving funds. Rather, we would like to see the provisions be applied to organizations or business receiving funding from the city of New York going forward. This will allow the city agencies providing the funding to include the notice requirements in the funding documents. Also, we believe that the notice requirements may be better addressed by requiring the various symbols of accessibility be placed at the bottom of notices along with a name and telephone number for additional accessibility information.

We believe that these concerns can be addressed with appropriate revisions to the bills and welcome the opportunity to discuss the bills further with the Council. I will be happy to answer your questions at this time.



**LIGHTHOUSE  
GUILD**

Vision + Health

**New York City Council Committee on Mental Health, Developmental  
Disability, Alcoholism, Substance Abuse & Disability Services'  
October 22, 2015**

My name is Lester Marks, Director of Government Affairs and Administration at Lighthouse Guild. Lighthouse Guild provides a full spectrum of integrated vision + healthcare services helping people who are blind or visually impaired, including those with multiple disabilities or chronic medical conditions lead productive, dignified and fulfilling lives. I am here to support the full slate of bills being considered before you today. It is imperative that every step is taken to ensure that a person with a disability can fully participate and interact with their government. These bills acknowledge the need to ensure full access and will hopefully lead to a more open and inclusive government.

First, allow me to address Intro 881. This is a very important step forward. Every agency should have an individual designated to ensure compliance with the ADA, and I applaud the sponsors for their commitment to this goal. I do think, however, that there are several provisions that

could be added to this bill that will strengthen the role of the coordinator within the agency, and city government as a whole.

In order to ensure there is an equal understanding and commitment from agency to agency, the designated coordinators, must, by law, be required to gain certification by one of the several national or regional ADA certifying organizations. Doing so will provide uniformed equity of ADA understanding from agency to agency and ensure full compliance with the letter and spirit of the ADA. Not requiring a baseline credential or qualification will result in a disparity of ADA knowledge from agency to agency that could lead to inconsistent implementation of ADA requirements.

This role must be more than just reactionary. The individual designated coordinator within the agency must take proactive steps to ensure compliance with the ADA. In order to understand the practices of the agency the individual should be required to conduct an annual agency wide assessment to ensure compliance with the ADA. This assessment should focus on items such as, but not limited to, accessibility of materials such as forms and computer programs used by the public, standards for accessibility of materials for presentations, venues for meetings, workplace accommodations and recruitment efforts. This report should also include

actions that will be taken to ensure compliance in the area where a deficiency is identified. As it is currently written the roles and responsibilities of the ADA coordinator are vague. When left open for interpretation, the lack of specificity will result in some agencies doing more and others doing less and members of the public will not have a uniformed experience when dealing with city government, as it relates to the ADA.

As related to Introduction 883, we support the effort to require advertising and other materials pertaining to certain public events include information regarding accessibility for people with disabilities. Material used at the event, whether a PowerPoint, handout, etc, should be made available to someone who is blind or visually impaired prior to the event. Such availability should be advertised on the flyer, along with the appropriate method of requesting such information. Providing material such as presentations and other printed material prior to the event, will allow the individual to use their assistive technology device or software to review the material prior to the meeting, or during the event, and will ensure full and active participation in the event.

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Thank you for your time and continued work on behalf of people who are blind or visually impaired.

**Contact:**

**Lester Marks, MPA**  
**Director of Government Affairs and Administration**  
**LIGHTHOUSE GUILD**  
**Vision + Health**  
**P: 212-769-6265**  
**[lmarks@lighthouseguild.org](mailto:lmarks@lighthouseguild.org)**



**CIDNY**

841 Broadway #301  
New York, NY 10003

212/674-2300 Tel  
212/674-5619 TTY

212/254-5953 Fax  
www.CIDNY.org

**CIDNY-Queens**  
137-02A Northern Blvd.  
Flushing, NY 11354

646/442-1520 Tel  
718/886-0427 TTY

718/886-0428 Fax  
www.CIDNY.org

**Center for Independence of the Disabled, NY**

October 21, 2014

New York City's Council:  
Committee on Mental Health, Developmental Disability, Alcoholism, Substance Use, and  
Disability Services

RE: A Local Law to amend the administrative code of the City of New York:

1. Requiring permanent induction loops by 2020 in places which any city agency holds meetings or hearings that is required to be open to the public;
2. Requiring advertisements and other materials pertaining to certain public events to include information regarding accessibility for people with disabilities; and
3. Requiring a designated an ADA coordinator in each agency.

Lourdes I. Rosa-Carrasquillo, Esq.  
Director of Advocacy



A United Way Agency

I would like to thank the Committee on Mental Health, Developmental Disability, Alcoholism, Substance Use, and Disability Services for allowing me to testify.

It's very exciting to see that the City Council is providing people with disabilities the protections mandated under the Americans with Disabilities Act (ADA) through City Regulations.

Let me begin by discussing CIDNY's stance on the requirement that city agencies use venues that have inductive loops for meetings or hearings. CIDNY is very supportive of induction loops. We have a few staff, as well as consumers, who use hearing aids and we are installing induction loops this year in our offices in order to make all our meetings, workshops and other events fully accessible to everyone. So requiring city agencies to have meetings in spaces that have permanent induction loops by 2020 is more than reasonable and allows ample time.

CIDNY is concerned about the Mayor's Office for People with Disabilities' authority over approving waivers for this regulation. What standards will MOPD set to determine waivers? Who will be setting the standards for MOPD? Will they use ADA standards – undue burden – that would allow for a waiver? It is unclear why any city agency should receive waivers and be able to hold public hearings or meetings in places that do not have permanent induction loops. If it means that they can only hold meetings in specific places that are accessible in other ways but that may charge a fee, it should be allotted for in the agency's budget. Alternately, given possible fees for meeting space, it seems logical that the city should pay for induction loops in designated meeting spaces for each agency.

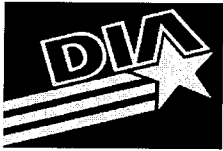
CIDNY applauds the amendment of Int. 0883-2015, which requires advertising and other materials pertaining to certain public events to include information regarding accessibility for people with disabilities. CIDNY has heard from consumers that often they go to an event and because they are not informed about accessible entrances to the building, have difficulty entering. Consumers who are Deaf and who have no information on how to request interpreters find they are unable to communicate at City meetings because there are no ASL interpreters.

Finally, Int. 0881-2015 – the designation of an employee as a coordinator in every City agency to interact with the public about concerns related to the ADA and the agency. CIDNY supports this mandate and encourages all employees in this position to be versed in the New York City and New York State's Human Rights Law, which also offer protections to people with disabilities.

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For more than 35 years, CIDNY has provided assistance to people with all kinds of disabilities, most of whom live independently in the community. We are part of the Independent Living Centers movement – a national network of grassroots, community-based, cross disability organizations that enhance opportunities for people with disabilities to direct their own lives. In 2014, CIDNY provided assistance and resources to over 15,000 New Yorkers with disabilities, their families and service providers.

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**Disabled In Action of Metropolitan New York, Inc.**  
POB 30954, Port Authority Station, New York, NY 10011-0109

**Committee on Mental Health, Developmental Disability, Alcoholism, Substance Abuse and Disability**  
**October 22, 2015**

Int No. 881 Require every City agency to designate an employee as their coordinator to interact with the public about concerns related to Americans with Disabilities Act and that agency.

Int. No. 883 Require advertising and other materials pertaining to certain public events to include information regarding accessibility for people with disabilities.

Int. No. 882 Amend the administrative code to require all public meetings and hearings be held in facilities equipped with assistive listening systems, where possible in the form of induction loops, and requiring an annual report relating to assistive listening systems.

My name is Edith Prentiss; I am President of the 504 Democratic Club, Vice President for Legislative Affairs of Disabled in Action of Metropolitan New York (DIA), Chair of the Taxis For All Campaign (TFAC), and a member of the Disabilities Network of New York City (DNNYC) Board.

I support all three bills but with the following reservations:

Int 881:

- in 1992, after the Americans with Disabilities Act (ADA) was enacted, Mayor Dinkins required City Agencies to designate ADA Coordinators. The responsibility was usually given to the Equal Employment Opportunity office and responsibility for employment issues including accommodation requests. The present bill fails to explain the criteria for an ADA Coordinator. I assume the individual would have an employment or academic background in disability with a working knowledge of the ADA and accessibility tasks would be the bulk of their responsibility. Being a person with a disability should not be the sole criteria.
- But what are an ADA Coordinator's job responsibilities? Are they the liaison to the disability community? Are they responsible to ensure venues are accessible? Will they review all event publicity material released by the agency? Are they responsible to remind other worker that inclusion and diversity are the byword? If an Agency funds a community event, is it the funding agency or the host agency responsible for ensuring accessibility?

Int 882:

- As presently written, the publicity material would require accessibility icons and contact information only for certain events. Which events?



- For years, I have asked elected to include accessibility icons when they publicize events in their newsletter. Universally, I hear what a great idea that is, but have you ever seen it even in your own literature? I believe the responsibility should be the host agency. But that does require you take responsibility for ensuring the event and venue are accessible. Unfortunately, I often speak to organizer who either haven't seen the venue or know nothing about accessibility.
- For over 12 years there has been an annual series of art events in Washington Heights / Inwood known as the Art Stroll. City agencies, local businesses, non-profit agencies and elected contribute. The group that has taken over the Art Stroll is resistant to annotating the program or other material with accessibility icons. I'm not demanding full access, I want to be able to know what is or isn't accessible without having to contact each venue.
- The 504 Democratic Club candidates' questionnaire includes a question asking the candidate if they will attend inaccessible communities meetings. We typically hear that as an elected they must meet with all constituents regardless of the lack of venue accessibility. Others blithely say they will not attend inaccessible meeting but when they come back to be interviewed for their next campaign they defend attending inaccessible events.
- I would hate to see this Int. become a no access disclaimer. I'm excited about the implications of this bill if it covered all City events. I assume it would include events funded by City Agencies and elected. . Recently, DoT recently hosted a community meeting about the Harlem River bridges at a local community center. Not only were there more than 6 steps but there was a second set of doors so I could not notify anyone I was trying to attend the meeting, if I had been alone what could I do? I would have been left sitting on the sidewalk. It turns out there was an accessible entrance, therefore the Community Center was in violation of the City law requiring a notice of an alternative access to be posted at an inaccessible main entry.

Int 883: As presently written, it only requires venues to have an assistive listening system. I believe the bill should rather require all public meeting should be fully accessible. A fully accessible venue would include assistive listening system.

Thank you for the opportunity to testify.

# DISABLED IN ACTION OF METROPOLITAN NEW YORK



Post Office Box 30954, Port Authority Station  
New York, NY 10011-0109 TEL/FAX 718-261-3737  
[www.disabledinaction.org](http://www.disabledinaction.org)

## **Testimony on 3 Intro Bills regarding Disability Access in and by City Agencies October 22, 2015**

**Intro 0881-2015** – It is a good idea to have a disability coordinator, but the coordinator must be knowledgeable in disability issues, the ADA and NYC Human Rights Laws, and must have original training and ongoing training in these areas. It is not good enough to add this job to other duties that a person might have. This job should be a job on its own for each city agency, and most likely needs more than one person for some agencies. The person holding the job should have their names, phone numbers, and email address (contact information) on the agency's website as well as on the MOPD site.

**Intro 0882 – 2015** – The start date for this bill to have permanent hearing loops installed in meeting and hearing rooms should be moved to 2018 at the very latest. While hearing loops are without a doubt necessary, so is wheelchair accessibility. We are certainly not going to be able to hear if we are outside the building and unable to get in! Wheelchair accessibility and materials in large print should be available as a matter of course, and materials in Braille or audio or electronic format should also be readily available if requested.

In Bay Ridge, Brooklyn, I have been invited to many meetings that City agencies are part of, and yet I or anyone else who uses a wheelchair or some people with other mobility devices cannot get into the building or the room. I suggest that you add to this bill that all meetings that City agencies hold or attend be accessible to people with all kinds of disabilities, not just hearing impairments.

**Intro 0883 – 2015** – This bill is good as far as it goes in requiring that all advertisements and notices for events open to the public hosted by New York City or entities funded by the City include information about accessibility for people with disabilities. It would be even more preferable for the bill to require that the events all be accessible. There are many events which the City funds that are not accessible to people with disabilities, and they should be.

Jean Ryan, VP for Public Affairs, Disabled In Action of Metropolitan NY  
[jryan@disabledinaction.org](mailto:jryan@disabledinaction.org)  
646 77<sup>th</sup> Street  
Brooklyn, NY 11209

# FOR THE RECORD

"Reconnecting People With Hearing Loss  
To Their Community"

Testimony of

JERRY BERGMAN

President, Hearing Loss Association of New York State  
Founder and President, Hearing Accommodation Task Force of New York  
Member, Hearing Loss Association of New York City

In Re

Int 0881, 0882 and 0883

Before the

Committee on Mental Health, Developmental Disability,  
Alcoholism, Substance Abuse and Disability Services

New York City Council

October 22, 2015

GOOD AFTERNOON. MY NAME IS JERRY BERGMAN. I THANK MY COUNCIL MEMBER, HELEN ROSENTHAL, FOR HER VISION, FORESIGHT AND UNDERSTANDING IN INTRODUCING THE THREE BILLS BEFORE THIS COMMITTEE... COUNCIL MEMBER COHEN FOR SCHEDULING THIS HEARING... AND THE FIVE COUNCIL MEMBERS, THUS FAR, FOR THEIR CO-SPONSORSHIP.

I HOPE THIS HEARING WILL DEMONSTRATE WHY AND HOW THESE BILLS WILL OPEN CITY GOVERNMENT TO RESIDENTS WITH DISABILITIES.

WITH THESE REMARKS, I AM SUBMITTING WRITTEN COMMENTS, ATTACHED, TO HELP STRENGTHEN SPECIFICS IN EACH BILL.

I GRADUALLY BEGAN TO LOSE HEARING A DECADE AGO. I HAVE SEVERE-PROFOUND HEARING LOSS. I DEPEND ON A HEARING AID AND A COCHLEAR IMPLANT TO COMMUNICATE WITH THE WORLD AROUND ME.

NOT ALL PEOPLE HAVE HEARING LOSS AS SEVERE AS MINE. HOWEVER, AN ESTIMATED 48 MILLION AMERICANS – ONE IN FIVE – HAVE MEASURABLE HEARING LOSS (Lin, Johns-Hopkins, 11/14/2011).

65 PERCENT OF THESE PEOPLE ARE UNDER AGE 65. HOWEVER, ABOUT ONE OF EVERY THREE ADULTS OVER 65 HAS HEARING LOSS. THE NUMBER JUMPS TO ONE OF EVERY TWO OVER AGE 75.

HEARING LOSS THUS HAS A DISPROPORTIONATE IMPACT ON OLDER CITIZENS. THAT IS BECAUSE THOSE WITH HEARING LOSS ARE

MORE LIKELY TO HAVE COMMUNICATION DIFFICULTIES, BECOME SOCIALLY ISOLATED, AND HAVE MENTAL AND PHYSICAL HEALTH PROBLEMS. AND A GROWING BODY OF RESEARCH SHOWS AN ASSOCIATION BETWEEN HEARING LOSS AND DEMENTIA.

HEARING LOSS WAS ACKNOWLEDGED AS A DISABILITY WITH PASSAGE IN 1990 OF THE AMERICANS WITH DISABILITIES ACT. THE ADA GAVE US THE RIGHT TO “EFFECTIVE COMMUNICATION” – BUT WITHOUT ENFORCEMENT. WHEN IT COMES TO ACCESSIBILITY, THE LAW IS COMPLAINT DRIVEN. AND IT DOESN'T SPECIFY THE TECHNOLOGY WE ARE OFFERED.

ALSO, IT IS OFTEN FUTILE TO REQUEST ACCOMMODATION FOR SPECIFIC MEETINGS OR EVENTS. PARTIES IN CHARGE OFTEN KNOW LITTLE OR NOTHING ABOUT HEARING ACCOMMODATION – AND THEN ONLY IF THEY CAN BE REACHED IN TIME. INT 883 AND 881 WILL HELP REMEDY THIS PROBLEM.

BUT HERE'S WHY INT 882 IS SO IMPORTANT: MOST INFRARED OR FM ASSISTIVE LISTENING SYSTEMS, ALTHOUGH THEY MEET ADA REQUIREMENTS, DO NOT ENABLE MANY OF US TO UNDERSTAND SPEECH. AS A RESULT:

- I CAN'T SERVE JURY DUTY.
- I CAN'T ATTEND GOVERNMENT EVENTS, SUCH AS TOWN HALL MEETINGS, OR POLITICAL CANDIDATE DEBATES.
- AND I CAN'T GO TO LECTURES, TO GIVE JUST THREE EXAMPLES.

INT 882 WILL CHANGE THE STATUS QUO IN WHICH ONLY SOME CAN HEAR, TO SOME DEGREE, SOME OF THE TIME, IN SOME SITUATIONS.

EVERYONE'S HEARING LOSS IS DIFFERENT. HEARING ACCESSIBILITY IS NOT AS STRAIGHTFORWARD AS RAMPS AND LIFTS FOR WHEELCHAIRS. C-A-R-T TRANSCRIPTION OR SIGN LANGUAGE INTERPRETERS ARE CHIEFLY FOR PEOPLE WITH DEAFNESS, COSTLY, AND MUST BE REQUESTED FOR EVERY OCCASION.

THE ONE ASSISTIVE TECHNOLOGY THAT IS EFFECTIVE FOR MOST PEOPLE WITH HEARING LOSS IS THE HEARING INDUCTION LOOP SYSTEM.

- ONCE INSTALLED, LOOPS MAKE VENUES PERMANENTLY HEARING ACCESSIBLE.
- THEY CAN BE INSTALLED IN THE LARGEST OPERA OR CONCERT HALLS AND THE SMALLEST CONFERENCE ROOMS.
- THEY ENABLE NEARLY ALL PEOPLE WITH HEARING AIDS AND COCHLEAR IMPLANTS WITH TELECOILS TO HEAR – WIRELESSLY AND ANONYMOUSLY – AT THE PUSH OF A BUTTON ON THEIR DEVICES.
- THEY ENABLE THOSE WITHOUT T-COILS AND THOSE WHO DON'T WEAR HEARING DEVICES TO HEAR VIA RECEIVERS AND EAR PHONES OR CLIPS.

PROPERLY INSTALLED HEARING LOOPS DELIVER SOUND FAR SUPERIOR TO BOTH INFRARED AND FM. IT IS AS IF OUR HEARING AID MICROPHONES ARE RIGHT THERE ON THE SPEAKER'S PODIUM OR ATTACHED TO THEIR MICROPHONES.

IN CONTRAST TO OUR COUNTRY, COUNTRIES IN WESTERN EUROPE HAVE FEATURED HEARING INDUCTION LOOPS IN PUBLIC VENUES FOR DECADES.

IN THE UK, THEY ARE IN LONDON TAXIS, AT AIRPORTS AND THEATRE TICKET BOOTHS, WESTMINSTER ABBEY AND CANTERBURY CATHEDRAL, AND OVER 11,000 POST OFFICES. IT IS HARD TO TRAVEL THROUGH EUROPE WITHOUT SEEING THE BLUE AND WHITE INTERNATIONAL HEARING LOOP SYMBOL. I EVEN SAW THE SIGN AT AN AIRPORT IN MOSCOW.

I HOPE TODAY'S TESTIMONY SHEDS LIGHT ON THE INVISIBLE DISABILITY OF HEARING LOSS AND HOW MORE OF US CAN BE INVITED BACK INTO OUR COMMUNITY.

#### Addenda

- I. Comments In Re Int 881 – page 6
- II. Comments In Re Int 882 – pages 7, 8
- III. Comments In Re Int 883 – pages 9, 10

Addendum I

Comments In Re Int No. 881

October 22, 2015

To Require Nondiscriminatory Access to Services for People With Disabilities

Submitted by Jerry Bergman

*Founder and Chair, Hearing Accommodation Task Force of New York*

*Member, New York City Chapter, Hearing Loss Association of America (HLAA)*

*President, HLAA New York State Association*

Under 8-1202, the responsibilities of the ADA coordinator at each City agency should be referred to “as those under the ADA *and all applicable State and City laws, regulations and case law precedents*, including but not limited to .....”

A deadline should be specified by which date agencies currently lacking a coordinator of services for people with disabilities will have engaged or appointed a person to fill the position.



## Addendum II

Comments In Re Int. No. 882

October 22, 2015

### To Require Assistive Listening Systems, Where Possible In the Form of Hearing Induction Loop Systems

Submitted by Jerry Bergman  
*Founder and Chair, Hearing Accommodation Task Force of New York*  
*Member, New York City Chapter, Hearing Loss Association of America (HLAA)*  
*President, HLAA New York State Association*

1. Scope of the Bill: In 23-801, I am unclear what venues holding meetings or hearings are covered under paragraph d of section 1063 of the charter. How is this different than ADA Title II, which requires the provision of "effective communication" by state and local government services?

I applaud the improvement upon ADA by specifying that such effective communication be provided via permanently installed induction loop systems. All other assistive listening systems deny effective communication to many people with hearing loss, chiefly those with the most severe hearing loss.

The bill should require that induction loops be installed to meet international standard IEC 60118-4, developed under the auspices of the IEC (International Electrotechnical Commission). See the accompanying "*Best Practices in Hearing Loop Procurement*," developed by the Hearing Loss Association of America and published on its website in 2015.

2. Waiver for "A Comparable System": In 23-802 b. 2., a waiver may be granted if "a comparable alternative assistive listening system" will be available.

Currently, only induction loops permanently enable people with t-coil equipped hearing devices (hearing aids and/or cochlear implants) to hear speech with clarity and inconspicuously, i.e., without having to obtain individual receivers and wear headsets and/or neckloops that are often poorly maintained, risk transmission of germs from prior users and frequently fail to function properly.

If you wish to allow another type of access for those with hearing loss (as well as for those with deafness), the bill should specifically allow a waiver for events at which CART will be provided. CART should be encouraged for temporary use until such time as funds are available for installation of induction loops – although induction loops entail only a one-time installation cost, while CART services must be engaged and paid for whenever needed.

3. Accountability Report: 23-803, in 3., requires the listing of facilities having induction loop systems. At the present time, it is safe to assume that most

## Addendum II, continued

venues do not have induction loop systems in place. Therefore, what is the practical purpose of only specifying facilities with induction loop systems, rather than to make such information available to the public via the Internet and published materials?

The report should identify annually those facilities lacking induction loop systems. In this way, efforts can be made to encourage installation of induction loops and progress from year to year can be better measured.

In 5., information regarding “new or additional types of assistive listening systems” and “whether they are reasonable alternatives to induction hearing loops” is to be provided. Because ADA did not specify how “effective communication” is to be delivered, we currently have a society in which facility managers make arbitrary decisions and often choose the least costly alternative, without knowing that the systems they may choose will deny effective communication to many people with hearing loss.

The result is a society in which most public venues are compliant with ADA while those with the most severe hearing loss are unable to receive effective communication. (For example, only four of NYC’s Broadway theaters have installed induction loop systems; the other 36 provide infrared listening devices that fail to deliver speech with clarity to many people with hearing loss.)

If the intent of 5. is to allow a better technology to supersede the requirement for induction loop systems in the future, the provision should require that scientific documentation concerning effectiveness be obtained from experts such as sound engineers and accessibility consultants, manufacturers of hearing assistive equipment and, especially, from representatives of established hearing loss organizations and those with hearing accessibility expertise.

4. In addition: Laws and regulations in the area of disability rights that lack enforcement provisions have only been partially successful. In fact, ADA, while groundbreaking in its scope, is a case in point because it is chiefly a complaint-driven system. Provisions should be included in the bill for oversight and enforcement, with penalties for violations. A complaint process should also be established, especially so that technical adjustments can be made as promptly as possible when induction loop systems fail to function properly.

Induction loop listening systems can be permanently installed in smaller facilities, such as community rooms of senior centers and public housing facilities, in a matter of weeks. Even the largest installations can be looped in a matter of three or four months. While the goal of having all meetings held in looped facilities by January 1, 2020 is laudable, it would be preferable for the bill’s language to state “as soon as possible” and/or provide a schedule or target dates for 50% and 75% compliance in the years preceding 2020. In this way, decision-makers will be more likely to act sooner rather than later.

## Addendum III

Comments In Re Int. No. 883

October 22, 2015

### To Require Specific Accessibility Information in Notices of Public Meetings and Events

Submitted by Jerry Bergman

*Founder and Chair, Hearing Accommodation Task Force of New York*

*Member, New York City Chapter, Hearing Loss Association of America (HLAA)*

*President, HLAA New York State Association*

1. Scope: The word "certain" in the introduction ("pertaining to *certain* public events" and the first sentence under 8-132 ("*certain* events open to the public") weaken the bill and should be removed. 8-132 defines "open to the public" as "any event to which members of the general public are invited... where the capacity of such event is twenty-five persons or more."
2. Materials Covered: Invitations and announcements should be added to the description of materials covered in 8-132 b., as in "All *invitations, announcements, advertisements, posters and other publicity materials...* "
3. Intent: If the purpose of the bill is to complement the companion bill requiring assistive listening systems and make the public aware of the types of accessibility mentioned, words such as "whether" and "whether there will be..." need to be removed.

A statement should be added to 8-132 b. as a preface to the specific types of accessibility listed in items 1-5, to the effect that, "This requirement pertains to all current and future accessibility laws and regulations, including applicable state and city laws and regulations and provisions of the Americans With Disabilities Act."

4. Discrimination in Notices: Moreover, the bill should state, "It is prohibited to state, in any advance invitations or other materials for the public events covered by this law, that that accessibility for a disability covered under the ADA or local law is *not* available." To do so in printed or electronic materials is discriminatory to people with disabilities. The bill instead should require announcements to state, "Not fully accessible," indicate the types of accessibility that will be available and provide a contact person and telephone number to call for more information.

The bill should define "fully accessible" as meaning "accessible to people in wheelchairs via ramps, lifts and/or elevators; to people who are deaf via sign language interpretation and/or CART; and to people with hearing loss via induction loops or CART." Infrared and FM listening systems fail to provide

## Addendum III, continued

hearing accessibility to many with severe hearing loss and should not qualify a venue as fully accessible.

### 5. Assistive Listening Systems:

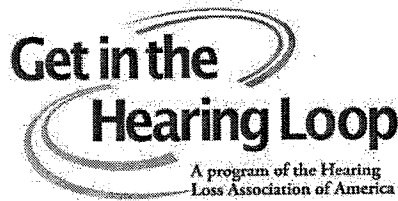
The draft language of 2. Implies that CART and sign language interpretation are only for people who are deaf. It should be rephrased to state: *"Information regarding whether there will be Communication Access Real-Time Translation (CART) at the event for persons who are deaf or have hearing loss, and sign language interpretation at the event for people who are deaf and communicate via sign language."*

To explain the reasoning for the above suggested change: While people with hearing loss should be given access to sound whenever possible, all people with hearing loss who do not also have visual limitations can read CART captions. However, not all those who are deaf or have hearing loss are able to communicate via sign language.

To be consistent with and supportive of the companion assistive listening systems bill, 3. should be rephrased to state that materials shall include: *"Information regarding the availability of an induction loop system for people with hearing loss at the event. If a permanent induction loop system has not yet been installed, a temporary induction loop system or CART transcription service should be utilized and referenced."*

If information is available, the type of listening system (such as infrared or induction loop) that will be available should be stated, along with the equipment available, which must include neckloops for "hearing aid compatibility" as required under the ADA, as well as properly and hygienically maintained receivers, headsets and ear pieces.

6. Non-Discriminatory Language: In 4., the phrase "disabled persons" and in 5., the phrase "disabled people" should not be used. The correct term is "people with disabilities." As President Obama said when he signed Rosa's law, "What you call people is how you define them."



## Best Practices in Hearing Loop Procurement

Hearing Loops are quickly becoming the hearing assistive listening system of choice for bringing clear sound to people with hearing loss. From schools and houses of worship to concert venues, assisted living facilities and municipal buildings, hearing loops are a consumer-preferred solution and the only system that is directly hearing-aid-compatible and will make your facility hearing friendly. This remarkable system will not only bring many of the 48 million Americans with hearing loss back to theaters, houses of worship and community activities, but is also a proven vehicle to build businesses.

Hearing loop systems are used worldwide and most installers follow the international standard IEC 60118-4 as developed under the auspices of the IEC (International Electrotechnical Commission). This standard defines the strength of the magnetic field, frequency response and methods of measuring these requirements. It also specifies the maximum levels for electromagnetic background noise.

Compliance with the IEC standard means a hearing aid user can walk into Westminster Abbey in London, the Gerald Ford Airport in Grand Rapids, Michigan or the Fox Cities Performing Arts Center in Appleton, Wisconsin and hear the sound directly, and at a comfortable level in their hearing aid equipped with a sensor called a telecoil. Loop listener devices are available for those who don't have telecoils or don't use hearing aids.

This checklist is meant to give you guidance in the due diligence process as you procure a hearing loop for your facility by choosing the right installer. In some geographic areas of the country, it might not be possible to find highly experienced installers. It is therefore recommended you choose an installer who has been trained in IEC standard verification, has technical support from the supplier and is legally allowed to carry out the installation in your geographic area.

### **#1. How knowledgeable and committed is the installer to hearing loop technology?**

- Who trained or certified the installer and is the installer available to provide references?

- What design, installation and audio experience does the installer (or the supplier's technical support department) have with the type of building that needs looping?
- Will the installer provide a Certificate of Conformity?
- Does the installer offer information about hearing loops and the IEC standard on their website?
- Does the installer list loop installations on their website or on national websites? If not, why not?

Currently only two companies offer hearing loop certification: Contacta, Inc. and Listen Technologies.

It is recommended that the purchaser insist on the IEC 60118-4 standard hearing loop system. This will not add to the cost of a loop installation but actively guarantees a working system.

Buildings have many variables with regard to design and installation due to many factors including ceilings. Electrical interference due to older, poorly grounded wiring that might not meet the current electrical code could cause ground loops. This in turn causes a buzzing noise that a hearing aid or a loop device user can hear when they turn their telecoil on. This magnetic noise most likely was previously present in your facility but might not have been of concern until now.

Note: If your facility is required to provide an Assistive Listening System (ALS) under the Americans with Disabilities Act (ADA) and magnetic background noise is determined to be of excessive levels during a hearing loop site visit at your facility, be advised that the ADA requires 25 percent of the ALS receivers to be hearing aid telecoil compatible via personal neckloops and therefore magnetic background noise should always be investigated by a licensed electrician, even for the use of FM or Infrared systems.

## **#2. Test Loop On-Site Visit**

Hearing loop systems are venue specific and almost always require an on-site visit ahead of time to provide an accurate estimate of your installation cost. Most thorough site visits take two hours; more involved installations might require more time. Although some designs can be modeled on a computer, computer simulation cannot determine if magnetic background noise is present or what affects metal in your particular building has on the magnetic signal. While a computer design can be a starting point, the loop should never be installed purely based on the simulation. Your installer should be able to explain the on-site test results and what type of loop will be needed in your facility to

meet the IEC standard and what is involved to hide the loop wire aesthetically.

### **#3. Commissioning of the Hearing Loop**

Once the hearing loop is installed, you or someone from the staff will want to personally verify while the installer is still on the premises, that the loop signal is even in the seated area, sounds clear and is free from magnetic background noise. This is done using a loop listening device. This device is usually provided free of charge, or at a nominal fee, with each installation. It is good to invite a couple of experienced hearing aid users or an audiologist when the system is being adjusted to check that their subjective results are consistent with the IEC measurements.

Once the loop is active, it is important to make sure all those who use the sound system (speakers), as well as the end-users of the loop system (listeners), are informed of the working of the hearing loop. Once installed, hearing loops are easy to operate. That's why they are so popular. Make sure that those who provide the audio input, or use the microphones in the venue have a basic understanding that only clearly spoken words directed closely into the microphone provide the signals that the end users need to understand the speech. The loop performance is based and depends on the microphone input.

Find out what areas, if any, are "out of the loop." For example: In many houses of worship aisles, the choir and balconies have none, or a diminished loop signal and you can direct the hearing aid users or loop listeners to the appropriate locations.

Some loop installers offer news releases, bulletin inserts, loop signage and other useful handouts. Many are willing to coordinate a hearing loop commissioning or dedication by working closely with local audiologists, hearing care providers, members of the hearing loss community and members of the Hearing Loss Association of America. And finally, please report your location to one of the national loop locators such as [aldlocator.com](http://aldlocator.com). This way you will be sure to get the most from your investment.

- For information and to learn about loop advocacy initiatives around the country, go to [www.hearingloop.org](http://www.hearingloop.org)
- For consumer information about hearing loss and hearing loss advocacy visit the Hearing Loss Association of America website at <http://www.hearingloss.org/content/get-hearing-loop>
- For additional information contact Juliëtte Sterkens, audiologist and HLAA hearing loop advocate at [jsterkens@new.rr.com](mailto:jsterkens@new.rr.com).

## **Testimony to New York City Council In Support of Bill 882**

Richard Einhorn, composer, hearing loss advocate, and consultant.

October 22, 2015

Thank you. It is an honor to be here. By way of introduction, I have spent my entire life trying to hear better. I am a composer whose music is performed at Lincoln Center, at BAM, and at other major venues in NY City and around the world. I was a record producer and engineer who worked with some of the finest classical artists of our time, including the New York Philharmonic, Glenn Gould, and Yo-Yo Ma. After losing most of my hearing to a virus in 2010, I continue to compose but also became an advocate for better hearing loss technology. I am now on the Board of the Hearing Loss Association of America which, with an unbiased and unceasingly active voice, speaks for the needs of the 48 million Americans with hearing loss.

Ladies and gentleman, trust me: you do not want a hearing loss. It is difficult to describe how hard it is to stay connected to the world if you can't hear what someone is saying and what is going on around you. It is not only an incredibly isolating and frustrating condition, but much more. Put simply, hearing loss is a very serious, and often a major, disability.

For people with hearing loss, it is simply impossible in many situations to understand spoken words. However, public meetings should not and need not be such a situation. And when it comes to our government, people with hearing loss, like all citizens, have a moral and ethical obligation to participate. Furthermore, government has a moral, ethical, and legal obligation to provide people with disabilities - including hearing loss - full access to what is being said, as it's being said.

I speak as someone who is not only familiar with current technology but who also is actively working to advance the state of the art by developing new connectivity standards and technologies in collaboration with major trade associations and startups. There is no simpler, more dignified, or more effective way today to enable people with hearing loss to participate in government meetings than by providing them with access to induction or hearing loops. That is why I support Bill 882 which requires "that all government meetings open to the public be held in a facility equipped with hearing loops by 2020."

Very briefly, hearing loops enable people, with the simple flip of a switch, to have amplified sound "broadcast" directly to their hearing aids and cochlear implants. This enables people to hear the sound far more clearly than over a room's speaker system, where the room's ambience - no matter how quiet - muddies the sound of speech and makes it incoherent for people dealing with hearing loss. For those who do not wear



loop-compatible hearing aids, a simple neck-worn receiver and standard headphones can access the loop's sound.

Yes, there are more advanced wireless technologies than loops on the market today. However, most the current wireless assistive audio technologies I'm aware of are proprietary. That means that they will only connect to Brand X hearing aids and not Brand Y. Since there are numerous brands of hearing aids, a way to broadcast sound directly to all models is badly needed. The only wireless technology that comes close to providing Universal Access is hearing loops. It is the only non-proprietary system out there, and, in fact, it usually is much more reliable than any of the proprietary systems.

By 2020, wireless listening technology will surely be significantly improved. Yet, given what I know about industry plans, Universal Access is a very low priority. Hearing aid manufacturers are locked into a business model that requires their users to use their own company's hardware. While I have reasonable hope that pressure from the consumer electronics industry will change the situation and lead to the adoption of an "open source" wireless connectivity standard that is appropriate for hearing loss, there are, of course, no guarantees. And, given both the conservative nature of hearing device designers, the long lead time required for hardware product development, and the further time needed for new ideas to penetrate the marketplace, it seems to me unlikely that we will see wide deployment of advanced, non-proprietary wireless broadcast tech for assistive listening anytime soon.

Therefore, loops. People with hearing loss must have a way to stay connected to their government. Otherwise, they cannot meet their obligations as citizens. Loops are the best assistive technology for public meetings. Of course, there are no permanent solutions for any serious disability - including hearing loss - so eventually loops will be replaced by a better universal wireless technology. But not for quite a while. Accordingly, it simply makes sense for government to make its meetings available in spaces where loops are installed and properly working. And that is why I support Bill 882.

Thank you very much.

Richard Einhorn  
Einhorn Consulting, LLC  
320 Riverside Dr. #15c  
New York, NY  
10025

917 225 1632 (Mobile)

richardein@mac.com



**Home Office**  
2001 Center Street, Fourth Floor  
Berkeley, CA 94704-1204  
Telephone: (510) 665-8644  
Facsimile: (510) 665-8511  
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*Co-Founder and Supervising Attorney*

October 22, 2015

*Via email and in person*

**Statement of Disability Rights Advocates  
before the  
Committee on Mental Health, Developmental Disability, Alcoholism,  
Substance Abuse and Disability Services of the New York City Council**

Disability Rights Advocates (DRA) is one of the nation's leading nonprofit legal centers for disability rights. DRA's mission is to secure equal rights and opportunities for people with disabilities. Because participation in government is the mainstay of those rights and opportunities, DRA strongly supports passage of Intro 882.

Intro 882 would take an important step towards ensuring that New York City residents with hearing loss have an equal opportunity to participate in the fundamental civic activity of City Council meetings and hearings by mandating induction loop hearing systems in each room where those activities occur. Currently, hearing loss assistive devices such as the hearing aid and the cochlear implant are unable to distinguish between the speech of a meeting participant and the competing background noise. As a result, it is virtually impossible for a person with hearing loss to follow, let alone take active part in these local government activities open to the public. A hearing loop installation would largely remedy this problem by transmitting audio signals from a speaker's microphone directly into the assistive device. What's more, this accommodation can be provided at a reasonably low cost, making the installation of this system a quintessential example of the reasonable accommodation the ADA mandates.

Without induction loop hearing systems, persons with hearing impairments will remain unable to meaningfully participate in public meetings held by the City Council. This exclusion is discriminatory and denies these individuals a basic civil right to take part in processes that are a hallmark of our country's democratic system. DRA urges the Council to immediately act to end that exclusion by voting in favor of the vital remedy proposed in Intro 882. Thank you.



# CCSD

CUNY Coalition for Students with Disabilities

**Roberto Zamora, Treasurer**  
**CUNY Coalition for Students with Disabilities**  
**Testimony at NYC Council Hearing**  
**October 22, 2015**

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Good afternoon Honorable City Council Members. My name is Roberto Zamora. I am very proud to serve as the President of the Student Organization for Disability Awareness SODA Club at Queensborough Community College, as well as the Treasurer of the CUNY Coalition for Students with Disabilities, CCSD, the representative organization of CUNY's more than 9,000 students with disabilities.

CCSD's mission is to improve access and opportunity for students with disabilities in all aspects of University and community life through staunch advocacy and vigorous civic engagement.

CCSD regards our engagement with City government and City agencies as crucial to our ability to promote the full participation of college students with disabilities in all aspects of City life.

For this reason, we strongly endorse the hearing loop legislation introduced by the Honorable Council Member Rosenthal that promotes equal access to hard-of-hearing people attending events and meetings held or sponsored by the City and interacting with City agencies.

Indeed, we regard hearing loops as among the most inclusive and empowering ways to ensure the full participation of CUNY's hard-of-hearing students, and urge the City to appropriate the funding necessary to support the installation of hearing loop systems in City government and meeting facilities by 2020.

Thank you for your consideration of this important issue that affects CUNY hard-of-hearing students.

Jan Carl Park  
Testimony  
Committee on Mental Health, Developmental Disability, Alcoholism, Substance Abuse and Disability Services  
New York City Council  
October 22, 2015

Good Afternoon Council Members:

Thank you for the opportunity to speak to you in support of Int. 881, 882 and 883.

I come to you as a New York City resident living with hearing loss and as an employee of the New York City Department of Health and Mental Hygiene, urging you to make the city more accessible to people with hearing disabilities – especially those with the invisible disability of hearing loss – by co-sponsoring and voting for Int. 881, Int. 882, and Int. 883.

Three years ago, due to a viral infection, I lost all hearing in my right ear and only have partial hearing in my left ear.

Since that time I've learned to live with hearing loss using assisted hearing devices that enhance what limited hearing abilities I have, that is why I am a strong supporter of the use of assisted listening technology such as loop hearing systems as recommended in Int. 881. <sup>2</sup>

I have worked in city government for over 25 years and in the health department since 2003.

I have served under Mayor's Koch, Dinkins, Giuliani, Bloomberg and deBlasio.

I currently serve as the Director of the HIV Health & Human Services Planning Council of New York. A Mayorality-appointed body of 45 members charged with the oversight of \$100 million dollars of federal Ryan White CARE Act funds.

In that capacity I facilitate and attend over 125 public meetings a year.

As an employee with hearing loss I can tell you that public meeting spaces in government facilities, universities, schools (auditoriums, conference rooms, training rooms) even with traditional amplification systems, pose difficult listening conditions for hearing impaired people.

As proposed in Int. 881<sup>2</sup>, the installation of induction loop hearing systems in city facilities will bring an enhanced listening environment to thousands of city employees and members of the public who use these spaces for work, to attend public meetings, take a class for training ~~or~~ <sup>for</sup>. Thank you for considering these pieces of legislation.

My name is Barbara Weinstein and I have been a Professor of Audiology for 40+ years. Upon earning my PhD from Columbia University I joined the faculty as a clinical supervisor and then transitioned to the City University of New York where I am a tenured Professor having served as Founding Executive Office of Health Sciences Doctoral Programs and the Doctor of Audiology Program at the Graduate Center, the flagship of CUNY. I have mentored close to 60 percent of the audiologists working in the New York Metropolitan area and over the years I have had considerable opportunity to engage in research on hearing, its negative effects and efficacy of innovative hearing care solutions. Hearing loss, a silent epidemic, is the most frequent sensory deficit in human populations and is the second leading cause of years living with a disability globally. Hearing loss impacts every facet of life including physician patient communication, fear of falling, cognitive well-being and even increasing risk of death. There is a stigma associated with hearing loss such that most persons with hearing loss do not purchase hearing care solutions and therefore they are unwittingly missing important conversations.

Ironically, the hearing impaired do not know what they are missing so it is often difficult to be an advocate. Further, those with significant hearing loss often avoid going out because of the fatigue, frustration and anxiety associated with not being able to communicate in noisy and reverberant spaces such as large meeting rooms, restaurants, auditoria, etc. These spaces are by definition a nightmare for persons with hearing loss unless they are looped. In fact, a recent report revealed that when asked to rate the performance of their hearing aids, the average response was 4.9 in a room that was not-looped as compared to 8.7 in a looped environment. Hence, loop technology, dubbed a technological godsend by David Myers, has the potential to transform the lives of tens of millions of Americans who want to remain physically active and contribute to society, similar to how wheelchair ramps in taxis, busses and most public spaces assure accessibility. Hearing loop technology is a dignified and cost-efficient way to provide benefits that even the most expensive hearing aids cannot deliver. Loops would eliminate the need to distribute, maintain, and upgrade assistive listening devices which stigmatize persons with hearing loss.

In closing, I would like to remind you of how beautifully Helen Keller summed up sensory deficits - blindness separates people from things; deafness separates people from people." You may also recall reading that hearing nothing, Beethoven had to be turned around to see the tumultuous applause at the premiere of his Ninth Symphony. Passage of Bill 882 requiring that all government meetings open to the public be held in a facility with hearing loops, by 2020, would appropriately communicate to the world that in addition to being the finance, design, and fashion capital of the world, NEW YORK can model for the nation that hearing is NOT a privilege, it is NOT an immunity granted as a peculiar benefit to some people and not to others BUT it is a right.

Thank you,

Barbara E. Weinstein, Ph.D.

Professor and Founding Executive Officer

Graduate Center, CUNY

Ellen Polivy  
531 Main Street apt 1019  
New York, NY 10044  
ELPolivy@gmail.com

Public hearing October 22 on hearing accessibility

I am here to speak to Bill #882 requiring looping in public meetings by 2020.

My name is Ellen Polivy. I am a member of Community Board 8 and an active participant in civic life on Roosevelt Island and around New York City. I have worn hearing aides for the last 30 years, in part because of sound exposure. I am not alone. The National Institute on Deafness and Other Communication Disorders says that 15% of the population has some form of hearing loss. With 8.5 million New Yorkers, this means there are approximately 1,274,000\* people who are being disadvantaged in civic life due to their hearing loss. I would guess this number is far higher here in the City because of our unremitting exposure to loud noise.

Here is my experience. Civic life with hearing loss is difficult and frustrating. I have the top hearing aides with all the bells and whistles. But hearing aides are only good for 10 feet and then the sound degrades. Rooms have varied acoustics, resonance, reflections. By the time the sound hits your ears, it has gotten distorted by the furniture, walls, people and mixed with extraneous other noises. Speaker systems vary in quality with some having mushy unclear sound. Loud speakers are best if you sit right in front of them. But it is usually my best guess where in the room the best sound will be coming from or where the majority of the people speaking will be so I can lip read. By the time the meeting starts, if I haven't guessed correctly, it is usually too late to move to a new seat. For spectators the sound is usually much worse in the audience than around the table. All that maneuvering just to be able to hear. Sometimes, I am around the table or in the front of the room so I am the one who can hear.

But for many people with hearing loss, poor sound systems in the civic environment is the deal breaker for them. They just don't bother to participate. People with hearing loss have as much to contribute as anyone else. Shame on us as a City that in this age of ADA we still are not accommodating a large segment of our population.

Looping gives us that opportunity to rectify this deficit. It is a relatively inexpensive fix. Once a room is looped with a simple induction wire leading to an amplifier, it solves the problem. With looping, sound is broadcast by the wire and clear undistorted sound is received by the telecoil in hearing aides. We can hear just like everyone else because the sound goes through the hearing aide. Headsets can also be used. No more choosing between reading the lips or sitting in front of the loudspeaker. It is time that our city gives all of us the ability to be fully involved.

Respectfully submitted,



\*The US Census bureau give our 2014, NYC population as 8,491,079.

**TESTIMONY FOR THE RECORD**

**Hearing before Committee on Mental Health, Development Disability, Alcoholism,  
Substance Abuse and Disability Services  
October 22, 2015**

My name is Holly Cohen. I am a hearing loss advocate and immediate past President of the Hearing Loss Association of America's New York City Chapter. I am also a New York City resident.

I live with hearing loss, the invisible disability. Despite wearing hearing aids since my 30's, it wasn't until I attended my first HLAA meeting at the New York Public Library's Muhlenberg Branch just 2 1/2 years ago that I experienced using a hearing induction loop for the first time. I did not even know that my latest pair of aids have telecoils which, when activated by a push of a button, allow me to hear the spoken word through my hearing aids. That first time was miraculous. Still is... every time.

Imagine seeing people talking -- and not hearing well enough to follow the conversation... or presentation... or discussion because the words are not clear. Imagine the frustration. Imagine the sadness. Imagine the loss. This is what it's like living with hearing loss. You want to know what's being said but you can't quite make out the words. Using a hearing induction loop, the sound comes through the hearing aid or cochlear implant. The words ARE clear and allow those of us who live with hearing loss to hear every word of the conversation, presentation or discussion. As I said, miraculous.

Since joining HLAA, I've learned (1) that people with hearing loss often aren't aware they have the right to ask for accommodations or understand the types of accommodations available, (2) that they don't know who to ask or how to ask and (3) that hearing induction loops tremendously improve hearing clarity.

With this in mind,

I strongly support Bill 881 that requires an ADA Coordinator be employed at every city agency so that people with hearing loss know WHO to contact

I strongly support Bill 883 so that people with hearing loss will be aware of the types of accommodations available.

And, most importantly, I strongly support Bill 882 -- that would require all government meetings open to the public be held in a facility equipped with hearing induction loops by 2020. This would provide greater access to city government and city life for those of us with hearing loss

I'd like to express my thanks and appreciation to Council Member Helen Rosenthal for introducing the three bills before you and to Committee Chair Cohen for facilitating this meeting. Thank you again for the opportunity to speak today. We trust that this legislation will be adopted.

## Testimony by Janice Schacter Lintz

Hello, my name is Janice Schacter Lintz and I am the CEO of Hearing Access & Innovations (formerly known as the Hearing Access Program), which spearheaded most of the hearing induction loop projects around NYC, including subway information booths, taxis and museums. I am also the mother of a 20-year old daughter who is hard of hearing.

These bills are desperately needed. For the last 13 years, I have personally struggled as an advocate to get this access provided despite the ADA requiring it. Just as the Federal Civil Rights Act needed to be followed up with the Voter's Rights Act, these bills are needed to ensure provision of effective communication. Without them, the burden is shifted to people like me to file complaints and sue.

- Intro 881: ADA Coordinator

Appointing an ADA coordinator is important for making sure that access is provided, and it is critical that a conscious effort be made to appoint someone who is hard of hearing. I would be hard pressed to name a single ADA coordinator who is hard of hearing, since ADA coordinators who have a hearing loss are usually, required to know sign language (ASL). This requirement doesn't exist if the person has a disability other than hearing loss. Since most people with hearing loss are hard of hearing and seldom know ASL, it is absurd to solely make knowledge of sign language a requirement for people with hearing loss. The requirement should either be for everyone or no one. The lack of ADA coordinators who are hard of hearing is one reason why hearing access is often not implemented.

- Intro 883: Information on Disabilities

The bill is excellent but needs the following modifications:

Section 8-132 #2-Persons who are deaf should be changed to persons who are deaf or hard of hearing. CART is not solely used by people who are deaf but by the full spectrum of people with hearing loss.

Section 8-132 #3- should include: "Neck loops must be available if an FM or infrared assistive listening system is provided instead of a hearing induction loop assistive listening system" to ensure that the full needs of the hearing loss



spectrum are met: <https://janiceslintz.files.wordpress.com/2015/05/effectiveaccess.pdf>.

The ADA and technical installation term is “induction loop”. Some lay people use the term, “hearing loop.” The NYC TLC adopted “hearing induction loop” so it is clear to installers and users. Audio loop is never correct. The bill uses the term “induction loops” and not hearing loops. It is critical that the terms are all consistent to avoid confusion.

Section 8-132 #5-Contact information should include an email address for people who cannot use a phone.

- Intro 882: Induction Loop Bill

The hearing induction loop signal strength needs to be mandated. The proposed international ANSI standards should be achieved throughout the room:[https://janiceslintz.files.wordpress.com/2015/10/proposal-7-19-a117-car\\_march-2013-complete-2.pdf](https://janiceslintz.files.wordpress.com/2015/10/proposal-7-19-a117-car_march-2013-complete-2.pdf) This federal legislation is pending but I recommend it be included to ensure the systems installed work. Without it, shoddy contractors will see this as a golden opportunity. They will enter the field and install systems that fail to work. Systems that do not work are not effective access which is also why periodic testing needs to be required. Elevators are routinely tested and so should hearing induction loop systems.

Without a requirement that the full room be looped, some places will only loop part of the room, thus creating a “ghetto.” This is inappropriate. People with hearing loss should not be required to sit in certain sections rather than where they or their friends and family want to sit. Separate but equal is not appropriate for race nor for people with disabilities.

Attached is a more thorough explanation of telecoils that I wrote for the State of NJ and the Hearing Loss Association of America:

<https://janiceslintz.files.wordpress.com/2014/11/telecoil-article-veryfinal-9-12.jpg>

My comments about these bills are minor tweaks. The bills are fantastic and will be transformative for people who are hard of hearing. Thank you for your time.

Janice S. Lintz. CEO, Hearing Access & Innovations, [JaniceSLintz@gmail.com](mailto:JaniceSLintz@gmail.com), 917-975-5642

October 22, 2015

Debra Greif

2245 Ocean Parkway Apt.6E

Brooklyn, N.Y. 11223

347-583-6648 email [debralynnegreif@yahoo.com](mailto:debralynnegreif@yahoo.com)

NYC Council Hearing on Int.883 & Int.881

Good afternoon,

My name is Debra Greif. I am a child of, sister, mother and a person with disabilities. My late mother Bernice Greif had a hidden disability since she was a child. She had a heart condition but never let her "disability" stop her from living. Though she would have love to have society more accessible as well as better educated on what it means to live with a disability. My brother Jay has emotional & mental disabilities. I have emotional and physical disabilities that for the most part hidden. My son Chris has physical and Developmental Disabilities.

I know the quote is from the ADA, but please update to include developmental disabilities as it is not the same as mental illness.

I am in favor of both Intro883& 881. We need to have a truly accessible & educated society in references to NYC residents who have disabilities.

I would like to see Intro 883 & Intro 881 fully introduced into society especially in the entire NYC Schools from preschool to college.

I was on the former Brooklyn Borough President Marty Markowitz 's Advisory Committee on Disability Issues-Public Awareness Subcommittee .With the assistance from the Mayor's Office for People with Disabilities, we put together an educational booklet called What IS YOUR DISABILITY I.Q..

I want to make sure that your ADA coordinator is truly educated on all disabilities and understand the differences for each disabilities.

I want to make the NYC Council aware of something the NYC Department of City Planning for zoning for Housing has asked all 59 Community Boards to vote on the proposed zoning changes. The problem is there is nothing on persons with disabilities and making the buildings truly accessible. Since all NYC Councilmembers appoint members to community boards please ask them to vote this zoning changes down until they address accessibilities as well as persons with disabilities.

I have enclosed a copy of 'What is Your Disabilities IQ", Housing New York, my letter to the Chairperson of CB15, The information the NYC Department of Housing , Zoning for Quality & Affordable Housing.

Thank you,

Debra Greif

**Subject:** Re: City Planning Proposal Memo  
**From:** debra greif (debralynnegreif@yahoo.com)  
**To:** bklcb15@verizon.net;  
**Date:** Wednesday, October 21, 2015 9:27 AM

Good morning Theresa,

I will first give the one part of the presentation I liked. The part I liked was that mixed income families including senior citizens will be on each floor of the apartment building That is the only thing I like.

Otherwise I do not like this zoning proposal changes. Nothing has been discussed on persons with disabilities. Most persons with disabilities have low income being on SSI. There are so many disabled Veterans and senior citizens who need 100%accessible housing too. But the lack of truly accessible housing is almost non existence. There needs to be 100%accessible entrances in all parts of the public area of the building with good lighting. Laundry rooms need to accessible as well as the area to pick up the mail Also the garbage room should be accessible too .The should be Hearing induction loops in the whole building so persons with hearing loss can hear. In all areas of the building there signs should be in large /accessible print, Braille and low vision access. In all the apartments accessible bathrooms , kitchens ,bedrooms, living rooms and windows, doors can be easily opened need to be 100% accessible so anyone who has a disability can live as independently as possible. This includes the garages in the buildings.

We need to make sure in the new proposed zoning law changes that this is put in. Not a small percentage but all units must be 100% ACCESSIBLE It is easier and cheaper to do this before you build the apartment buildings.

Thank you, Debra Greif

**Debra L Greif**

---

**From:** Brooklyn Community Board #15 <bklcb15@verizon.net>  
**To:**  
**Sent:** Tuesday, October 20, 2015 4:49 PM  
**Subject:** City Planning Proposal Memo

Please see attached.

Thank you,

Community Board 15  
718-332-3008

**People with disabilities are allowed to bring their service animals into businesses and organizations that serve the public.**

**TRUE**

Under the American with Disabilities Act (ADA), businesses and organizations that serve the public must allow people with disabilities to bring their service animals into all areas of the facility where customers are normally allowed to go. This federal law applies to all businesses open to the public, including restaurants, hotels, taxis and shuttles, grocery and department stores, hospitals and medical offices, theaters, health clubs, parks, and zoos.

Businesses that sell or prepare food must allow service animals in public areas even if state or local health codes prohibit animals on the premises.

Source: <http://www.ada.gov/svcanimb.htm>

**Service animals are used only for persons with visual impairments.**

**FALSE**

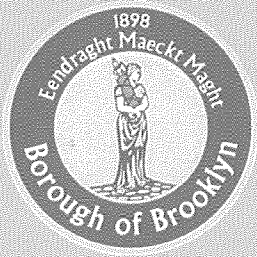
The American with Disabilities Act (ADA) defines service animals as animals that are individually trained to perform tasks for people with disabilities such as guiding people who are visually impaired, **as well as** alerting people who are deaf, pulling wheelchairs, assisting persons with mobility impairments with balance, alerting and protecting a person who is having a seizure, or performing other special tasks. Service animals are working animals, not pets.

Source: <http://www.ada.gov/svcanimb.htm>

Additional information: <http://www.ada.gov/qasrvc.htm>

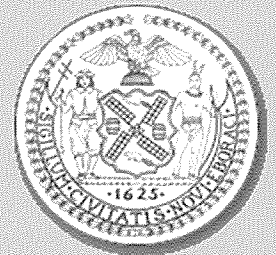
# WHAT IS YOUR DISABILITY IQ?

**An informative guide to  
disabilities awareness**



Prepared by Brooklyn Borough President Marty Markowitz's  
Advisory Committee on Disability Issues-Public Awareness Subcommittee

With assistance from the Mayor's Office for People with Disabilities

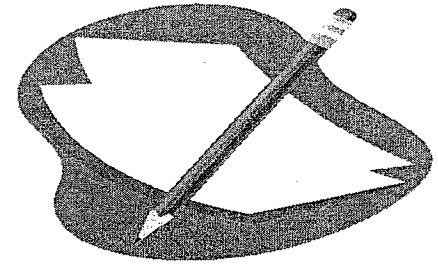


## **Introduction**

On June 26, 1990, President George H.W. Bush signed the Americans with Disabilities Act (ADA) into law. The ADA enables people with disabilities to participate more fully in their communities, compete more effectively for jobs, travel more easily, and gain more complete access to the goods and services that most Americans take for granted.

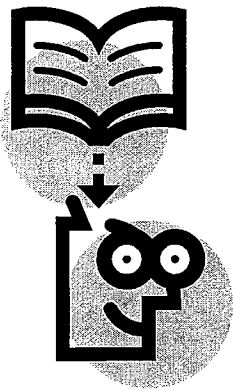
We have come a long way in the past 15 years but we still have a long way to go. This is why the Brooklyn Borough President's Advisory Committee on Disability Issues, Subcommittee on Public Awareness has put together the following quiz and information guide to help educate and increase disabilities awareness. The Borough President's Advisory Committee is composed of consumers, advocates, and representatives of various disability agencies. The goal of this Committee and the "What's Your Disability IQ" quiz is to cultivate greater understanding of the concerns of people with disabilities and foster increased community integration.





# What's your disability IQ?

Take this quiz and find out!



# What's Your Disability IQ?

Indicate **TRUE** or **FALSE** for each statement.

<input type="checkbox"/> <b>TRUE</b> <input type="checkbox"/> <b>FALSE</b>	<b>Brooklyn (Kings County) is the county with the largest population of people with disabilities in New York State who receive benefits.</b>
<input type="checkbox"/> <b>TRUE</b> <input type="checkbox"/> <b>FALSE</b>	<b>It is politically correct to say "He is a disabled person."</b>
<input type="checkbox"/> <b>TRUE</b> <input type="checkbox"/> <b>FALSE</b>	<b>One-Fifth (20%) of the population will have a disability at one point in their life.</b>
<input type="checkbox"/> <b>TRUE</b> <input type="checkbox"/> <b>FALSE</b>	<b>Arthritis is an illness that comes only with aging.</b>
<input type="checkbox"/> <b>TRUE</b> <input type="checkbox"/> <b>FALSE</b>	<b>Federally funded housing programs must set aside housing for people with disabilities.</b>
<input type="checkbox"/> <b>TRUE</b> <input type="checkbox"/> <b>FALSE</b>	<b>You can always tell a person's disability by looking at them.</b>
<input type="checkbox"/> <b>TRUE</b> <input type="checkbox"/> <b>FALSE</b>	<b>A person who is legally blind cannot see at all.</b>
<input type="checkbox"/> <b>TRUE</b> <input type="checkbox"/> <b>FALSE</b>	<b>People with disabilities have a lower rate of employment than people without disabilities.</b>
<input type="checkbox"/> <b>TRUE</b> <input type="checkbox"/> <b>FALSE</b>	<b>People with disabilities have fewer opportunities for exercise and health promotion activities.</b>
<input type="checkbox"/> <b>TRUE</b> <input type="checkbox"/> <b>FALSE</b>	<b>The Americans with Disabilities Act is a civil rights law.</b>
<input type="checkbox"/> <b>TRUE</b> <input type="checkbox"/> <b>FALSE</b>	<b>People who are deaf cannot hear any sounds at all.</b>
<input type="checkbox"/> <b>TRUE</b> <input type="checkbox"/> <b>FALSE</b>	<b>All people who use wheelchairs cannot walk.</b>

# Brooklyn (Kings County) is the county with the largest population of people with disabilities in New York State who receive benefits.

## TRUE

- The number of people in Brooklyn who receive Social Security disability benefits is **114,576**.
- This accounts for **14%** of the people with disabilities in New York State.
- The number of people who receive disability benefits for the five counties in New York City:
  - 114,576 Brooklyn (Kings)
  - 82,465 Bronx
  - 71,509 Manhattan (New York)
  - 69,421 Queens
  - 20,765 Staten Island (Richmond)
- The following disabilities occur most often for people who are receiving benefits:
  1. Psychiatric Disorders (including eating disorders)
  2. Musculoskeletal Injuries
  3. Developmental Disabilities

**It is politically correct to say “He is a disabled person.”**

**FALSE**

Use “People First” language, which emphasizes the person, not the disability. By placing the person first, the disability is no longer the primary, defining characteristic of an individual but one of several aspects of the whole person.

Example: “He is a person with a disability.”

# People First Language

**The following is a short course on using people first language put together by the Public Images Network of Ohio:**

1. Think people first. Say "a woman who has mental retardation" rather than "a mentally retarded woman."
2. Avoid words like "unfortunate," "afflicted," and "victim." Also, try to avoid casting a person with a disability as a superhuman model of courage. People with disabilities are just people, not tragic figures.
3. A developmental disability is not a disease. Do not mention "symptoms," "patients," or "treatment," unless the person you're describing has an illness as well as a disability.

# People First Language (continued)

4. Use common sense. Avoid terms with obvious negative or judgmental connotations, such as "crippled," "deaf and dumb," "lame," and "defective." If you aren't sure how to refer to a person's condition, ask them. And, if the disability is not relevant to your conversation, why mention it at all?
5. Never refer to a person as "confined to a wheelchair." Wheelchairs enable people to escape confinement. A person with a mobility impairment "uses" a wheelchair.
6. Try to describe people without disabilities as "typical" rather than "normal."

Source: <http://www.publicimagesnetwork.org>

Additional information: <http://www.unitedspinal.org/pdf/DisabilityEtiquette.pdf>

**One-Fifth (20%) of the population will have a disability at one point in their life.**

**FALSE**

- The rate of disability varies by age group in New York State:
- 14% or, 1 out of 7 people in the general population (over 5 years of age) has at least one disability.
  - 18.6% of children 5-17 years
  - 10.6% of people 18-64 years
  - 31.0% of people 65-74 years
  - 48.0% of people 75-84
  - 70.4% of people 85 years and older
- Brooklyn has the largest population of seniors in NYC and this age group has the greatest risk of becoming disabled.
- In the US there are 37.5 million people with disabilities (14% of the population age 5 and over)

Source: <http://www.pascenter.org> New York State Disability Data from 2003  
<http://www.census.gov/hhes/www/disability/2003acs.html>



**Arthritis is an illness that comes  
only with aging.**

**FALSE**

- Arthritis is an inflammatory disease of joints, muscles, bones, tendons and ligaments.
- Arthritis can occur at any age.
- Arthritis is the disorder that causes more disability than any other illness.
- There are over 100 different types of arthritis.
  - **Osteoarthritis** is the most common form and occurs in the weight-bearing joints with aging.
  - **Rheumatoid arthritis** generally affects the hands and feet and symptoms include swelling, pain, and joint stiffness.
- What are some of the common risk factors?
  - Obesity, physical inactivity, aging. Arthritis occurs more often in women; people with disabilities are more likely to develop arthritis.

Source: <http://www.arthritis.org>



# **Federally funded housing programs must set aside housing for people with disabilities.**

## **TRUE**

- Section 504 of the Rehabilitation Act of 1973 prohibits discrimination against persons with disabilities in any program or activity receiving federal financial assistance.
- Among the requirements of this act, it requires that a new federally assisted housing development have 5% of the dwelling units, or at least one unit, whichever is greater, be accessible for persons with mobility disabilities. An additional 2% of the dwelling units, or at least one unit, whichever is greater, must be accessible for persons with hearing or visual disabilities.
- An accessible dwelling unit is defined as a unit that is located on an accessible route and can be approached, entered, and used by individuals with physical disabilities.

Source: [www.hud.gov/offices/fheo/disabilities/sect504.cfm](http://www.hud.gov/offices/fheo/disabilities/sect504.cfm)  
[www.usdoj.gov/crt/ada/cguide.htm](http://www.usdoj.gov/crt/ada/cguide.htm)

**You can always tell a person's disability by looking at them.**

**FALSE**

Not all disabilities are visible. There are three main categories of hidden disabilities:

**Chronic Health Problems**

**Psychological Disorders**

**Cognitive/Learning Disabilities**

Source: [www.muhlenberg.edu/ocdp/emplguide/intro.html](http://www.muhlenberg.edu/ocdp/emplguide/intro.html)  
<http://www.umabroad.umn.edu/access/definitions.html>

# Examples of Chronic Health Problems

- AIDS/HIV
- Allergies
- Arthritis
- Back Condition
- Cancer
- Cerebral Palsy
- Chemical/Fragrance Sensitivity
- Chronic Fatigue
- Chronic Pain
- Circulatory Disorders
- Dementia
- Diabetes
- Epilepsy
- Fibromyalgia
- Hearing Loss
- Heart Condition
- Hepatitis
- Lupus
- Lyme Disease
- Migraines
- Multiple Sclerosis
- Muscular Dystrophy
- Myasthenia Gravis
- Parkinson's Disease
- Respiratory Disorders
- Visual Perceptual Deficit

Additional information: <http://www.health.state.ny.us/diseases/chronic/index.htm>

# Examples of Psychological Disorders

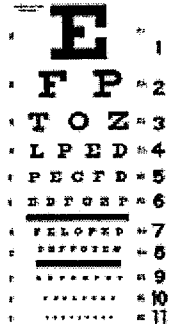
- Anxiety
- Depression
- Post-Traumatic Stress Disorder
- Seasonal Affective Disorder (SAD)
- Schizophrenia
- Phobias-Social and Specific
- Tourette's Syndrome

Additional information: <http://www.omh.state.ny.us/>

# Examples of Cognitive/Learning Disabilities

- Attention Deficit Hyperactivity Disorder (ADHD)
- Attention Deficit Disorder (ADD)
- Autistic Spectrum Disorders
- Central Auditory Processing Disorder (CAPD)
- Developmental Disabilities
- Dyscalculia (math difficulty)
- Dysgraphia (writing difficulty)
- Dyslexia (reading difficulty)
- Motor Planning Difficulties
- Neurologically based learning impairments
- Sensory Integrative Dysfunction
- Specific Learning Disability
- Speech and Language Delays
- Traumatic Brain Injury
- Visual Perceptual Deficit

Additional information: <http://www.omr.state.ny.us> <http://www.ncld.org>  
<http://www.parenttoparentnys.org>

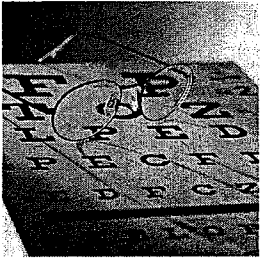


**A person who is legally blind cannot see at all.**

**FALSE**

In the United States a person is considered legally blind when a person is unable to achieve at least 20/200 vision in the best eye even when eyeglasses or contact lenses are worn. This means that a person who is legally blind has to be as close as 20 feet to identify objects that people with normal vision can spot from 200 feet away. The World Health Organization categorizes 20/400 vision as blindness.

Defects or blind spots in the visual field also help determine blindness. In the U.S.A. a person is considered legally blind if he/she can see only 20% or less of the visual field. The World Health Organization considers a person that can see only 10% or less of the visual field as blind.



# Eye Conditions

The following eye conditions if left unchecked may cause blindness. They are:

- **Glaucoma-** Creates a loss of vision: arc-shaped areas, loss of side vision and possibly, night blindness.
- **Diabetic Retinopathy-** Causes blind spots, blurring and peripheral vision loss.
- **Macular Degeneration-** Loss of vision in the center of the eyes.
- **Cataract-** Creates a haziness over the entire field of vision.
- **Retinitis Pigmentosa-** Loss of half of the field of vision.

There is always the possibility a person may experience more than one eye condition at the same time.

**People with disabilities have a lower rate of employment than people without disabilities.**

**TRUE**

People with disabilities who have the potential to work with reasonable accommodations are employed at a rate far lower than people without disabilities.

### Rate of Employment

Men with disabilities: 33%

Men without disabilities: 95.2%

Women with disabilities: 32%

Women without disabilities: 81.3%



# Recommendations to increase employment of people with disabilities from the Department of Labor:

- Improve education and training of people with disabilities.
- More outreach to employers to encourage recruitment of people with disabilities.
- A better understanding of reasonable accommodations.
- Break the attitudinal barrier that prevents employment and integration of people with disabilities in the workplace.
- The most common accommodations that make work possible:
  - 19% Accessible parking or accessible public transit stop nearby
  - 17% An elevator
  - 15% Adaptations to work station
  - 12% Special work arrangements (reduction in hours, job redesign)
  - 10.4% Handrails or ramp

Source: <http://www.dol.gov/odep/pubs/ek01/stats.htm> US Dept. of Labor, Office of Disability Employment Source

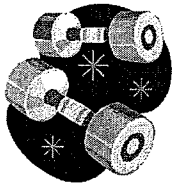
Additional information: <http://www.shcf.ac.uk/~md1djw/HCP-disability/disabilityissues/papers/ddaunibook.pdf>



# People with disabilities have fewer opportunities for exercise and health promotion activities.

## TRUE

- The Center for Disease Control indicates that people with disabilities have higher levels of obesity with lower participation in:
  - Organized health activities, leisure time physical activity, strengthening exercises, activities to maintain flexibility, and health promotion events.
- Healthy People 2010 is a national public health initiative that has goals:
  - To increase the length and improve the quality of life.
  - To increase and to eliminate health care gaps and disparities.
- The most important indicator for health is level of physical activity. There are specific objectives for people with disabilities:
  - “Increase the number of health, wellness, and treatment programs and facilities that provide full access for people with disabilities.” (Objective 6.10 of Health People 2010)
  - “Reduce the proportion of people with disabilities who report encountering environmental barriers to participating in...community activities.” (Objective 6.12)



# Exercise and health promotion activities

Because people with disabilities have fewer opportunities to work, they are more likely to have a limited income and be on Medicaid. Commercial gyms can be expensive and Medicaid does not help pay for gym memberships. In addition, gyms are not always barrier-free, don't always have equipment geared to people with disabilities and don't always train personnel to work with people with disabilities.

NYC Parks, though free, are not always accessible. The NYC Parks Department categorizes accessibility of playgrounds in 3 levels which are:

**Level 1:** Playgrounds for All Children: designed to provide recreational opportunities for children of all ages and abilities. Features include ramped play equipment, accessible swings, wheelchair accessible tables and drinking fountains, and interactive play pieces. Some also have adjustable basketball backboards that can be raised and lowered for athletes of all abilities. Comfort stations are accessible.

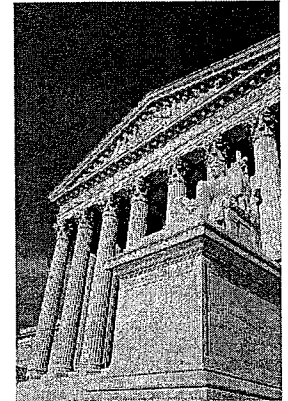
**Level 2:** Accessible Playgrounds with Ramped Play Equipment and Universally Accessible Swings. If the playground includes a comfort station or drinking fountain these features will also be universally accessible.

**Level 3:** Accessible Playgrounds with at least 1 Universally Accessible Swing. These playgrounds may not necessarily have ramped play equipment.

Source: [www.nyc.gov/parks](http://www.nyc.gov/parks)

# **The Americans with Disabilities Act is a civil rights law.**

## **TRUE**



The Americans with Disabilities Act (ADA) of 1990 gives civil rights protections to individuals with disabilities similar to those provided to individuals on the basis of race, color, sex, national origin, age, and religion. It guarantees equal opportunity in:

- Employment
- State and local government activities
- Transportation
- Public accommodations (restaurants, hotels, stores, movie theaters, etc)
- Telecommunications

**People who are deaf cannot hear any sounds  
at all.**



**FALSE**

A person who is deaf may not hear any sound at all or may have limited "hearing" that can make communication difficult. Hearing impairments range in degrees from mild, moderate, severe to profound.



Source: Handbook of Clinical Audiology (Katz et al, 2001)

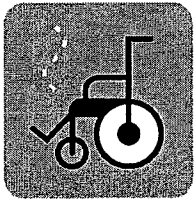
# Hearing Impairment

- We use the term "deaf" or "profound hearing loss" to refer to hearing loss exceeding 90 decibels, meaning the individual does not respond until the presented sound is **quite loud**.
- We use the term "hard of hearing" to refer to individuals with a mild, moderate or severe hearing loss. They may be able to hear some sounds depending on the severity of their hearing loss.
- Most individuals with hearing impairment have the ability to hear spoken language and communicate effectively when fitted appropriately with hearing aids and/or cochlear implant and with specialized education and therapy.

Additional information: [www.auditoryoral.org](http://www.auditoryoral.org) [www.agbell.org](http://www.agbell.org) [www.nad.org](http://www.nad.org)

# All people who use wheelchairs cannot walk.

## FALSE



- A wheelchair is a piece of medical equipment used to improve the mobility of persons with limited mobility. People who use wheelchairs have varying capabilities. Some people who use wheelchairs can walk with aid or for short distances. They use wheelchairs because they help them to conserve energy and to move about with greater efficiency.
- Some conditions that require use of a wheelchair are:
  - Heart conditions, respiratory conditions, arthritis, broken limbs, muscular dystrophy, cerebral palsy, and spinal cord injury.

Source: <http://www.wheelchairnet.org>





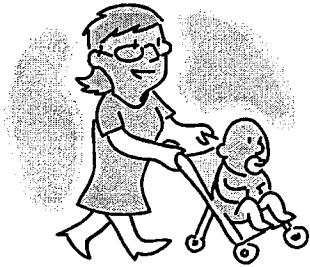
# Famous People with Disabilities

- Franklin D. Roosevelt: Thirty-second President of the United States - Polio
- Chris Burke: Actor (best known for his role as Corky Thatcher on the ABC-TV series "Life Goes On") - Down Syndrome
- Heather Whitestone: Former Miss America - Deaf
- James Earl Jones: Actor - Stutter
- Winston Churchill: British Prime Minister 1940-45 and 1951-55 - Dyslexic
- Stephen Hawking: Astrophysicist - ALS (Lou Gehrig's Disease)
- Bill Clinton: Forty-second President of the United States - Hearing Impairment
- Napoleon Bonaparte: French Emperor - Epilepsy
- Montel Williams: Talk show host - Multiple Sclerosis



Source: <http://www.disabilityresources.org/FAMOUS.html>





# How accessible and universal design benefits everyone

Many of the architectural accomplishments brought by the ADA have helped make getting around easier for all Americans. For example, sidewalk curb cuts and ramps are used by parents pushing strollers, workers delivering packages, and travelers pulling suitcases.

Another example of how designing for people with disabilities benefits everyone is OXO International's "Good Grips" line of thick grip kitchen utensils, which was introduced in 1990 for people who were limited by arthritis. The OXO Good Grips line has been recognized by several national and international organizations for superior design and today is regarded as one of the icons of Universal Design.

Source: <http://www.aahd.us/newsletterfinal/CurrentIssue/adaAtWork1.htm>,  
[http://www.oxo.com/about\\_roots.php](http://www.oxo.com/about_roots.php),



# Conclusion



- We've come a long way since 1990 when the ADA was passed, but acceptance of people with disabilities still has a long way to go. The goal is for complete inclusion and accessibility for everyone, regardless of their disabilities.
- On July 26, 2005 the American Association of People with Disabilities hosted "The Americans with Disabilities Act 1990-2005: 15 Years of Making a Difference," in Washington, DC. There they developed an ADA Solidarity Statement and over 700 organizations pledged their support to:
  - **"... build on the progress of the last 15 years and join together to promote the full participation and self-determination of the more than 50 million U.S. children and adults with disabilities. We believe that disability is a natural part of the human experience that in no way should limit the right of all people to make choices, pursue meaningful careers, live independently, and participate fully in all aspects of society. We encourage every American to join us in this cause, so that our country may continue on the path that leads to liberty and justice for all."**

Source: <http://www.aahd.us/newsletterfinal/CurrentIssue/adaAtWork1.htm>;  
<http://www.aapd.com>

# **Want more information?**

Call the Mayor's Office for People with  
Disabilities (MOPD)

212-788-2830

TTY 212-788-2838

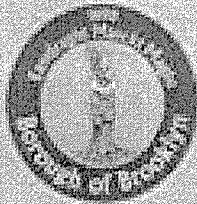
Or visit: [www.nyc.gov/html/mopd](http://www.nyc.gov/html/mopd)

Call Brooklyn Borough President Marty  
Markowitz's office at 718-802-3700

Or visit: [www.brooklyn-usa.org](http://www.brooklyn-usa.org)

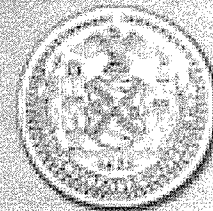
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**An informative guide to  
disabilities awareness**



Prepared by Brooklyn Borough President Marty Markowitz's  
Advisory Committee on Disability Issues-Public Awareness Subcommittee

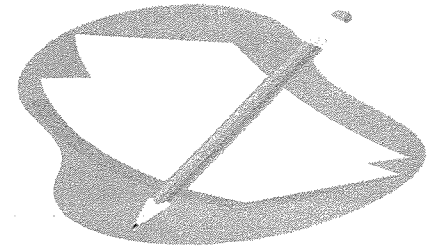
With assistance from the Mayor's Office for People with Disabilities



# What's Your Disability IQ?

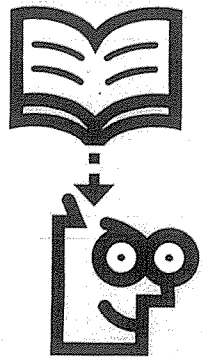
Indicate **TRUE** or **FALSE** for each statement.

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<input type="checkbox"/> <b>TRUE</b> <input type="checkbox"/> <b>FALSE</b>	<b>People with disabilities have fewer opportunities for exercise and health promotion activities.</b>
<input type="checkbox"/> <b>TRUE</b> <input type="checkbox"/> <b>FALSE</b>	<b>The Americans with Disabilities Act is a civil rights law.</b>
<input type="checkbox"/> <b>TRUE</b> <input type="checkbox"/> <b>FALSE</b>	<b>People who are deaf cannot hear any sounds at all.</b>
<input type="checkbox"/> <b>TRUE</b> <input type="checkbox"/> <b>FALSE</b>	<b>All people who use wheelchairs cannot walk.</b>



**¿Cual es su nivel de  
conocimiento sobre la  
incapacidad?**

**Tome este prueba y entérese!**



# ¿Cual es su nivel de conocimiento sobre la Incapacidad?

Indique **CIERTO** o **FALSO** en cada declaración.

<input type="checkbox"/> <b>CIERTO</b> <input type="checkbox"/> <b>FALSO</b>	Brooklyn es el condado con la población más grande de incapacitados en el Estado de Nueva York que recibe beneficios.
<input type="checkbox"/> <b>CIERTO</b> <input type="checkbox"/> <b>FALSO</b>	Es políticamente correcto decir “él es una persona incapacitada.”
<input type="checkbox"/> <b>CIERTO</b> <input type="checkbox"/> <b>FALSO</b>	Un quinto por ciento (20%) de la población tendrá una incapacidad en algún punto de su vida.
<input type="checkbox"/> <b>CIERTO</b> <input type="checkbox"/> <b>FALSO</b>	Artritis es una enfermedad que viene solo con la edad.
<input type="checkbox"/> <b>CIERTO</b> <input type="checkbox"/> <b>FALSO</b>	Programas federales de vivienda deben separar viviendas para personas incapacitadas.
<input type="checkbox"/> <b>CIERTO</b> <input type="checkbox"/> <b>FALSO</b>	Siempre puedes saber la incapacidad de una persona solamente con verlos.
<input type="checkbox"/> <b>CIERTO</b> <input type="checkbox"/> <b>FALSO</b>	Una persona legalmente ciega no puede ver nada.
<input type="checkbox"/> <b>CIERTO</b> <input type="checkbox"/> <b>FALSO</b>	Las personas incapacitadas tiene un promedio mas bajo de empleo que las personas que no tienen ninguna incapacidad.
<input type="checkbox"/> <b>CIERTO</b> <input type="checkbox"/> <b>FALSO</b>	Las personas incapacitadas tiene menos oportunidades para actividades de ejercicios y promociones de salud.
<input type="checkbox"/> <b>CIERTO</b> <input type="checkbox"/> <b>FALSO</b>	El acto llamado “Americans with Disabilities” es una ley de derechos civiles.
<input type="checkbox"/> <b>CIERTO</b> <input type="checkbox"/> <b>FALSO</b>	Las personas sordas no puede escuchar absolutamente nada.
<input type="checkbox"/> <b>CIERTO</b> <input type="checkbox"/> <b>FALSO</b>	Toda las personas que usan silla de ruedas no pueden caminar.



## Для дополнительной информации звоните в

Офис Мэра, занимающийся проблемами инвалидов:

212.788 – 2830

212.788 – 2838

или посетите наш сайт [www.nyc.Gov/html/mopd](http://www.nyc.Gov/html/mopd)

Звоните в Офис Президента Бруклина Марти Марковица:

718.802 – 3700

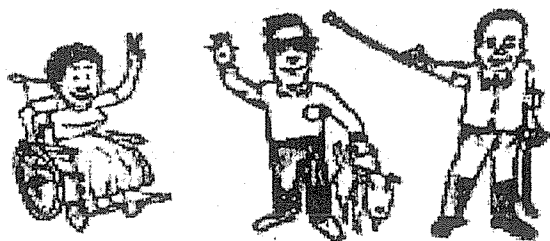
или посетите наш сайт: [www.brooklyn-usa.org](http://www.brooklyn-usa.org)

Звоните в ABRUD  
(Американское Братство  
русскоязычных инвалидов)

718.232 – 3004

или посетите наш сайт: [www.abrud.org](http://www.abrud.org)

# Americans with Disabilities Act



## Каков ваш коэффициент нетрудоспособности?

Информационный справочник по вопросам нетрудоспособности



Разработан: Группой по связям с общественностью Комитета по вопросам нетрудоспособности при офисе президента Бруклина Марти Марковица



При содействии офиса Мэрии Нью-Йорка, занимающегося проблемами инвалидов



Финансовое обеспечение проекта – Американский Форум Всемирного Конгресса Русскоязычного Еврейства.

Публикация данных материалов на русском языке стала возможной благодаря совместному проекту программ HIAS/LOREO и Американского Братства русскоязычных инвалидов (ABRUD).





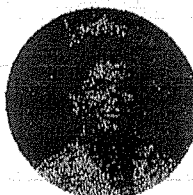
## Знаменитости-Инвалиды



Франклин Делано Рузвельт –  
32-й президент США (полиомиелит)



Крис Берк – актер (известен как  
исполнитель роли Корки Тетчера в  
сериале ABC «Жизнь продолжается»)  
– синдром Дауна



Хитер Уайтстоун – бывшая мисс  
Америка – глухота



Джеймс Эрл Джоунс – актер – заика



Уинстон Черчилль, британский  
премьер-министр (1940-45 и 1951-55)  
– дислексия

## Каков ваш коэффициент нетрудоспособности?

Отметьте «верно» или «неверно»  
против каждого утверждения.

В Бруклине (округ Кингс Каунти) самое большое число ин-  
валидов во всем штате Нью-Йорк, получающих пособие по не-  
трудоспособности.

☐ верно ☐ неверно

Политически корректно выражение «он инвалид».

☐ верно ☐ неверно

Одна пятая (20%) населения становятся нетрудоспособны-  
ми в какой-то момент жизни.

☐ верно ☐ неверно

Артрит – заболевание пожилого возраста.

☐ верно ☐ неверно

Федеральная жилищная программа должна рассматривать  
отдельно предоставление жилья инвалидам.

☐ верно ☐ неверно

Вы всегда можете определить инвалидов по внешнему виду.

☐ верно ☐ неверно

Человек, признанный слепым, не видит абсолютно ничего.

☐ верно ☐ неверно

У инвалидов меньше шансов быть принятым на работу чем  
у здоровых людей.

☐ верно ☐ неверно

У инвалидов меньше возможности для физических упраж-  
нений и полезной для здоровья активности.

☐ верно ☐ неверно

Закон об инвалидах – это закон о гражданских правах.

☐ верно ☐ неверно

Глухие не слышат ничего.

☐ верно ☐ неверно

Каждый человек в инвалидном кресле – не может ходить.

☐ верно ☐ неверно

## **Zoning For Quality and Affordability**

### **Text Amendment**

**09/18/15**

#### **Introduction**

As part of the City's coordinated efforts under Housing New York – the Mayor's ten-year, five-borough housing plan – the Department of City Planning is proposing a set of targeted changes to zoning regulations to support the creation of new affordable housing and encourage better residential buildings.

Zoning establishes limits on the use, size, and shape of buildings, with numerous zoning districts mapped in the city's diverse neighborhoods to reflect their varying density and character. These limits help give shape to neighborhoods and predictability to their future. But sometimes they also have unintended consequences, discouraging the very types of outcomes they were intended to encourage. This proposal aims to address several ways in which current regulations, drafted a generation ago, have in practice discouraged the affordability and quality of recent buildings.

Since the release of Housing New York, the Department of City Planning, working with the Department of Housing Preservation and Development (HPD), communities, nonprofit housing groups, architects, affordable housing developers, and other practitioners, has identified a set of zoning changes that would address the needs of affordable housing, aid efficient use of housing subsidies, and encourage higher-quality residential buildings in the city's medium- and high-density neighborhoods.

The Zoning for Quality and Affordability text amendment (ZQA) serves numerous goals of Housing New York, including making the city more affordable to a wide range of New Yorkers and fostering diverse, livable communities with buildings that contribute to the character and quality of neighborhoods. While the various elements of the proposal work together to achieve these goals, they are described separately below, starting with changes that serve to promote affordability, followed by changes designed to encourage better buildings that contribute to the quality of neighborhoods.

#### **Promoting Affordability**

In order to make zoning work better with financial and other programs to create more affordable housing for a wider range of New Yorkers, ZQA proposes modifications to the rules affecting various forms of affordable housing identified in the Zoning Resolution. The primary categories of changes under the proposal would:

- Make it easier to provide the range of affordable senior housing and care facilities needed to meet the varied needs of an aging population, and to help seniors remain in their communities;
- Enable Inclusionary Housing buildings, which provide mixed-income housing, to construct high-quality buildings that fit the full amount of housing they are allowed under zoning; and

- Free up resources to create more affordable housing by enabling cost-effective, transit-accessible affordable housing, through modifications to parking requirements

Specific changes to the rules for affordable senior housing and long-term care facilities are detailed in the sections below, followed by changes related to the height and setback regulations for Inclusionary Housing buildings, and changes to parking requirements for various forms of affordable housing.

### **Affordable Senior Housing**

Older New Yorkers are a diverse and rapidly growing segment of the city's population. The 2010 census documents that the population 65 years and over consisted of about 1 million people, and by 2040, this population is projected to increase to 1.4 million, a 40 percent increase. In recent years, around the country, a wider range of housing and facility types have emerged for seniors that offer specialized living arrangements targeted to accommodate elderly lifestyles and higher care needs. The growth in older New Yorkers has already resulted in an increased demand for affordable senior housing and related long-term care facilities like nursing homes.

Affordable senior housing is designed specifically to meet the needs of seniors, with smaller individual units with more common areas and amenities for residents. Eligibility is limited by age and by income. The development of affordable senior housing normally requires public subsidies, and traditional federal capital funding for this type of housing has recently been eliminated. There have been approximately 3,500 affordable senior housing units constructed in the city since 2003. Under Housing New York, Mayor de Blasio has set a target of 5,000 new units in the next decade.

Today in zoning this use is defined as a "non-profit residence for the elderly," a Use Group 2 residence. The use requires a funding agreement with a city or state agency, and at least 90 percent of the space must be occupied by an elderly family, the head of which is 62 years or older. In addition, a minimum of 4 percent of the space must be dedicated to shared facilities for residents, like cafeterias and community rooms. If the use meets these various requirements, it is permitted a higher floor area ratio than a typical residence in many low- and medium- density zoning districts and a slightly lower "dwelling units factor" in low-density districts that allows a slightly greater number of units to be included in the building than would be for ordinary residences.

This zoning framework has not been updated in over 40 years, and housing advocates and affordable senior housing providers have pointed out a number of ways in which it unnecessarily limits the creation of these facilities. This is particularly important at a time when new development models may be necessary to replace the traditional federally funded approach to creating affordable senior housing. ZQA proposes a number of changes to make it easier to construct and maintain these facilities, in order to help seniors remain in their communities throughout the city. Specifically the proposal would update the following:

*Definitions* – The zoning definition "non-profit residence for the elderly" would be replaced by "affordable independent residence for seniors." This change would allow a wider range of non-profit and for-profit entities to provide affordable senior housing. However, the existing age restrictions described above would remain in place. Incomes would be restricted to seniors making less than 80 percent of area median income. The zoning would require a regulatory agreement from a City or State

agency with a minimum term of 30 years, to be consistent with typical requirements of public agencies providing housing subsidies. The requirement for shared facilities would be retained, but the proposal would clarify that the recreation space required under the Quality Housing program can count toward this requirement.

*Floor area ratio* – Zoning today specifies a higher FAR (by approximately 20%) for “non-profit residences for the elderly” as compared to other residences in most low- and medium-density zoning districts. These provisions were established to promote the use and recognize its low-impact nature as compared to other residences. However, this pattern does not extend to all zoning districts where affordable senior housing is permitted and where it is constructed. This includes high-density districts (R8 through R10) and a number of medium-density contextual zoning districts that did not exist when the original framework was put in place more than 40 years ago. In order to support the creation of affordable senior housing in neighborhoods throughout the city, ZQA would provide a higher FAR for “affordable independent residences for seniors” in those zoning districts, and maintain the existing higher FARs where they currently exist. The new floor area ratios would generally be 20 percent higher than what is permitted for other residences, in line with the existing framework, and generally consistent with the FAR permitted through the Inclusionary Housing program.

*Unit density controls* – Zoning regulates the maximum number of units permitted in a building through a “dwelling unit factor,” by which total floor area is divided to determine the maximum number of units permitted. Today, “non-profit residences for the elderly” are granted a different, generally lower, factor than other residences in some low- and medium-density districts, but it is inconsistent. Allowing higher unit counts is consistent with the fact that low-income seniors typically live in smaller dwelling units, reflecting their smaller household size, incomes, and the desirability of simplified housekeeping. However, the lower dwelling unit factors only exist in certain zoning districts, and even these are not always consistent with current best practices or the standards of various regulating agencies. Under ZQA, affordable senior housing would not be subject to a dwelling unit factor, allowing other regulations and programmatic needs to control unit density and appropriate unit sizes for this use. This would allow for a broader range of unit sizes, and for more affordable and more appropriately sized units for seniors, which are offset by the availability of community spaces.

### **Long-Term Care Facilities**

Long-term care facilities are a group of uses that provide services to their residents at different levels of care. These include uses like assisted living facilities, nursing homes and certain continuing care retirement communities. Nursing homes offer the highest level of care and 24-hour nursing services, while assisted living facilities are typically independent apartments with optional personal services and support. Continuing care retirement communities combine independent living with assisted living and nursing care services under a single contract that allows residents to move within a facility to increasing levels of care as their needs dictate. All of these facilities can be made up of single or shared apartments or rooms with support spaces. All of these are licensed and regulated by the New York State Department of Health.

Most of the city’s existing facilities were developed in the 1970s when funding sources were at a peak. However, since the 1970s, government funding and support has steeply declined and the construction of new facilities has not kept up with the demands of the city’s aging population. The State Department

of Health estimates an unmet need of 8,300 long-term care facility beds in New York City today. The city has half as many assisted living units per capita as other counties in New York State.

Zoning today impedes the creation of these community facility uses by referring to outdated state programs, limiting the as-of-right FAR to less than what is permitted for affordable senior housing or even other community facilities, and imposing layers of land use review that are not required for other uses. These issues make it difficult to renovate or expand existing facilities or provide new ones. ZQA proposes a number of changes to make it easier to construct and maintain these facilities as appropriate in each zoning district in order to help seniors remain in their communities throughout the city. Specifically, the proposal would update:

*Definitions* – the proposal creates a new defined term, “long-term care facility,” to replace obsolete terms and account for the wide range of care facilities licensed by the State Department of Health. This would be a Use Group 3 community facility use and would replace the current “nursing homes and health-related facilities” use. The broader term will also account for assisted living facilities and continuing care retirement communities, which are not clearly categorized in zoning today. Long-term care facilities will be required to secure the necessary certificate of authority or licensure from the State Department of Health under the applicable state programs for either nursing homes, assisted living facilities, or continuing care retirement communities.

*Requirements for nursing homes* – Zoning today requires certifications and special permits to develop or renovate nursing homes. The certification requirement (current Section 22-42) applies both to new buildings and enlargements or substantial renovations of existing buildings, and requires that applicants demonstrate that the concentration of nursing home beds in the community district will not exceed the citywide average. If the construction of the nursing home would increase the concentration in the Community District above the citywide average, then the applicant must also apply for a City Planning Commission special permit (Section 74-90), and demonstrate that the new facility would not negatively impact traffic or neighborhood support services. These requirements were put in place in the 1970s to address concerns about excessive levels of nursing home construction in limited areas of the city. Today, the State’s licensing process for nursing homes includes a Certificate of Need requirement, intended to limit investment in duplicative or unnecessary facilities and services, and now serves a similar purpose to the 1970s-era requirement in the Zoning Resolution. These zoning requirements now create an unnecessary obstacle for renovating or building new nursing home facilities by increasing costs, uncertainty, and the time needed for review. Therefore, in order to make it easier to provide these uses, ZQA would remove these requirements and instead allow all “long-term care facilities” in R3 through R10 districts, including nursing homes, as-of-right.

*Floor area ratios* – While community facility uses are generally permitted a higher as-of-right FAR than residential uses are in non-contextual residence districts, nursing homes are today only permitted the residential FAR associated with non-Quality Housing buildings. A special permit (Section 74-902) is required to use the higher permitted community facility FAR. The permit was created in the 1970s to consider whether the higher FAR would be out of context or would negatively impact neighborhood support services. Since then, 49 facilities have applied for this special permit, and all have been approved by the City Planning Commission. However, the permit adds costs, uncertainty, and time which make it more difficult to develop and maintain these facilities. To enable these facilities to be provided at an FAR commensurate with that allowed for housing, ZQA would allow the higher floor area ratio permitted for “affordable independent residences for seniors” (as described above) to all “long-term care facilities” in R3 through R10 districts as-of-right. Long-term care facilities are similarly low-

impact uses with a great deal of space devoted to support spaces such as clinical services and common areas. The higher, community facility FAR would remain available to these uses only by special permit.

*R1 and R2 districts* – In these low-density, single-family zoning districts, long-term care facilities would only be permitted through discretionary actions intended to ensure the facility is compatible with the area's character. For large campus-like sites over 10 acres, a City Planning Commission authorization would be required (Section 22-42). For smaller sites, a Commission special permit (Section 74-901) would be necessary.

### **Mixing of Residences and Care Facilities**

Contemporary facilities for seniors, in New York and nationwide, often look to provide a mix of uses on the same site so as to allow a "spectrum of care" for residents. This allows seniors to stay within the same facility (and neighborhood) as they age, by providing independent living, assisted living, and nursing home levels of care in the same building. Existing zoning is based on older models for senior facilities, where different uses were isolated in separate buildings. These current rules are unclear and make the mixing of uses difficult.

To make it easier to mix affordable senior housing and long-term care facilities on the same zoning lot in line with today's best practices, ZQA would allow both uses the same maximum FAR and require that they utilize the same building envelope in certain low-density districts, and the "Quality Housing" building envelope in medium- and high-density districts (as described further in the next section). To further bring zoning into line with contemporary best practices, ZQA includes other changes to make it easier to mix these uses together, as well as with other residential and related community facility uses. These include changes to

*The applicability of the Quality Housing program* – The Quality Housing program includes requirements for recreation space and modest floor area incentives for amenities like laundry rooms and daylight in shared corridors. These requirements are mandatory in contextual R6 through R10 districts and for buildings in non-contextual districts that follow the optional Quality Housing regulations. However, while community facilities in these situations are required to follow the Quality Housing bulk regulations, it is unclear how these provisions are supposed to apply to community facility uses with residential attributes like long-term care facilities, or philanthropic or non-profit institutions with sleeping accommodations (NPISAs). ZQA would clarify that buildings containing these uses can calculate the various requirements and permitted floor area deductions available under Quality Housing based on the overall combined floor area. For example, if there is daylight in a corridor that provides access to long-term care uses and residential uses, the whole corridor could be included and not just the part that is specifically a residential use.

*Mixing restrictions* – While nursing homes and NPISAs are currently permitted FAR that is comparable to what is permitted for residential uses, in R6 and R7-1 districts, zoning further restricts the amount of community facility use permitted on a zoning lot that contains residential uses. While the permitted FAR for a stand-alone nursing home would be 2.43 (in R6) or 3.44 (in R7-1), in a building with residential floor area, the nursing home would be restricted to 1.0 FAR. This restriction was intended for other types of community facilities for which substantially higher FARs are allowed in these districts than is allowed for residences, but is needlessly restrictive for long-term care facilities and NPISAs, which are harmonious with and function similarly to residential uses, and would be allowed as-of-right only the same FAR

available to affordable independent residences for seniors. To better accommodate use mixing, the restriction applicable in R6 and R7-1 districts would be made applicable only to other types of community facility uses.

*Number of units* – Zoning regulates the maximum number of units permitted in a building today through a dwelling unit factor; however, it is unclear today how this should be calculated in buildings that have a mix of residential and community facility uses. These rules would be modified so that the number of regular residential units is calculated by first excluding the floor area of affordable senior housing, long-term care facilities, and NPISAs. This would provide clarity on the mixing of uses and ensure that the maximum number of regular residential units is not distorted by the provision of these other uses.

*Special districts* – The provisions for a number of special districts state that “non-residential” uses cannot be located on the same floor or above residential uses. These regulations inadvertently restrict community facility uses from being mixed with residential uses, which is in line with today’s best practices, and which is permitted by underlying zoning regulations. As such, ZQA proposes to modify these various special district requirements to match their original intent to only restrict the location of commercial and residential uses.

#### **Affordable Senior Housing and Long-term Care Facility Building Envelopes**

As described above, zoning allows a higher maximum FAR for affordable senior housing and long-term care facilities as a way to promote the uses in neighborhoods throughout the city. However, some zoning rules that regulate the size and shape of buildings make it difficult to develop that full permitted floor area in a high-quality building. In order to make it easier to develop these uses, ZQA proposes a series of modifications to the building envelope controls that apply to these two uses. The proposed changes are different in different zoning districts, as described below.

*R6 through R10 contextual districts* – ZQA would accommodate the higher FAR permitted for both these uses (generally about 20 percent higher than for ordinary residences) by permitting limited additional height for buildings that provide affordable senior housing or long-term care facilities in these zoning districts, where building envelopes include a maximum building height and (through ZQA; see ‘Building Envelopes and Number of Stories’ below) number of stories. For buildings that provide at least 20 percent of their floor area as either affordable senior housing or long-term care facilities, the proposal would:

- Permit a higher maximum height and number of stories to allow the full development of the permitted FAR in a high-quality building form. The additional height would only be permitted in districts that allow a higher maximum floor area ratio for these uses than for other residential uses (generally, districts other than “B” districts). The additional height is based on the volume necessary to accommodate the higher permitted FAR for the use and differs in each zoning district, but in 95 percent of the city’s contextual districts this results in an increase in height not exceeding 1 or 2 stories (10 to 20 feet).
- Allow increases in the maximum base heights in some zoning districts to maintain the current proportionality of the building envelope, which often serves to conceal the additional height above the base from street-level view.
- Allow for the development of shared accessory spaces for affordable senior housing on the ground floor in the rear yard area, so as to allow for more efficient buildings. This would only be

permitted in districts other than “B” districts. This matches the flexibility already afforded to commercial or community facility uses or accessory off-street parking today.

- Remove an impediment to the creation of affordable senior housing or long-term care facilities on narrow sites by removing the special height restrictions placed on narrow lots (those that are less than 45 feet wide). Zoning today generally restricts the height on these sites to the width of the abutting street. The proposal would allow them to be developed to the maximum height permitted by the contextual envelope available in that zoning district.

*R6 through R10 non-contextual districts* – In non-contextual districts, two sets of building envelope controls exist: a “height factor” option, which allows tall buildings which are set back from the street and surrounded by open space; and a contextual Quality Housing option, which encourages buildings closer to the street and subjects them to height limits. To receive the higher floor area permitted for affordable senior housing and long-term care facilities, the proposal would require they utilize the applicable Quality Housing option, subject to the same modifications described above for R6 through R10 contextual districts. However, sites located close to infrastructure that poses a significant barrier condition, like highways or elevated train lines, would be permitted a more flexible, alternative Quality Housing building envelope, so that the units in the affordable senior housing or long-term care facility can be shifted away from this infrastructure. In addition, today, sites with existing buildings are only able to utilize the optional Quality Housing regulations if the existing buildings on the site comply with the contextual height and setback requirements. ZQA would allow sites with affordable senior housing or long-term care facilities to comply based on the higher permitted heights described above.

*R3-2, R4 and R5 non-contextual districts* – In these low-density multi-family districts, affordable senior housing is permitted a higher FAR, but affordable senior housing is restricted to the district’s maximum height of 35 feet as-of-right, with lower maximum perimeter wall heights (community facilities, such as nursing homes, are not subject to this height limit today). These height restrictions make the construction of apartment buildings served by elevators – an indispensable feature for senior housing – impractical. In environments of this density, both within the city and in nearby communities, these uses are typically developed as elevator buildings that are 4 to 6 stories in height (45 to 65 feet). Buildings providing affordable senior housing must therefore apply for a City Planning Commission authorization to be granted a building envelope that accommodates this 4-6 story form. While the Commission has never turned down such an application, these requirements add costs and time to the project. To make it easier to construct affordable senior housing in these districts, ZQA would permit them to be developed using a special as-of-right building envelope that would permit a maximum height of 45 feet close to the street and a maximum height of 65 feet for portions of lots more than 25 feet from the street. Long-term care facilities would also be subject to this new building envelope. Yard requirements would continue to apply. The current Commission authorization would remain for sites that require additional flexibility.

### **Inclusionary Housing Building Envelopes**

In specifically designated medium- and high-density areas, the Inclusionary Housing program promotes mixed-income housing. Like affordable senior housing and long-term care facilities, buildings participating in the Inclusionary Housing program are allowed a higher FAR than is permitted for other types of housing. However, for Inclusionary Housing areas in contextual zoning districts, zoning doesn’t provide enough room for this floor area all to fit in a high-quality building. This results in less



participation in the existing Inclusionary Housing program, and therefore less affordable housing. ZQA would address this problem by allowing buildings that provide on-site affordable housing through the Inclusionary Housing program to utilize the more flexible building envelope permitted for affordable senior housing and long-term care facilities (described above). More specifically, the proposal would:

- Permit a higher maximum height and number of stories to allow the full development of the permitted FAR in a high-quality building form. The additional height is based on the volume necessary to accommodate the higher permitted FAR through participation in the program, and differs in each zoning district, but in most contextual Inclusionary Housing districts this results in an increase in height permitting an additional 1 or 2 stories (10 to 20 feet).
- Allow increases in the maximum base heights in some zoning districts to maintain the current proportionality of the building envelope, which often serves to help hide the additional height above the base.
- Allow for the development of shared spaces on the ground floor in the rear yard area, so as to allow for more-efficient buildings. This would only be permitted in districts other "B" districts. This matches the flexibility already afforded to commercial or community facility uses or accessory off-street parking today.
- Remove an impediment to the creation of affordable housing on narrow sites by removing the special height restrictions placed on narrow lots (those that are less than 45 feet wide). Zoning today generally restricts the height on these sites to the width of the abutting street. The proposal would allow them to be developed to the maximum height permitted by the contextual envelope available in that zoning district.

#### **Parking Requirements for Affordable Housing**

Existing requirements for accessory off-street parking make it harder to meet the city's need for affordable housing. Off-street parking, particularly in structured facilities, is quite expensive to construct – costing as much as \$30,000 to \$50,000 per space. Residents of affordable housing cannot pay the fees necessary to recoup the cost of constructing these spaces, approximately \$200-\$300 per month, and in many instances these provided spaces sit empty, as the limited number of low-income residents who do own cars park them on street. In less-dense areas, parking may be provided as surface parking that costs less to build, but nonetheless takes up considerable space that might otherwise be used for housing, open space, or other uses. In addition, data collected by the Department of City Planning and verified by affordable housing providers show that lower-income households own fewer cars, with low-income seniors owning extremely few. This is particularly true for locations in the city that are well served by transit. By imposing a cost that cannot be covered by project revenues, these requirements for parking therefore make the financing of affordable housing more difficult and they reduce the amount of affordable housing that can be built with available funding. ZQA therefore proposes modifications to the existing parking requirements for affordable housing in certain portions of the city, as described further below.

Zoning today generally recognizes the lower car ownership rates of affordable housing residents with a lower parking requirement for affordable senior housing and other forms of affordable housing. About half as many parking spaces are required for affordable housing as for other forms of housing. Buildings where only a small number of spaces are required can waive out of parking requirements altogether. The parking requirements for affordable senior housing are today set even lower (about 1/3 the rate for

other forms of housing). However, affordable senior housing does not currently have a waiver option. No parking is required for any housing in the Manhattan Core (Manhattan Community Districts 1-8, except for Roosevelt Island) or Long Island City, and no parking is required for affordable housing in Downtown Brooklyn.

ZQA proposes to modify parking requirements for affordable housing particularly in those areas that are served by a variety of public transportation options, and are generally within one-half mile of a subway station. These areas, described as the "Transit Zone" in the proposal, have car ownership rates that are among lowest in the city and encompass some of the city's denser residential neighborhoods. Within this Transit Zone, parking for new affordable senior housing and affordable housing would become optional. This would also be true for new units that satisfy the affordable housing requirements of the Inclusionary Housing program. Existing affordable senior housing developments would be allowed to remove existing parking as-of-right, while other existing affordable housing could apply for a new Board of Standards and Appeals (BSA) special permit (Section 73-434) to remove previously provided parking that is not needed. In addition, through a separate BSA special permit, new buildings could apply to reduce or eliminate their parking requirements to facilitate a mixed-income development (Section 73-433), provided there would not be an adverse effect on the surrounding area. Comparable modifications would be permitted by the City Planning Commission as part of a General Large Scale Development special permit.

Outside of the Transit Zone, parking requirements for new affordable senior housing would be lowered to 10 percent, to reflect car ownership rates the Department's analysis found at existing developments. However, developments requiring a small number of spaces would be able to waive out of the requirement, which is already allowed for other types of housing (for example, in R6 districts, a maximum of 5 spaces can be waived). Existing affordable senior housing buildings outside the transit zone could reduce their parking amounts to the 10 percent figure if spaces are not needed, through a new Board of Standards and Appeals (BSA) special permit. Parking requirements for other affordable housing in multi-family zoning districts outside the Transit Zone would remain unchanged.

The proposal includes no changes to the as-of-right parking requirements for market-rate housing.

## **Changes for Quality**

In order to encourage better buildings that contribute to the fabric of their neighborhoods, ZQA proposes a series of modifications to the rules for housing in medium- and high density zoning districts. These changes predominantly modify the Quality Housing regulations that are required in contextual zoning districts and are optional in non-contextual districts.

These regulations were established in 1987 to promote housing that fit better within the city's medium- and high-density neighborhoods than the previous "tower-in-the-park" model. They generally require buildings to be located close to the street, and include requirements for street walls and specific maximum heights. These rules have generally worked well to enable the creation of buildings that are mostly consistent with the general form of the surrounding neighborhood fabric. However, development under these rules has also demonstrated their shortcomings. These regulations have remained largely unchanged since they were first put in place and have not been updated to keep pace

with other changing regulations, the rise of green technologies and other best practices for residential design and construction, and the increasing prevalence of irregular building sites. Because of these issues, these zoning controls now tend to limit design flexibility and too often result in buildings that are flat or dull, fail to enliven the pedestrian environment, and lack the variation and texture typical of older apartment buildings.

The proposal would maintain the essential contextual rules for residential buildings in medium- and high-density districts that work well today, but would make modifications to:

- Encourage better ground-floor retail spaces and residential units with adequate ceiling heights raised off of the street
- Change rules that lead to flat, dull apartment buildings, to accommodate and encourage façade articulation, courtyards, and other elements that provide visual variety and make the pedestrian experience more interesting
- Better address irregular site conditions that are not well considered by zoning rules today

Specific changes are detailed in the sections below, starting with ground floors and rising to upper levels of the building, followed by regulations affecting unit size and configuration, and rules for irregular site conditions.

### **Ground Floors**

The main interface between buildings and the public realm of the sidewalk takes place at the ground level. ZQA proposes a series of changes to the Quality Housing bulk regulations to promote better, more active ground floors in both residential and mixed-use buildings. Key to this is ensuring that enough space exists in the building envelope to provide a ground floor with sufficient height. For buildings with residential units on the ground floor, this would allow the units to be raised above street level, as is common in older apartment buildings. For buildings with retail or other uses on the ground floor, it would allow sufficient height to provide a usable, high-quality space entered from the sidewalk at grade. Under the current Quality Housing requirements in medium- and high-density districts, both of these possibilities are discouraged by the current building envelope, which forces trade-offs between designing buildings that would contribute to their neighborhood at ground level, and accommodating the full permitted FAR.

To address this, ZQA would allow the maximum height of Quality Housing buildings to be increased by 5 feet if the second level of the building begins at a height of at least 13 feet. The proposed allowance would be applicable in all contextual zoning districts except R7B and R8B, their non-contextual equivalent and commercial equivalent districts, which already allow sufficient height for these features. This additional height would allow for a raised ground floor residential unit or a better ground floor retail space, while retaining sufficient flexibility to accommodate construction issues above the ground floor, such as the need for limited additional height for transfer beams at setbacks. While the elements of the proposal relating to building quality are generally applicable in R6 through R10 districts, this height allowance would also be extended to the R5D zoning district to encourage better ground floors in that district.

Another factor making it more difficult to provide raised residential units at ground level in today's buildings is the need to provide accessibility. To accommodate this, the proposal would allow interior ramps in the residential lobby a floor area exemption of 100 square feet for each foot the ground floor is

raised above curb level. (Changes to the street wall and court regulations described in the next section would be sufficient to accommodate a ramp on the exterior of the building.)

To better promote active ground floors, ZQA also tries to simplify and improve the ground-floor use requirements that exist in many special districts and certain commercial zoning districts, which vary in small but numerous ways. These requirements typically include minimum depth requirements to promote usable ground floor spaces, requirements for transparency and limits on the width of ground floor lobbies, and parking wrap requirements. Today, these requirements all slightly differ from one another, making compliance with them challenging for practitioners. In order to promote better retail spaces, the proposal would replace this myriad of confusing regulations with a new set of model ground floor requirements based on the regulations applicable in the Special Enhanced Commercial District.

### **Street Walls**

After the ground floor itself, the main way a building interacts with the public realm is through its street wall – generally that area of the building between the ground and the top of the building’s base. Older buildings typically had a great variety of building articulation in the street wall including bay windows, court yards, and other architectural features. Quality Housing regulations today include rules that regulate where the street wall can be located, how much design flexibility is permitted for building articulation, and what kind of articulation (like courts) is permitted.

While these regulations have achieved a degree of consistency in streetwalls, there are certain instances where the existing regulations are producing results that contradict their original intent. Sometimes the existing rules are forcing the street wall to be lined up with non-contextual buildings, or are instead allowing buildings to be built at the property line where small setbacks may be more in keeping with the surrounding context. In other instances, the allowances for building articulation are unclear, while in others they restrict more traditional design features, all of which inadvertently make building facades appear flat or dull when compared to older buildings. ZQA proposes a series of modifications to these various street wall regulations to better ensure that buildings can contribute positively to their neighborhood context. More specifically, the proposal would modify:

*Line-up provisions* – The Quality Housing street wall regulations include separate street wall requirements for medium-density contextual districts, high-density contextual districts, and for the “B” districts. For medium-density districts, ZQA proposes to modify the existing line-up provisions, which allow buildings to be located no closer to the street line than any building within 150 feet, to instead require buildings to locate their street wall in relation to only directly adjacent buildings (similar to the rule in “B” districts). The current provision inadvertently allows buildings close to corners to line up with corner buildings when the rest of the buildings on the block are set away from the property line. The proposal would also adjust the maximum setback from the property line to 10 feet (from 15 feet), so that buildings in these districts are not inadvertently required to line up with non-contextual buildings set far back from the street (such as buildings constructed under the alternate front setback provisions of height factor zoning). In these zoning districts and in “B” districts, greater clarity is provided as to how line-up provisions are determined for adjacent buildings with architectural features like bay windows. Finally, in the high-density districts, the proposal includes street wall requirements beyond 50 feet of a wide street, where no street wall requirements currently exist.

*Articulation* – In order to provide greater clarity as to how a street wall can be articulated, ZQA includes new rules for building articulation. Window recesses and structural expression would be permitted within depths or projections of 12 inches from the street wall. Deeper recesses or projections, for larger architectural features like bay windows and building courts, would be allowed for a limited percentage of the street wall's overall width.

*Court regulations* – in order to permit more flexibility for courts and courtyards, which are typical features of older apartment buildings in the city, ZQA would create more flexible court regulations for buildings in R6 through R10 districts that would support the availability of light and air. For outer courts, the proposal would modify the required width-to-depth ratio to 1:1 for courts less than 30 feet wide, and allow courts that are 30 feet or wider to have no depth restrictions. It would also create a new class of small (inner and outer) courts to accommodate courts with non-legally required windows, such as those found in kitchens or bathrooms.

*Commercial districts* – High-density commercial districts generally require new buildings on a wide street to be located directly on the street line. While this requirement has supported an active retail environment, it has also produced unnecessarily flat buildings. ZQA would provide some limited flexibility to allow for ground-level articulation along wide streets. In high-density commercial districts, the proposal also includes street wall requirements beyond 50 feet of a wide street, where today no street wall requirements exist. The proposal would also require that wholly residential buildings in commercial districts comply with the more stringent street wall regulations of commercial districts, rather than those of the comparable residential district, and would remove the special line-up provision for narrow buildings in commercial districts that inadvertently forces these buildings to line up with adjacent buildings even when this is contradictory to the prevailing condition of the commercial environment.

### **Corner Buildings**

Older apartment buildings in the city on corner lots tend to “wrap” the corner, providing a consistent street wall along both street frontages. Zoning today makes it difficult, if not impossible, to match this condition in new buildings. ZQA seeks to address this issue to allow for better corner buildings.

Typical “wrapped” corner buildings were effectively made unbuildable by the 1987 Quality Housing regulations, which limited the lot coverage on corners to a maximum of 80 percent. (Traditional corner buildings generally have lot coverages of 85 to 90 percent.) As a result, recent buildings on corners tend to front on only one street and leave open spaces along their lot lines, effectively breaking the street wall in many neighborhoods. The 1987 Quality Housing proposal did not identify a rationale for prohibiting corner buildings exceeding a coverage of 80 percent; rather, it was not believed that anyone would try to build traditional corner buildings again.

Since 1987, DCP has updated these corner provisions in many Special Districts to allow for more traditional corner lot buildings, but has never done so for the citywide Quality Housing regulations. Therefore, to allow better corner buildings in R6 through R10 districts, ZQA proposes to increase the maximum permitted corner lot coverage for “Quality Housing” buildings from 80 percent to 100 percent within 100 feet of a corner. All currently applicable court and yard regulations would continue to apply. The coverage requirements for other interior lots would remain unchanged.

In addition, today, corner lots in medium and high-density districts located next to lower-density districts (R1 through R6B) have to comply with an additional “transition rule,” which makes wrapping the corner difficult. Today, within 25 feet of the lower-density district, the maximum height of a building is limited to the maximum permitted height of the lower-density districts – typically 35 feet. The intention of the rule was to provide a transition between the lower- and higher-density districts, but since the permitted height in this 25-foot-wide area is quite low, and leads to inefficient structures, many buildings simply front on one street and leave an open area between the two buildings that again breaks the street wall in many neighborhoods. As a result, this provision also tends to emphasize the height difference between the lower and higher density districts, rather than providing an effective transition. To address this, ZQA proposes to allow the portions of buildings within that 25-foot zone to reach the maximum base height of the zoning district, or a height of 75 feet, whichever is less. This would better allow buildings to “wrap” the corner and provide for a more balanced transition between buildings.

### **Setback Requirements**

Above the maximum base heights in Quality Housing buildings, specified minimum setbacks are required in the front and rear of the building before it can continue to rise to its maximum permitted height. The intent of these setback requirements was to keep as much of the building’s upper bulk away from the street and surrounding areas, and to mimic the front setbacks found in older apartment buildings. However, as currently written, these separate requirements are inadvertently working in concert to force many residential buildings to be built directly at the property line so as to avoid the required rear yard setback. This is particularly an issue for residential buildings where a ground-level setback with planting would be more appropriate and in keeping with its context. The current requirements are also inadvertently making buildings less efficient and more costly to construct.

Today, the front and rear setbacks of Quality Housing are measured differently. The front setback rules require upper stories above the maximum base height to set back 15 feet from the street wall of the building base on narrow streets and 10 feet on wide streets. Since this is measured from the street wall, even if the entire building is set back 5 feet or 10 feet from the street line to create a separation from the sidewalk, the minimum 10-foot or 15-foot setback is still required. This creates a strong disincentive to set the building back at ground level to provide planting and improved streetscapes, because upper stories can be seriously constrained by the limited depth imposed by the setbacks on both sides. Rear yard setbacks require upper stories above the contextual base to set back 10 feet from the rear yard line, which is 30 feet from the rear lot line on an interior lot. Since the location of the rear yard setback is fixed, shifting the building toward the street can also eliminate the need for a setback and the additional costs it entails – at the expense of the streetscape and the quality of ground floor units.

In order to remedy these complementary problems, ZQA first proposes to remove the rear yard setback requirement for Quality Housing buildings. The typical 30-foot rear yard (often totaling 60 feet of open area, where two 30 foot yards abut each other) would continue to ensure adequate light and air to rear-facing portions of buildings. Secondly, in order to accommodate a separation between the sidewalk and the building (and reduce costly structural reinforcing below the setback) ZQA would allow the front setback to be reduced by one foot for every foot that the building is set back from the property line. A setback of 5 feet must be provided from the street wall, to maintain architectural articulation. For example, a building on a narrow street located on the street line would continue to require a 15 foot

setback, whereas a building that was set back from the sidewalk by 5 feet would be able to reduce the upper level setback to 10 feet from the street wall (5 foot setback at grade + 10 foot upper level setback = 15 foot total setback).

The combination of these provisions would allow buildings to provide greater separation and plantings between ground floor units and adjoining sidewalks, and would allow upper story units to be designed with greater variety, cost effectiveness and efficiency.

### **Building Envelopes and Number of Stories**

Buildings in contextual zoning districts, and other Quality Housing buildings, are subject to base and maximum height provisions that define the overall shape of a building. These regulations are generally sufficient to allow high-quality residential buildings, but in some instances improvements to the regulations are warranted to further their original intent. More specifically, the proposal would make adjustments to:

*Maximum Base heights* – Buildings in contextual districts are subject to both minimum and maximum base heights intended to ensure the building relates well with the sidewalk and surrounding context. However, the maximum base heights in some districts end in a zero, allowing an average of 10 feet per story, which makes it difficult to accommodate an active ground floor (as described in Section 1) since these spaces typically require more than 10 feet of height. As a result, many buildings skimp on ground-floor or upper-floor ceiling heights, or drop commercial ground floors below grade to accommodate higher ceilings, which can disrupt the quality and continuity of the street environment. In order to better accommodate more active ground floors, the maximum base heights applicable in some zoning districts would be increased by 5, consistent with the changes to maximum overall height described above.

*Stories* - The maximum height requirements are all measured in feet, but the current rules offer little guidance as to the number of stories that can be developed in a new building. In order to better ensure that buildings cannot use the additional flexibility created through this proposal to create additional floors, for instance by decreasing ceiling heights, ZQA adds a maximum number of stories that can be constructed in a contextual zoning district. The proposed number of stories differs in each zoning district based on the maximum permitted height, but generally corresponds with the maximum height, accommodating additional height for the ground floor – thus the maximum number of stories permitted in an R7B district (max height 75 feet) would be seven stories.

*Maximum height in R9 and R10 districts* - In the highest-density contextual districts, it is difficult for buildings to fit their full permitted floor area in a well-designed building. The existing building envelope offers little room for articulation and many resultant buildings have flat, dull facades and deep floor plates. To promote better buildings in these limited, high-density districts, ZQA would increase the applicable maximum building heights by 5 or 10 additional feet, as necessary to accommodate comparable design flexibility as compared to other districts. The maximum number of permitted stories in these districts would be based on these adjusted heights.

*Optional Quality Housing bulk regulations* – In non-contextual districts, two sets of building envelope controls exist. First, a “height factor” option that allows tall buildings set back from the street and surrounded by open space, and a contextual Quality Housing option that encourages buildings closer to the street and subjects them to maximum base and overall heights. These Quality Housing base and overall heights are mostly similar to the heights permitted in comparable contextual districts, but are

sometimes slightly misaligned, reflecting their creation at different times. ZQA generally seeks to better align the “Quality Housing” optional regulations on wide streets with the comparable “A” zoning districts, and align the narrow street regulations with the comparable “B” zoning districts, as they typically have the same permitted FAR. For example, a building on a wide street in an R6 district utilizing the Quality Housing option has the same FAR as that of an R6A district, and so the proposal gives it the same zoning envelope option. The proposal would also match the maximum number of stories and the allowance for additional height to facilitate improved ground floors.

**Study Areas** – When the Quality Housing program was established in 1987, certain non-contextual areas of the city were restricted from using the new building controls. Instead, the existing tower-in-the-park zoning regulations were the only permitted building form. Many of these “study areas” have since been rezoned to contextual districts and had this restriction removed, but it is still applicable in some limited geographies. The proposal would fully remove this restriction on the contextual Quality Housing option.

**Special Districts** – In some Special Districts, the building envelope controls mimic the controls of a comparable contextual zoning district. For consistency, when the Special District does not include any special FAR or building envelope rules, ZQA would adjust the maximum building envelopes to bring them in line with the changes proposed for the Quality Housing option.

### **Unit Size and Configuration**

While the provisions of ZQA focused on quality primarily relate to improving the height and setback regulations for medium- and high-density buildings, the proposal also includes some changes that affect the interior configuration of buildings. These changes are intended to rationalize currently inconsistent regulations.

Zoning today regulates the number of units that are permitted in a residential building through a “density factor” calculation. The maximum number of units is determined by dividing the permitted residential floor area by a specified factor. This factor starts out quite high in the lowest-density zoning districts and gradually drops to 680 square feet in R6 and R7 districts, allowing for incrementally higher concentrations of dwelling units as overall permitted density increases. Thus, a 6,800 square foot residential building in an R6 district is permitted a maximum of 10 units ( $6800/680$ ) all of which can be of varying sizes. However, after the R6 and R7 districts, the factor increases again to 740 for most R8 and R9 districts and to 790 in R10 and remaining R9 districts. Additionally, the Quality Housing regulations require no single residential unit be smaller than 400 square feet.

Some housing advocates have pointed out that the 400 square foot requirement limits the ability to provide some smaller units in a building, balancing them out with larger units to better serve a more-varied population. ZQA therefore would remove this 400 square foot minimum unit size requirement to provide greater flexibility in the sizes of units. The Building Code and other regulations would effectively limit the minimum size of any unit, and the “density factor” requirement would continue to limit the total number of units that can be provided in a building.

In addition, ZQA would change the increasing density factors in R8 through R10 districts to make them consistent with what is already required in R6 and R7 districts – 680 square feet. Though most buildings today are providing larger units in these high density areas and are well below the maximum number of units they are permitted to build today, there is no rationale for requiring larger averages unit sizes



today in the city's highest density residential districts. This change would allow buildings in these districts greater flexibility to provide a somewhat smaller average unit size if they choose to do so.

Zoning today includes a number of different regulations affecting windows in residential units. The "Quality Housing" program and a few special districts, such as the Special Union Square District, require residential windows to be made of double-paned glass. These were meant to improve the quality of spaces for tenants at the time these regulations were enacted, but are now a minimum standard needed to comply with energy standards in the City's Building Code. Additionally, these double-paned glass requirements also may make it difficult to provide windows of higher standards, like triple-paned glass. Therefore, ZQA proposes to remove these various double-pane window requirements.

Additionally, in Special Mixed Use (MX) districts, zoning today requires special sound-attenuated windows for any residential units. The requirements were designed to address MX districts located next to loud places like highways, but as written, the windows are required in any MX district, even in places where such noise conditions don't exist. These requirements have been found to be add unnecessary cost in locations where the windows are not needed. To better account for the varied conditions of the city's MX districts, the proposal would allow the City's Office of Environmental Remediation to modify the sound-attenuated window requirement based on site conditions through a process similar to what already exists for sites with (E) designations.

### **Irregular Site Conditions**

There is a wide variety of site conditions that exist in the city today - shallow lots, angled streets, varying topography, or sites with multiple buildings - to name a few. While the Manhattan grid results in many regular sites, irregular conditions prevail in many locations in the outer boroughs. Most zoning rules that shape residential buildings were designed with regular site conditions in mind - lots were assumed to be rectangular, with little topography or other irregularity. Because of this, construction on these irregular lots is not well considered in zoning, often making it unnecessarily difficult, and leading to buildings that are forced directly onto the property line with little room for design articulation. ZQA proposes a series of modifications to zoning rules for R6 through R10 districts to better address these irregular site conditions and allow for better buildings on them.

Shallow lots - Zoning rules for rear yards and lot coverage were designed with the assumption that most lots in the city are 100 feet deep. Over time, some limited changes were made to address much-shallower lots (ranging between 50 and 70 feet deep), but the dimensions in between must continue to utilize regulations based on an assumption of 100-foot lot depth. This causes many problems for lots that are only slightly shallow (90-95 feet deep), and generally forces new buildings to be located directly on the street line. ZQA proposes a comprehensive framework that adjusts rear yard and lot coverage requirements in concert with lot depth. Shallow lots would be permitted to provide a shallower rear yard with the change in the requirement based on the depth of the lot. The permitted coverage on interior lots would be permitted to increase in relationship to this. The proposed changes would result in more regular buildings that are more consistent with existing, older buildings.

Acutely-angled sites - Quality Housing rules that require street walls along entire street lines in high-density commercial districts offer little flexibility for sites that are located on acutely-angled streets that cut into the more typical rectangular grid. This sometimes forces inefficient building configurations and

poor street-level conditions in the building. ZQA would provide greater flexibility in street wall location for buildings that are located on acutely-angled sites.

**Sloping sites** – Similar to shallow lots, zoning today provides some flexibility for steeply-sloping sites, but makes no accommodations for sites with more limited topography changes. Today, sites that have slopes of greater than 10 percent can utilize a sloping base plane to determine maximum base and building heights. ZQA proposes to modify this allowance to 5 percent, to better address these topographic conditions.

**Distance between buildings** – The rules that regulate the minimum distance between multiple apartment buildings on a single lot are from the original 1961 Zoning Resolution, and are in keeping with the large-scale tower-in-the-park developments of the time. Under today's rules, multiple buildings on a single lot that are not connected must be separated by a minimum of 60 feet (the width of a typical narrow street). In some instances, these vast separations make it difficult to construct new, efficient buildings on a lot with existing structures. ZQA would reduce this 60 foot separation requirement to 40 feet to be in line with the required separation in the New York State Multiple Dwelling Law.

**BSA special permit** – Lastly, ZQA proposes a new BSA special permit for Quality Housing buildings on irregular sites, to allow limited modifications to the rules that shape residential buildings to address more unusual constrained site conditions that cannot be addressed as of right. Where it finds that practical difficulties exist and that relief would not have an adverse effect on surroundings, the BSA would be able to modify a limited number of requirements, including lot coverage and street wall location requirements, to address difficult site conditions. In addition, in order to accommodate the needs of developments including predominantly affordable housing, buildings with more than 50 percent of their residential floor area devoted to affordable housing would have additional flexibility to address difficult site conditions.

## Other Changes

In addition to the proposed changes described above, ZQA includes modifications to the language of the Zoning Resolution to make its provisions clearer to the reader and remove obsolete terms. Specifically, the proposal removes a series of obsolete uses including "domiciliary care facilities" and "sanitariums," and removes references to "rooming units", which are no longer permitted by State or other City law. The proposal also includes a major reorganization of the residential bulk regulations found in Article II, Chapter 3 in order to separate the regulations for R1 through R5 districts from the regulations for R6 through R10 districts, and better organizes the various FAR and height and setback controls for these medium- and high-density zoning districts. More limited organizational changes are made to the community facility bulk regulations of Article II, Chapter 4, and the commercial zoning district regulations found in Article III, Chapters 2 through 5.

**From:** [HARCBL@aol.com](mailto:HARCBL@aol.com) [<mailto:HARCBL@aol.com>]

**Subject:** Bills sponsored by Council Member Rosenthal

I am writing to you in reference to the Bills introduced by Council Member Rosenthal which include:

Intro 881

Intro 883

Intro 882

Although all three bills are critically important, as an audiologist practicing in NYS for many years, I am particularly concerned about Bill 882 - which requires that all government meetings open to the public be held in a facility equipped with hearing loops by 2020.

Hearing loops are becoming more and more popular throughout the United States and are becoming the most asked for assistive listening device for people with hearing loss and who wear hearing aids or are implanted with cochlear devices.

The reason is that hearing loops provide the absolute best ability for hearing impaired individuals to hear as best as possible. Hearing loops direct the sound directly into the hearing aids and cochlear implants while eliminating background noise.

Hearing loops allow for the discrete use of hearing aids because the user simply pushes a button to change the device into hearing loop mode.

Every person including those with hearing devices should have the choice of attending lectures, plays, movies, events, and government meetings if they so desire. They have the right to hear important and pertinent information that concerns them as US citizens.

Therefore, it is important for Bill 882 to be passed because it will allow individuals with hearing loss the same ability as any other citizen the pleasure and right to attend government meetings open to the public.

Thank you for your consideration and assistance in the passing of this very important Bill

Sincerely,

Dr Carol Letzter  
Audiologist

**From:** Friedman, Edward

**Subject:** Lexington School for the Deaf

“Twenty-five years ago, this country took a major step in recognizing the rights of the disabled by passing the Americans with Disabilities Act.

Lexington School and Center for the Deaf applauds Council Member Rosenthal’s proposed legislation to provide equal access to municipal services for New York City’s residents with disabilities. Her legislation will provide Deaf and hard-of-hearing New Yorkers with the ability to participate even more fully in civic and community life,” said Donald Galloway, CEO/Superintendent, Lexington School for the Deaf and Lexington Center for the Deaf, East Elmhurst, Queens.

**From:** Ellen Semel [<mailto:esemel@hearinglossnyc.org>]

**Subject:** HEARING ON THREE ACCESSIBILITY BILLS - Thurs., Oct. 22, 1 pm

**I regret I cannot attend the Hearing on the three accessibility bills this coming Thursday, Oct. 22, 1 pm at City Hall. However, I feel very strongly about my commitment to these bills and want to advocate for them, and, therefore, offer my written testimony below.**

**The three bills are:**

**[Intro 881](#):** Require that a qualified Americans with Disabilities Act (ADA) coordinator be employed at every city agency.

**[Intro 883](#):** Require that all publicity materials for city-sponsored events include accessibility information.

**[Intro 882](#):** Require that all government meetings open to the public be held in a facility equipped with hearing loops by 2020.

**Intro 881:** For reasonable access to everyone with a disability, employing an ADA coordinator at every city agency makes sense and is a way to ensure all of us with disabilities has a go-to person with whom to discuss our accessibility needs at any public meeting of any city agency.

**Intro 883:** It is important that all material for city-sponsored events include accessibility information. We need to know before a meeting what access is available to us.

**Intro 882:** The most important of these three bills to those of us with substantial hearing loss is to have a hearing loop (aka induction loop) in the meeting room. I believe many city agency meeting rooms have provided access via infra-red or FM equipment, which is adequate for some people with hearing loss. However, those of us with severe to profound hearing loss cannot get the words clearly when using infra-red or FM equipment; only hearing loops provide good sound quality. We, the people with significant hearing loss, do want to be civically involved; we do care about our city government.

**As you probably know, more and more people are developing hearing loss. The projection is that in the next two decades the incidence of hearing loss will grow exponentially. The senior demographic is now the largest and will be in the foreseeable future; we are the ones with the time to get involved in civic activities. A substantial number of veterans of the Afghanistan and Iraq wars are coming home with significant hearing loss and want to take part in local government issues. Young people are developing noise-induced hearing loss in alarming numbers because they listen to MP3 players and iPods with very loud volume for long periods of time, and some of them are civically minded as well. In addition, hearing loops provide a more dignified way of hearing than infra-red and FM equipment; when a hearing loop is installed, the listener need only hit a button on his device to activate the program that will allow him to access the good quality sound from the loop via a microphone while all background noise is eliminated -- and with a hearing loop we don't have to wear a headset or a neck loop. It is seamless, no one has to stock, give out and retrieve accessories. And the user does not have to "announce" that he has a hearing loss -- he looks like everyone else -- nor does he have to be concerned about the hygiene issue of using ear buds that someone else used in his ears. Hearing loops create such clear sound, the person with hearing aids/cochlear implants feels as if the speaker is sitting on his shoulder talking directly into his ear!**

**I appreciate the opportunity to express my views on the above bills and hope all City Council members vote to accommodate those with hearing loss by installing hearing loops in all public meeting rooms of city agencies. We hope the City Council appreciates the need for a dedicated ADA coordinator at every city agency, and recognizes why all people with disabilities deserve to know beforehand what accessibility will be available at any given city-sponsored public meeting.**

**Sincerely yours,**

**Ellen Semel**

**NYC Chapter**

**HEARING LOSS ASSOCIATION OF AMERICA**

**From:** Fred Kayne [<mailto:kaynef@rhs.msu.edu>]  
**Subject:** Breslin Center at MSU

In 2010, the Breslin Student Events Center at Michigan State University became one of the first arenas to provide hearing loops for sports fans and concert goers in the country. The system allows individuals with hearing aids to flip a switch to activate the arena loop and provides them in essence with a personal loudspeaker.

The issue for individuals with hearing loss in an arena like Breslin is the distance between the loudspeakers and their ears. The farther the distance, the more noise reverberation there is around the arena and the harder it is to discern what is being broadcast on the arena system. Our hearing loop system allows individual with appropriate hearing aids to access a direct feed from the arena sound system eliminating crowd noise which can be very distracting.

We often receive positive comments from both regular and new visitors to the arena; it is a wonderful service to provide our customers. I highly recommend it.

Fred

**Fred P. Kayne**

Manager  
Breslin Student Events Center  
Michigan State University

534 Birch Road, Suite Z-10  
East Lansing, MI 48824-1003  
Phone: 517-432-1989  
[kaynef@msu.edu](mailto:kaynef@msu.edu)

Total Signatures: 208

1.

## PETITION

To: Speaker Melissa Mark-Viverito and  
members of the New York City Council

9/27/15

From: New York City Chapter,  
Hearing Loss Association of America

We, the undersigned, call upon the City Council to act upon and adopt legislation (Int. 881, 882 and 883) to provide greater accessibility for people with hearing loss and other disabilities at events held or sponsored by the City and its agencies and officials.

These three bills will require that: 1) a qualified ADA coordinator is employed at every City agency, 2) all announcements and publicity materials for City-sponsored events include specific accessibility information, and 3) all government meetings open to the public be held, by 2020, in facilities equipped with hearing induction loops to enable all 1.6 million New Yorkers and 10.8 million City visitors with hearing loss to hear and understand at these events.

Name	Address	Zip Code	Signature
ANNE POPE	24 W 69 <sup>th</sup> St Apt. 3A	10023	Anne T. Pope
Ellen Semel	290 Ninth Ave, 19G	10001	E Semel
Coral Karasick	201 E 17 <sup>th</sup> St	10003	Coral Karasick
Feera Safar	372 Ave P Brooklyn <sup>apt #4</sup>	11204	Feera Safar
Sana Samia	372 Ave P Brooklyn <sup>apt #4</sup>	11204	Sana Samia
Norma Lynch	724 Empire Blvd BKLYN	11213	Norma Lynch
Katheryn Klem	172 N 65 <sup>th</sup> St Bklyn, NY	11211	Katheryn Klem
Liz Gatto	1519 E 66 <sup>th</sup> St Bklyn	11234	Liz Gatto
Sue Lipkowitz	515 E 88 <sup>th</sup> St NYC	10128	Sue Lipkowitz



# P E T I T I O N

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Name	Address	Zip Code	Signature
EG Ellis	255 W. 108 St	10025	EG Ellis
Edward Friedman	1 Barclay Drive North	11234	Edward Friedman
KAREN RATNER	264 SUFFOLK AVE	10314	Karen Ratner
ATL Weitzman	11-17 Fairhaven Pl Fair Lawn NJ	07410	ATL Weitzman
Evelyn Schaff	115 E 9th St NY NY 10003	10003	Evelyn Schaff
Melissa Inniss	170-20, 135th Ave. Jan NY 11433	11434	Melissa Inniss
Ariana Davis	531 Boxwood Drive East Yaphank NY	11967	Ariana Davis
S. Bagier	296 Snow Place	07481	S. Bagier
J. G. GRUNW	205 West 1st Ave	10023	J. G. GRUNW

# P E T I T I O N

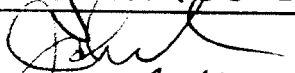
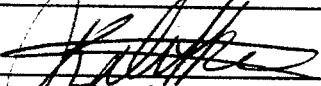

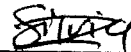
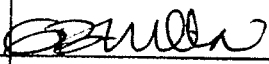
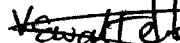
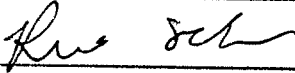
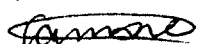
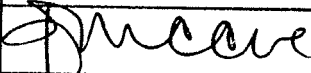




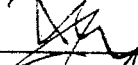


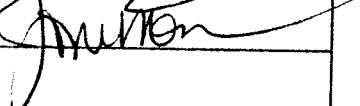
To: Speaker Melissa Mark-Viverito and  
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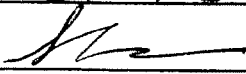




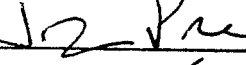


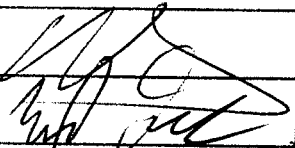
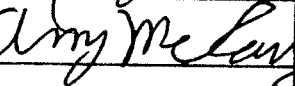

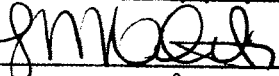
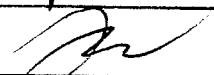
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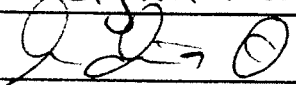
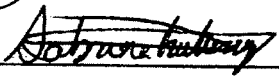

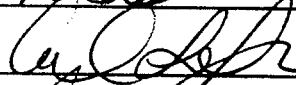



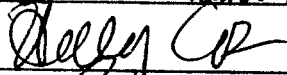
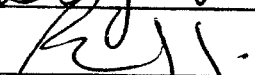

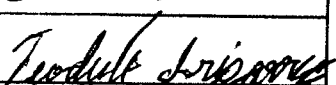
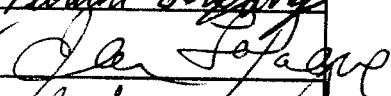
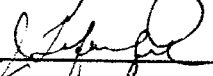
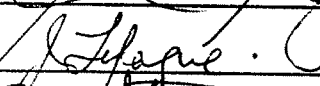
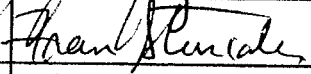
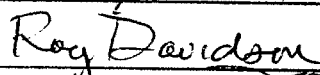
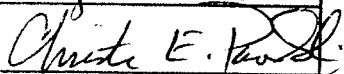
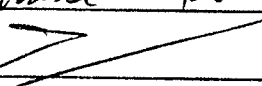
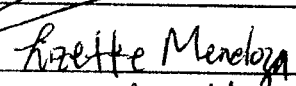
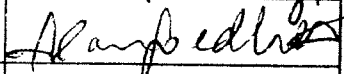

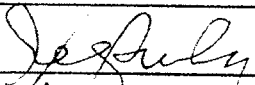

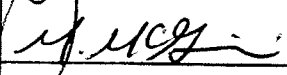
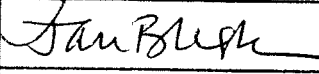
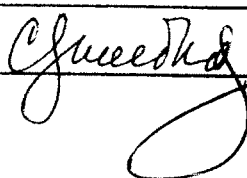
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Name	Address	Zip Code	Signature
Daryn Perry	20 W. Intergrreen Dr. <sup>Melville</sup> NY	11747	D. Perry
Sydney Perry	20 W. Intergrreen Dr. <sup>Melville</sup> NY	11747	Sydney Perry
Katrina Davis	531 Buxwood Dr. <sup>EAST YAPHANK</sup> NY	11967	Katrina Davis
Vicente	950 Rutland Rd	11212	Vicente
Jill Fernandez	2 Washington Sq. V.I. NYC	10012	Jill Fernandez
Jail Chant	340 E 51 <sup>ST</sup> S, NYC	10022	Jail Chant
Mark Lynch	18 CH. L. FORD Rd AMY	03051	Mark Lynch
Carron Prock	1837 Pilgr. m Ave Bronx, NY	10461	Carron Prock

Name	Address	Zip	Signature
John Cay -	1335 81 <sup>st</sup>	11228	
Karen DeLia	37 Bluebrook	11577	
Lewis	320 E 96 <sup>th</sup>	10128	
Silvia Cricello	207 32 <sup>nd</sup> St Bklyn NY	11232	
Jasmine Mendoza	207 32 <sup>nd</sup> St Bklyn NY	11232	Jasmine M.
Mauricio Mendoza	207 32 <sup>nd</sup> St Bklyn NY	11232	Mauricio
G. Ben Willis	16 Walnut Trail, Coventry, CT	06238	
Tesha Torres	1853 Fulton	11233	Tesha Torres
Dora Carcamo	34-31 31 <sup>st</sup> St Astoria NY 11106		
LISA MARKOWSKI	150 E. 57 <sup>th</sup> St. #24D	10022	J. Markowski
Victoria Walters	91-20 191 <sup>st</sup> Apt 2B Hollis	11423	
Renee Springer	1215 East 84 <sup>th</sup> St Bklyn NY	11236	
Cansel Cebeci	1204 5 <sup>th</sup> St. W.B. NY	11704	
Emma McCre	59 St Johns Ave SINY	10305	
Melissa Hurtado	39-43 64 <sup>th</sup> St Woodside NY	11377	
Graciela De la Cruz	5044 46 <sup>th</sup> St Woodside NY	11377	
Denisse Rodriguez	4918 Skillman Woodside, NY	11377	
Sara Gonzalez	155 Centre Ave New Rochelle, NY	10805	Sara Gonzalez
Kristen Fugiel	8 Lilac Circle, Derby, CT	06418	Kristen Fugiel
Rev. Lisabellu Byer	247 W 36 <sup>th</sup> St, NYC		
Alex Bono	164 Hiskin St Brooklyn MI	11201	
Michael McMan	435 E. 65 <sup>th</sup> St #50 NYC	10065	
John Friedman	35 E 75 <sup>th</sup> St #9E	10021	
Joni Morris	281 Magnolia Ave Hillsdale, NJ	07642	

Jonathan J. Cohen	171 East 87th St #5A	10121	<del>Jonathan J. Cohen</del>
Nicole Sinder	<del>165</del> 165 East 118th St	10035	<del>Nicole Sinder</del>
Michelle Singer	124 E 163rd St Apt 4	10029	Michelle Singer
Heather Friedman	31 Highland Ave Pl	10940	Heather Friedman
Melanie Mambo	778 Halsey Street #3	11233	Melanie Mambo
Karzem Barrett	778 Halsey Street #3	11233	Karzem Barrett
Nilay Sebat	311 Evans Ave	11003	Nilay Sebat
Merve Dostek	495 Windmill Ave	11704	Merve Dostek
Meene Atinbor	44 Lincoln Street	11003	Meene Atinbor
Amanda Pisco	157-35 78th Street <sup>Hawthorne, NY</sup>	11414	Amanda Pisco
Elizabeth Gaffney	21 Bartels Pl Apt 1	10880	Elizabeth Gaffney
Richard Hoffman	164 Hicks St Bklyn 11201	11201	Richard Hoffman
Gabrielle Bernadotte	706 Tulip Pl, R. 4 Vrk NJ	07675	Gabrielle Bernadotte
SHIRLEY LITTMAN	1 Hoyt Street Rm. 311 Brooklyn NY 11201	11201	Shirley Littman
Toni Farducci	341 W. 24th St (8B)	10011	Toni Farducci
Erin Howard	233 W 99th St	10025	Erin Howard
Adriana Celleri	200 Water St NYC	10038	Adriana Celleri
Debbie Roth	102 W. 91st St #10 ANX	10024	Debbie Roth
Jillian Friedman	609 Jefferson St. Hoboken, NJ	07030	Jillian Friedman
Mary Patrikis	401 E 34th St Apt 11, NYC	10016	Mary Patrikis
Sophia Pankas	7 James Dr., Nanuet, NY	10954	Sophia Pankas
Eunee Hang	6120 Woodside Ave 2S	11377	Eunee Hang
Kristen McMonagle	2857 Leffette Ave	10465	Kristen McMonagle
Caterina Catalano	15-45 20th place <sup>Bayside</sup>	11360	Caterina Catalano

Name	Address	ZIP Code	Signature
Shari Eberts	201 East 80 <sup>th</sup> St #19A	10075	
Alden Eberts	201 East 80 <sup>th</sup> St #19A	10075	Alden
Cheryl Virginia	61 W 17 <sup>th</sup> Rd Bronx (hwy)	11493	C. Vign
Mariand Hannah	37 <del>Bluebird Dr</del>	11577	
Carmen Seiber	3125 Park Ave	10451	C. Seiber
Althea Flood	3125 Park Ave	10451	Althea Flood
Danielle Gizin	1666 <del>Logan Street</del>	11710	
HARRIS LARNEY	4 Braxmar Dr. N	10528	
Caroline <del>Chen</del>	401 E 86 St	10028	
<del>POPE</del> POPE	24 West 69 St	10023	
Eric Kakaloff	1326 Madison Ave #4	10128	
MARK MONKASH	845 UN PLAZA, DPT 14F	10017	
Terry Chayo Rley	185 E 85 <sup>th</sup> St Apt 2E	10028	
Elliot Freedman	31 Highland Vics Pl	10940	
Michael Friedman	"	"	
Amy McCarthy	311 W 24 <sup>th</sup> St 6D NY 10011	10011	Amy McCarthy
Burcak Bas	75-34 Grand central parking	11735	Burcak Bas
Derya Odabas	298 Spring road	11743	Derya Odabas
Vasiliki Mestaris	52-22 Brouk La. LI 11362	11362	
Shannon Nolan	7 Lori Court Northport NY	11768	Shannon Nolan
Lorene Modest	54 Jackson St NY	10304	
Mary Phelan	740 W. End Ave #123A NY	10025	M. Phelan
Vivian Mares	23 Adelphi St	10921	
Suzanne Albert	308 West 97 <sup>th</sup> St Apt 5F	10025	S. Albert
Emma Albert	308 West 97 <sup>th</sup> St. Apt 5F	10025	Emma Albert

NAME	Address	Zip	Signature
Indira Ordiana	38-16 100 <sup>th</sup> St.	11368	
Sabrina Gutierrez	38-16 100 <sup>th</sup> St	11368	
Nicole Bravo	12-33 117 <sup>th</sup> St	11356	
Carol Dolgon	31-63 33 <sup>rd</sup> St	11106	
Joe Capin	383 S. Bousin RD	16824	
Marilyn Ratner	1025 7 <sup>th</sup> Ave	10028	
Michael Ratner	1025 7 <sup>th</sup> Ave	10028	
Holly Cohen	424 West End	10029	
B. Trizany	1349 Stratford Ave #3H	10472	
C. Quiles	1349 Stratford Ave #3H	10472	
T. Supawoy	1460 Bronx River Ave #10H	10472	
J. Lafague	4 Ocean Ave	07748	
	4 Ocean Ave	07748	
Fran Stunak	80-38 212 St	11427	
Roy Davidson	90 La Salle St. NY NY	10027	
CHRIS PAWELSKI	90 LA SALLE ST #16F NY NY	10027	
Ellen Berg	90 Riverside Dr NY NY	10024	
Lizette Mendoza	207 32 <sup>nd</sup> St Bklyn NY	11232	
Alan Goldblatt	709 PARK AVE Hillside NY	07748	
MARY FREDERICKS	820 E. 20 St. NYC	10009	
Margaret Lutz	14 Coon Pl Livingston NY	10533	
Vaneta Mury	3345 Sedgwick Ave	10261	
MAXINE MCGOWAN	4025-23 <sup>rd</sup> PKWY Temple Hills MD	20748	
Jan Blustein	29 Washington Sq W	10011	
CARMEN SIMEONIDES	212-29 Hillside Ave APT 5PE QUEENS Village NY NYC	11429	

NAME	ADDRESS	ZIP	SIGNATURE
George Fitzmaur	11 W. 100th St	03033	
Anabel Rivera	97-23 127 St S. Richmond Hill NY 11419	11419	
Terry Hochler	803 Durham Rd. East Meadow, NY 11554	11554	
RUTH BERNSTEIN	205 WESTEND AVE 22P N.Y., N.Y. 10023	10023	
KEN MARLOW	10910 QNS Bldg	11375	
Musada otovic	71-A Railroad Ave	10305	
Demira otovic			
Carol Roemer			
Uladine Trizora	1460 Bronx River Ave. Bronx NY 10472 10+1		
Lorie Singer	30-80 35 St Astoria NY	11103	
Jonathan Suen	549 W. 159th St #1 New York, NY 10032	10032	
Jaclyn Spitzer	1807 F. Washington Ave	10032	
Don Carione	1063 73 ST Bklyn NY	11228	
Jon Carione	1063 73 ST Bklyn NY	11228	
Ben Goldstein	14962 Wilflower Lane Bayside 11364	33846	
GAIL WEISS	2678 Riverside Ave Merrick, NY	11566	
Genna Prell		10024	
Alan Holdberg	61 West 62nd St 6A	10023	
Robert Bergin	157 W. Enden St	12844	
Neslee Bader	59 W. Circular St	128166	
Alex Berenii	70 FT Washington Ave #2E	10040	
Derin Eberts	201 E 80th St	10075	
Ken Eberts	201 E. 80th Street	10075	
Senny Seagust	431 W. 45th St.	10036	
Melissa Schwartz	W 11th St NY	07090	

Name	Address	ZIP Code	Signature
C DANESE	140 RIVERSIDE DR	10024	C Danese
N. COLLIN	320 E. 58 <sup>th</sup> ST	10021	N. Collin
A. Gurapne	482 Livermore <sup>SE</sup> NY	10314	A. Gurapne
Cecilia Galez	541 Marlborough Rd <sup>NY</sup> 11226	11226	Cecilia Galez
David Perry	20 Wintergreen Dr <sup>NY</sup>	11747	David Perry
Samantha Perry	20 Wintergreen Dr	11747	Samantha Perry
Janet Br	4130 E. 86 <sup>th</sup> St M	10020	Janet Br
Myra Schreiner	290 W 232nd St 7E	10463	Myra Schreiner
Jamaya Foster	248-05 Memphis Ave. Rosedale NY <del>11422</del>	11422	Jamaya Foster
R. Hochler	31-63 33rd St <sup>Astoria</sup> NY 11106	11106	R. Hochler
GLR RIVARA	10440 QUEENS BLVD APT 20V, FOREST HILLS, NY	11735	GLR RIVARA
Jose Rivera	9723 127 <sup>th</sup> St Jamaica NY 11419	11419	Jose Rivera
SCOTT LIEBERMAN	16 Blanchard St Smytown NY	11787	Scott Lieberman
Barbara Bryan	315 Riverside Dr <sup>NYC</sup> <del>10025</del>	10025	Barbara Bryan
tatti Fichtelberg	7 Stephen Ln <sup>Hicksville</sup> NY	11801	tatti Fichtelberg
Kottur Varan	239 E 79th St 49	10075	Kottur Varan
Brendan	239 E 79th St	10075	Brendan
Stav Waitz	7070 Astin St	11375	Stav Waitz
Sal Stunale	8038 212 St Queens	11427	Sal Stunale
Stella Mossari	400 1st Avenue NY <sup>10010</sup> <del>10010</del>	10010	Stella Mossari
Maria Lopez	207-32 St B'klyn NY	11232	Maria Lopez
Phyllis Ann	639 Wilcox Ave	10465	Phyllis Ann
Jimmy Wilson	639 Wilcox Ave Bx	10465	Jimmy Wilson
Lauren Goldberg	61 W. 62 St Apt 6A	10023	Lauren Goldberg
Lauren Schachter	315 Pearsall Ave. Ridgewood NY	10450	Lauren Schachter











**From:** Karen Deitz [<mailto:kl.deitz@gmail.com>]

**Subject:** Bill 881, Bill 882 and Bill 883

**Importance:** High

October 21,  
2015

To The Members of the New York City Council:

As a New York City resident with hearing loss, I urge you to make the city more accessible to people with disabilities and especially to those with the invisible disability of hearing loss by co-sponsoring and voting for these three bills: Intro. 881, 882 and 883.

I am unable to attend the hearing in person, but wish to express my support for these very important bills.

Thank you.

Karen Deitz  
175 W. 13<sup>th</sup> St. –  
New York, NY 10011

My name is Karen MacLennan. I am a Doctor of Audiology, Assistant Adjunct Professor in the Department of Communication Sciences and Disorders at Long Island University and owner of North East Hearing. I have been an Audiologist for 18 years and have worked with assistive listening systems for just as many years. I am here today in support of Int. 882.

In full disclosure, my company, North East Hearing has been installing hearing loops in the NY Metro area and east coast since for several years. My work, with hearing loop installations, has been some of the most rewarding work in my professional career because hearing loops improve quality of life. My clients include MoMA, NYC Government Agencies, Amtrak and the Council of Foreign Relations. I thoroughly enjoy working with these and other facilities, but the reason why I love my work is because of the difference hearing loops make in the lives of people who live with hearing loss.

I will get right to the point as to why I, and many others in this room, are advocating for hearing access, preferably in the form of hearing or induction loops, to be installed in public meeting rooms. Simply put, hearing loops provide dignified hearing access to individuals with hearing loss.

Why are hearing loops deemed the most dignified manner to provide hearing access? Because hearing loops are inconspicuous. Individuals with hearing loss can enter a looped room and gain access to auditory information by simply changing a program on their hearing device (i.e. hearing instruments and/or cochlear implant). No other type of hearing assistance is this easy. Other benefits of hearing loops include the fact that they are universal. A hearing loop, in New York City, can be enjoyed easily by residents of the city and guests from any other country because there is an international standard in which hearing loops are installed.

Hearing loops are also directly hearing device compatible. FM and Infra Red systems are not directly hearing device compatible because a receiver is needed for every person who uses FM and IR systems making FM and IR systems cumbersome and challenging for individuals with hearing loss.

When facilities install FM or IR systems, individuals with hearing devices have to announce, "I have a hearing loss" and request receivers to use, hope the receivers are available, can be located and have additional functioning components to make the receiver hearing device compatible. This is not the case with hearing loops. With hearing loops, no receivers are needed for individuals with T coil equipped hearing devices thus making hearing loops "inconspicuous" hearing access and simple to use.

I meet people every day who tell me about how hearing loops have changed their lives. Some quotes from individuals with hearing loss, who before hearing loops, were refraining from attending the theater, movies, lectures, meetings and worship services. With hearing access via a hearing loop these individuals are participating in more community events and saying:

- "I didn't have to work so hard to hear the speaker"
- "no more need to read lips"
- "feels like I have normal hearing"
- "the clarity in a loop is amazing"
- "I could hear things my wife could not hear"
- "so much better I cried"
- "I felt normal"
- "I would not attend church services if they did not have a loop"
- "it is awesome to be able to understand, not just hear. I don't think folks with normal hearing can appreciate just how awesome it is!"

It is my opinion that NYC would be viewed as the most forward thinking city in the country regarding hearing access if Int. 882 is adopted, making NYC a great city, for yet one more reason.

In closing, I would like to paraphrase a fellow Audiologist, Dr. Pat Kricos, by adding: Hearing loops are the most appropriate and dignified type of assistive listening system because hearing loops, more so than FM and IR systems, reduce the barriers to access that people with hearing loss face on a daily basis.

Thank you for your responsiveness to the needs of City residents with hearing loss.

Respectfully,

Karen MacLennan, AuD

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**Karen MacLennan, AuD/TSHH**

Doctor of Audiology/Teacher of the Speech & Hearing Handicapped

**North East Hearing - Hearing Loop  
Specialists**

47 Echo Avenue #1106

Miller Place, New York 11764

Visit us at [www.HearingLoopNewYork.com](http://www.HearingLoopNewYork.com)

Phone: 631-828-4526 Fax: 631-331-2123

Email: [DrMacLennan@gmail.com](mailto:DrMacLennan@gmail.com)

**Get in the loop because hearing access equals life!**



**From:** Lorraine DeSantis [<mailto:LDeSantis@siciliving.org>]  
**Subject:** Three bills introduced by Council Member Rosenthal

Hello: I am writing to let you know that the Staten Island Center for Independent Living is in support of the following three bills:

1. **ADA Coordinators at City Agencies ([Int. No. 881](#))** - This bill would require all city agencies to have an employee responsible for coordinating compliance with the ADA and investigating ADA complaints. The bill would also require the names and contact information for ADA coordinators of city agencies to be posted online.
2. **ADA Notification for City-Sponsored Events ([Int. No. 883](#))** - This bill would require all publicity materials for city-sponsored events to include accessibility information, a contact for obtaining additional information about accessibility, and a deadline by which accessibility requests should be received by said contact.
3. **Hearing Loops for City Government Meetings Open to the Public ([Int. No. 882](#))** - This bill would require all city government meetings that are open to the public be held in a facility equipped with hearing loops by 2020. It would apply to public meetings held by any city agency, committee, commission, task force, community board, and the City Council. These organizations may apply for a waiver to the requirement, but they must prove impossibility or extreme hardship or provide a comparable alternative assistive listening system to qualify. In addition, the bill would also require an annual report detailing agencies' compliance with the bill.

Passing these bills into law would greatly improve accessibility for individuals with disabilities. Thank you for your consideration.

*Lorraine De Santis*, Executive Director

**From:** Mary Phelan

[<mailto:mphelelan740@gmail.com>]

**Subject:** Intro bills 881, 882 and 883

To Councilpersons of NYC Council,

I am a New Yorker with hearing loss. I urge acceptance of the Intro Bills 881, 882 and 883 that will be voted on tomorrow.

These will allow fuller access for me despite my hearing loss, which is invisible and often overlooked. However, it is very important for those of us with the disability. I will not be able to attend the hearing tomorrow, but wish to express my opinion on the matter.

Thank you.

Mary Phelan

740 West End Ave.

New York, NY 10025

**From:** Maura Olson [<mailto:olmaura@aol.com>]  
**Subject:** Bill 882 et. al

To the Members of the New York City Council,

As an individual with hearing loss I urge the members of the city council to seriously consider the three bills that will make life for those with hearing loss in New York City much more productive and satisfying. While I feel that all three bills are worthy of consideration I particularly urge you to

**PASS BILL 882**

which will require that all government meetings open to the public be looped by the year 2020. I am a member of the New York Chapter of HLAA and never miss a word during our monthly meetings because only looped venues are used for our meetings.

Thank you, in advance, for your attention and support.

Maura Olson

To The Members of the New York City Council:

I've been a New York City resident most of my 82 years and have been attending and testifying at City Council, MTA and other meetings, even though I usually can't hear. I've had a profound hearing loss for 40+ years and the events are seldom hearing accessible.

Please help make New York more accessible to people with disabilities – especially those of us with hearing loss, the invisible disability – by co-sponsoring and voting for Intro. 881, Intro. 882 and Intro. 883.

Intro. 881 will help those of us with hearing loss know whom to contact at each City agency whenever we need help with accessibility services or information related to any disability.

Intro. 883 will enable us to understand the specific types of accessibility that will be available whenever a City meeting or event is announced.

Intro. 882 will require all New York City government meetings open to the public be held in a facility equipped with hearing loops by 2020.

Many people no longer attend public meetings and events because they cannot hear what is said. Hearing loops facilitate hearing for people with t switches in their hearing aids or cochlear implants.

For more information about the advantages of hearing loops go to:  
<http://www.hearingloss.org/content/loop-technology>

Thank you in advance for your support of this very important legislation.

Ruth D. Bernstein  
205 West End Avenue # 22 P  
New York, NY 10023-4825  
212 595 2853

October 19, 2015

**From:** Shari Eberts [<mailto:shari.eberts@gmail.com>]  
**Subject:** Support Bills Intro. 881, Intro 882, Intro 883

To The Members of the New York City Council:

As a New York City resident with hearing loss, I urge you to make the city more accessible to people with disabilities - and especially to those with the invisible disability of hearing loss - by co-sponsoring and voting for these three bills: Intro. 881, Intro. 882 and Intro 883.

I am unable to attend the hearing in person, but wish to express my support for these very important bills.

Thank you, in advance, for your support of this vital cause.

Shari Eberts  
New York, NY 10075  
10/19/15

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Shari Eberts  
[LinkedIn](#) [Twitter](#)

Check out my blogs at:  
[Hot Off the Mat](#)  
[Living With Hearing Loss](#)

**From:** [ShirleySoffer@aol.com](mailto:ShirleySoffer@aol.com) [<mailto:ShirleySoffer@aol.com>]

**Subject:** hearing disability

To The Members of the New York City Council:

As a New York City resident with hearing loss, I urge you to make the city more accessible to people with disabilities - and especially to those with the invisible disability of hearing loss - by co-sponsoring and voting for these three bills: Intro. 881, Intro. 882 and Intro 883.

I am unable to attend the hearing in person, but wish to express my support for these very important bills.

Shirley Soffer  
505 LaGuardia Place, Apt. 25A  
New York, NY 10012-2008  
212-677-5041

Shirley Soffer  
Tel/Fax: 212-677-5041  
*Author of [The Astrology Sourcebook: Your Guide to Understanding the Symbolic Language of the Stars](#)*  
Now available at: [www.amazon.com](http://www.amazon.com)  
"The least of things with a meaning is always worth more in life than the greatest of things without it." -- Carl G. Jung

# The Marriott Theatre

I'd like to offer my experience to you regarding The Hearing Loop, we recently installed this system in our theatre April of this year. Dr. Linda Remensnyder came to us in 2010 regarding the Hearing Loop, she had many patients that are, or have been, subscribers with us. Our old system was an infrared system. One of our biggest concerns with this is the constant challenges with signal completion along with clarity. While it was a satisfactory system for some, it still left so many others in a position where they couldn't understand the dialogue and although volume was increased, the quality was poor. We even lost many of our hearing impaired patrons who had been with us a long time. Along with the information Linda provided to advocate this system, I spent quite a lot of time researching the Loop and its innovative movement here and especially in Europe, where many public buildings, airports and transit systems have embraced this system. It was clear that this was a change we needed to make to give our patrons the ability to enjoy the maximum theatre experience we could offer. Our theatre has been in business for over 30 years, and the best in customer service is what Mr. Marriott built this company on. The owners were convinced, with the tenacity of Dr. Remensnyder, myself and our Executive Producer, Terry James, that this was an investment in our future.

I cannot begin to tell you the amazing difference this has made. I never realized how many patrons we have with the T Coil already in their hearing devices, and I am not exaggerating when I tell you that at EVERY performance we get big Thank You's. We have subscribers who are returning and telling their friends. The reward comes in the testimony of our patrons; one of my favorites was when a young man in a wheelchair, who has several medical issues, stopped one of our actors to tell him that this was the first time he was able to really hear a show as he has 5% hearing. He comes all the time with his family and Bernie Yvon (our performer) actually was moved to tears when the young man shared this with him.

I could go on and on. I'd like to add that working with Todd Billin and his two installers was a VERY smooth process. We had a mainstage performance AND children's theatre performance schedule in place when this was happening and they worked around it.

The new devices are very easy and comfortable, as well as sanitary since the headphones aren't placed inside an ear. I purchased inexpensive sanitary covers to go over the earpads, the head phone is a standard one that can be used with many media devices. On a side note, we had to send one of the units back that wasn't working properly and the service was EXCELLENT.

I encourage you to do whatever you can to get "Looped," it truly is one of the best investments we've made, but more importantly, what we've given to our patrons is priceless.

Very Sincerely,

Margaret Newton  
Business Manager



10 Marriott Drive Lincolnshire IL 60069  
847-634-0204

To the Members of the New York City Council:

As a member of the Board of Trustees of the Hearing Loss Association of America, I am writing to urge you to co-sponsor and vote for Intro. 881, Intro. 882 and Intro. 883.

In order to fully participate in our communities and City government, we need to be able to access information. For those of us with mild to severe hearing loss, we cannot do this without support and technology.

Intro. 881 will not only provide a contact at City agencies for people with hearing loss to request information and accommodation, it will also help eliminate the current lack of awareness about the communication needs of people with hearing loss.

Intro. 882 will inform us of available accommodations, without having to struggle with phone calls and unnecessary email, often a time consuming process for those of us who cannot hear.

Intro. 883 will enable a majority of people with hearing loss to access clear communication in public venues, simply by activating a switch on their hearing aids or cochlear implants. This also eliminates the need and cost of dispensing individual listening devices.

Thank you, in advance, of your support for this critical cause.

Toni Iacolucci  
233 W. 99<sup>th</sup> Street #10E  
New York, NY 10025  
toni233nyc@gmail.com  
October 20, 2015



**From:** trudi coakley

[<mailto:trudicoakley@yahoo.com>]

**Subject:** Bills 881,882 and 883

Dear Mr. Bernstein:

I'm a NYC resident with a hearing loss. I urge you to vote for three bills: Intro.881, Intro.882 and Intro.883 in order to make the city more accessible to people with disabilities--especially those with hearing loss,

Trudi Coakley,  
1725 York Ave.  
NYC 10128



October 22, 2015

Re: Int 881 - Require that a qualified Americans with Disabilities Act (ADA) coordinator be employed at every city agency.

Int 883 - Require that all publicity materials for city-sponsored events include accessibility information.

Int 882 - Require that all government meetings open to the public be held in a facility equipped with hearing induction loops by 2020.

To whom it may concern:

I am writing in support of the above legislation.

I have been the Executive Director of Hands On for more than 30 years. As someone who has worked in the field of disability and the arts in NYC, as well as being a person with a disability and a native New Yorker, I am in full support of the above legislature not only from a professional perspective but a personal one as well.

The need for clearer information on accessibility has been an issue in the city for many years. Information to inform people who are Deaf and disabled on access information has been sorely overlooked. Feedback I get from our constituents is that on many forms and publicity announcements, there is no contact information on who to contact for more information and there is generally no access information printed on many flyers and publicity material for many of the city's events such as interpreters, captioning, whether the location is physically accessible, etc. This lack of information creates an environment that is not welcoming, and does not encourage people with disabilities to attend. It's a 'catch-22' situation that needs to be address and passing of the above legislation is the first step to a more inclusive city.

As a person who depends on access for my ability to participate in many of the meetings and events sponsored by the city, I am often frustrated by the lack of knowing who to contact. This points to the Int 881 – and the need for a 'qualified' ADA coordinator – to have a trusted contact person who is knowledgeable about the needs of a various access issues is imperative. I would note that this should be the first step and one that is the most important. What we have found from the community is that a lack of a 'point person' is the major complaint in getting information on accessibility.

I hope this information is helpful in getting the above legislation passed. Anything I can do to support or assist in this matter, please feel free to contact me.

Best,

Beth Prevor  
Executive Director, Hands On

I am Laurie Hanin, the Executive Director of the Center for Hearing and Communication, a nonprofit rehabilitation center providing state of the art hearing health care services to people of all ages and degrees of hearing loss. I regret that I am not able to attend this meeting in person but appreciate the opportunity to provide testimony. One of the core values of our organization is to strive to assure a world without limits for all those who are hard of hearing or deaf. A key element necessary for this to be achieved is in making the world accessible. CHC was established in 1910 and certainly there has been incredible gains in accessibility for people with all types of disabilities since then, and the world is a better place for it. Yet, people with hearing loss continue to suffer from an invisible disability, are often misunderstood, underestimated and neglected and it is time that this stop.

The three pieces of legislation under discussion today will all work together to bring NYC even closer to accessibility for all, including people who are deaf or hard of hearing. Each one is very important and we urge all three to be considered and approved. For the specific population of individuals that receive services at CHC, INT 882, requiring that all government meetings that are open to the public be held in a facility with hearing induction loops by 2020 is vital. A hearing loop electromagnetically sends sound signals directly to hearing aids and cochlear implants that have a telecoil receiver inside, which most hearing aids do. Although hearing aids and cochlear implants are very sophisticated devices today, when the person speaking is at a distance or when there is background noise, speech can become very difficult to hear. By directly connecting to the hearing device, loops greatly improve the audibility of the speech and go a long way to providing equal access for people with hearing loss.

INT 882 which will require that publicity materials for city-sponsored events include accessibility information will ensure that people with disabilities are aware of the accommodations that are available so that they can fully participate in the event. INT 881, is crucial in truly achieving accessibility for all. By requiring that a qualified ADA coordinator be employed at every city agency, each city agency will have the knowledge needed to use equipment and keep it in working order, provide information to the public on what is available at all time, and how to request additional needs that may be specific to an individual.

In this year of the 25<sup>th</sup> anniversary of the ADA, what better time to pass these legislative items? The current administration should be commended for furthering the inclusion of people who are deaf or hard of hearing, as well as all those who have other disabilities.

**From:** David Myers [<mailto:dmyers@hope.edu>]  
**Subject:** hearing loops in NYC (Int. 882-2015)

Dear Mr. Bernstein,

As a person with hearing loss (and a representative of Americans with hearing loss on the advisory council of NIH's National Institute on Deafness and Other Communication Disorders), I write to salute Helen Rosenthal's wonderful proposal to mandate hearing loops at the sites of NYC government meetings starting in 2020.

Hearing loops are the equivalent of wheelchair ramps for people with hearing loss. As I explain in the attached recent essay in the *Wall Street Journal*, which celebrates some other examples of hearing loops coming to NYC thanks to the wonderful work of hearing advocates in your city, this is hearing assistance that people will actually use . . . because they need only press a button that transforms most hearing aids and all cochlear implants into wireless in-the-ear speakers. There's no fuss (except for those not yet suitably equipped) with locating, checking out, and wearing special equipment.

Said differently, hearing loops provide hearing assistance that is directly hearing instrument compatible. No wonder they have become the hearing assistance technology of choice throughout the United Kingdom and Scandinavia.

And how wonderful that NYC is not only supporting people with hearing loss, but also providing an example to our whole nation. Ergo, I salute Helen Rosenthal and heartily support her bill.

David Myers  
[www.davidmyers.org](http://www.davidmyers.org)  
[www.hearingloop.org](http://www.hearingloop.org)

From the *Wall Street Journal*, August 28, 2015

## A Technological Godsend to Counter Hearing Loss

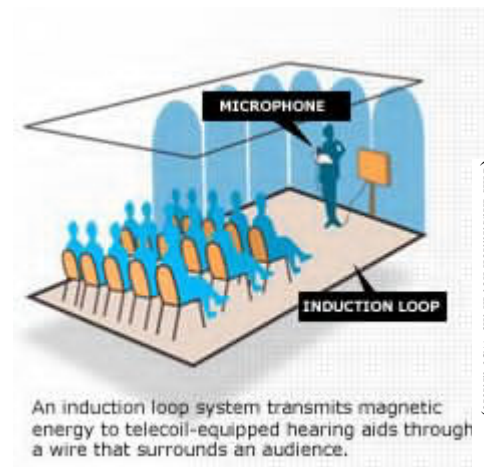
**The ‘hearing loop’ is a remarkable advance, but all too hard to find in the U.S.**

By  
David G. Myers

The first time I clicked on my hearing aids’ telecoils, it seemed like magic. It was 1999 and my wife and I were sitting in a historic abbey on Scotland’s Isle of Iona. I had gradually become hard of hearing and had gotten my first hearing aid in my 40s, and the abbey wasn’t built with acoustics in mind. The amplified voice of the worship leader caromed off the stone walls, reverberating into a fog by the time it reached my ears.

Then my wife noticed a sign with a capital T and an outline of an ear, which indicated that the abbey was wired with a “[hearing loop](#)” that could magnetically transmit sound from the PA system to the telecoils in my hearing aids. When I flipped the switch to turn my T-coils on, the fog instantly dissipated. I could hear a crystal-clear voice speaking seemingly from the center of my head. The experience took me to the verge of tears.

Hearing loops are now ubiquitous in Britain. They’re in churches and auditoriums, at tens of thousands of ticket windows, post offices and pharmacies and in every London taxi. At spacious Westminster Abbey, with my hearing aids’ microphones turned off and my T-coils turned on, I hear better than most in the audience.



After that epiphany on Iona, I became an evangelist: Why not loop America? Theaters and other public venues in the U.S. generally offer “assistive listening” devices. But that typically requires people with hearing loss to locate, check out and wear a conspicuous headset. I recently asked my local movie multiplex in Holland, Mich., how often these headset units get used. The reply: “Once per month, per theater.”

That’s a shame. Some 48 million Americans have hearing loss in one or both ears. For my mother it was socially isolating. She quit going out, except to church, where, amid others, she heard little. I can sympathize. When I remove my hearing aids I have a near deaf experience. In the gym locker room, the banter goes nearly silent. In bed at night, my wife’s voice from the adjacent pillow is indistinct.

But unlike my mother, I am served by new ear-opening technologies. My hearing aids suppress background noise and amplify only the sounds I need. I can wirelessly transmit phone calls and

stereo music to them from my smartphone. I even looped my home TV room. With a simple press of a button, muffled sound becomes clear, thanks to the wireless speakers in my ears.

The challenge for hearing loops in the U.S. is inertia—existing installations of less convenient technologies are often already in place. Adding a hearing loop which involves running a coil of wire around the circumference of the coverage areas, costs money: several thousand dollars, perhaps, for a modest-size church or auditorium.

The airport 35 miles from me in Grand Rapids, the second largest in Michigan, looped both of its concourses and 15 gates and now broadcasts boarding and delay announcements directly to hearing aids. The cost to install the system was a little more than \$130,000—not a lot, in the grand scheme of things. Picking up the magnetic signal requires a \$2 telecoil, which came standard on 72% of the hearing-aid models sold in the U.S. last year and all cochlear implants.

With support from the Hearing Loss Association of America, the American Academy of Audiology, and other hearing loop advocates, the technology is spreading throughout the U.S. Nearly every worship place and auditorium in my community now has one, including at Hope College, where I work. One of America's largest hearing-loop installations is the 12,200-seat basketball arena at Michigan State University.

In New York City, subway fare booths are now looped, as are the new Nissan taxis and several Broadway and Lincoln Center theaters, including the Gershwin and Rodgers. In Washington, D.C., hearing loops now include the chambers of the Supreme Court and the U.S. House of Representatives.

On July 29 a committee of the U.S. Access Board recommended looping individual subway and railcars, if it proves technically feasible.

All of this represents a huge step forward for people with hearing loss. A survey last year [published in Hearing Review](#) asked 866 people to rate the performance of their hearing aids or cochlear implants using a 10-point scale. The average response was 4.9 in a non-looped setting and 8.7 in a looped environment.

It's easy to find similar stories. One person, after turning on his telecoil for the first time, said that it "felt like God was talking." Margaret Newton, the business manager of suburban Chicago's 882-seat Marriott Theatre, reports that after installing a hearing loop, she began to receive thanks from attendees after every performance. "I cannot begin to tell you the amazing difference this has made," she says.

With momentum now on the side of the hearing loop, I happily foresee a future my mother could not have imagined. Hearing loss need not be debilitating or isolating. As a campaign by the Hearing Loss Association of America says, "Get in the Hearing Loop." Hear ye! Hear ye!

*Mr. Myers is a psychology professor at Hope College in Holland, Mich., and the author of "A Quiet World: Living With Hearing Loss."*

**From:** Susan Woodland [<mailto:susan.woodland@gmail.com>]  
**Subject:** Disability bills 881, 882, 883

To The Members of the New York City Council:

Please help make our City more accessible to people with disabilities - and especially to those with the invisible disability of hearing loss - by co-sponsoring and voting FOR Intro. 881, Intro. 882 and Intro 883.

Intro 881 will, for the first time, enable me to know someone I can contact at each City agency whenever I have need of services, help with accessibility or information related to my disability.

Intro 883 will, for the first time, enable me to understand what specific types of accessibility will be available whenever a City meeting or event is announced.

**Intro 882 - of most importance to me as someone with hearing loss who wears a hearing aid** - will allow me to hear and understand remarks at City meetings and events held in facilities with hearing loops. Hearing loops are the best, and often the only, way for people with severe hearing loss to hear at meetings and events. They deliver a sound signal far superior to infrared or FM systems directly to telecoils in hearing aids and cochlear implants. They eliminate the need for the City to maintain and dispense individual listening devices. And they preserve our dignity because we do not need to wear any special device and can hear at the flip of a switch without anyone knowing. The number of NYC residents with hearing loss will continue to increase as people my age grow older and younger people subjected to the unbearable loudness inside and outside start to experience irreversible hearing loss.

Thank you, in advance, for your support of this vital cause.

Susan Woodland  
2 Grove Street, NY, NY 10014  
[susan.woodland@gmail.com](mailto:susan.woodland@gmail.com)  
October 22, 2015

October 22, 2015

On behalf of the Hearing Loss Association of Washington, I'd like to add our strong support for three NYC Council bills to support people with hearing loss and other disabilities: 881, 882, and 883.

People with hearing loss experience what we call the invisible disability. Even though 48 million Americans struggle to hear in everyday situations, this group may well be the most underserved in the country. People with hearing loss *require* assistive listening technology and caption services to fully understand in church, at city council and other government meetings, in large venues and playhouses, and in the workplace. Yet we're just now beginning to create an infrastructure—hearing loops, video captions and real-time captioning,— to make sure all Americans have a seat at the table, regardless of their ability to hear.

Many of us have become lost in a maze of bureaucracy when requesting ADA-mandated hearing accommodation. Often no one knows how to get us the technology or service we need, and consequently many people with hearing loss sit out of civic activities. Bill 881 would offer a knowledgeable, centrally located information hub, easing confusion and streamlining the process for everyone--staff and community alike.

People can't use hearing assistive technology when they don't know it's available. Bill 883 will let people know the technology awaits them at city-sponsored events. Publicizing hearing accessibility is as important as the technology itself. Too often the technologies sit on a shelf or otherwise go unused, again leaving people with hearing loss out *despite* the investment of time and energy in purchasing the tools.

Finally, Bill 882 is an exciting and tremendous step forward. Hearing loops are the most user- friendly and sought out hearing-assistive technology today. With immediate access to clear communication this universal assistive technology is the equivalent of the wheelchair ramp for mobility access. Prominent signage directs the public how to seek and use publically mandated Hearing assistive technology. This built in communication access quickly becomes part of a venue's infrastructure, eliminating the need for



advanced requests and the city's in supplying it. Lack of permanently installed assistive technology that may be independently accessed has meant thousands have not been able to effectively participate. Portable systems and systems that require staff assistance rarely meet compliance or our needs. These device systems create barriers that assistive technology was designed to prevent. Induction loops allow individuals to engage and participate seamlessly and in the same way as others consistent with the intent of the American for Disabilities Act. The City of Seattle recently installed a hearing loop in its chambers, and more and more civic venues (Albuquerque, Sioux City, Colorado Springs) are choosing hearing loop technology. All city events looped by 2020 is a terrific, doable goal for NYC, and we heartily support it!

Thank you so much for prioritizing support and service to people with hearing loss. You can help us make this invisible disability acknowledged and one that is accommodated automatically, with ease and enthusiasm.

Kind regards,

Cheri Perazzoli

**Cheri Perazzoli**

[Hearing Loss Association of America](#)

[Washington State Association](#)

Director of Advocacy

[425.785.4904](tel:425.785.4904)

[cheripz@gmail.com](mailto:cheripz@gmail.com)

[Lets Loop Seattle](#)





NYC METRO CHAPTER  
REGISTRY OF INTERPRETERS FOR THE DEAF

Date: October 23, 2015

To: Councilmember Helen Rosenthal  
Councilmember Andrew Cohen

cc: Commissioner Victor Calise  
Mayor's Office for People with Disabilities

re: Letter of Support for Int. 881-2015 and Int. 883-2015

I'm writing to offer some ideas about improving communication access for Deaf New Yorkers that came to mind after speaking with you today.

**Int. 881 NYC Metro RID is full support of establishing a position for an Access Coordinator in each NYC government agency.**

Too often the request for an ASL interpreter made by a Deaf consumer does not easily result in an effective interpreter placement. An ADA Access Coordinator would serve as a broker between the Interpreting Services Vendor, the Deaf consumer and the hearing consumer (NYC gov't employee). In this role, the ADA Access Coordinator would:

- Understand the factors involved in making an effective request for ASL interpreting services,
- Ask the Deaf consumer about their communication needs,
- For each request, provide the Interpreting Services Vendor appropriate info to ensure effective staffing assignments,
- Establish a system to capture Deaf consumer feedback as a means of ensuring interpreting quality assurance after each communication event,
- Address other gaps in communication access (e.g. provide info on key agency webpages in a video ASL format so Deaf folks can access public interest info in their native language)

I imagine MOPD could provide regular centralized in-service opportunities for these ADA Access Coordinators from throughout the city. It will be important that the Coordinators from across government agencies can network on these issues of common responsibility. In fact, we would love to see the MOPD host an orientation on Deaf Culture and Interpreting Protocols. A short in-service could help close this service gap by providing a foundation of knowledge for these key personnel about the unique aspects of this kind of accommodation.



NYC METRO CHAPTER  
REGISTRY OF INTERPRETERS FOR THE DEAF

In addition, the MOPD could provide a central ASL Customer Support Line that would allow Deaf New Yorkers to leave video calls with their questions or concerns. The FCC has done this:

“The FCC’s ASL Consumer Support Line allows users to make video calls directly to the FCC to obtain assistance and information about issues under the FCC’s jurisdiction. Analysis of calls received reveals a very high consumer satisfaction rate.” [Direct Video Communications](https://www.fcc.gov/encyclopedia/direct-video-communications) at <https://www.fcc.gov/encyclopedia/direct-video-communications>

Unfortunately the MOPD has not had the budget to allow Commissioner Calise to have a staff person who is an expert in matters of the Deaf community. It would be fantastic to see a Deaf person in a central position in the NYC government as a resource on questions of equal communication access. This person would serve as a link for MOPD, the ADA Access Coordinators and the Deaf community by providing outreach and by assessing common needs. The current lack of anyone in the MOPD who can effectively provide information about best practices and Deaf community values is a serious deficit, especially as there’s no state level office focused on the Deaf and Hard of Hearing community needs either.

**Int. 883 NYC Metro RID supports a requirement that publicity material indicate that accommodations and auxiliary services are available for public events.**

As I mentioned in my testimony, the act of including a logo and phrasing about accommodations not only informs the public about how to get access to events, but it also serves as a reminder to the event organizers that they need to plan for these aspects just like they plan for lighting, audio visual services and other logistics.

I stand ready to be of assistance in any way you might need. I would be happy to chat further about these ideas or other ways the Deaf and interpreting communities might benefit from your leadership. Thanks again for your interest. The NYC Metro RID looks forward to working with you.

Jana Owen  
President  
NYC Metro RID Chapter

[president@nycmetrорid.org](mailto:president@nycmetrорid.org)

[Jana@janaowen.us](mailto:Jana@janaowen.us)



**New York City Council Committee on Mental Health, Developmental Disability,  
Alcoholism, Substance Abuse & Disability Services  
INT. 881, 882, and 883  
October 22, 2015**

Remarks submitted by Molly Krakowski, Director, Legislative Affairs  
Jewish Association for Services for the Aged (JASA)

Council Member Cohen, and members of the Council Committee on Mental Health, Developmental Disability, Alcoholism, Substance Abuse & Disability Services, thank you for calling for today's hearing.

JASA is a not-for-profit agency serving the needs of older adults in the greater New York area. JASA programming promotes independence, safety, wellness, community participation, and an enhanced quality of life for New York City's older adults. These programs reach over 43,000 clients and include home care, case management services, senior centers, NORC supportive services, home delivered meals, caregiver support, continuing education, licensed mental health, housing, advocacy, legal services, adult protective services, and guardianship services.

JASA is pleased to offer support to the three Intros sponsored by Council Member Rosenthal, and members of the Committee. We believe that accessibility will be further extended in New York City agencies through the employment of an ADA Coordinator, as is detailed in Int 881. With an ADA expert in house, there is greater opportunity for inclusion at every stage of programming and planning. As an organization, JASA is deeply committed to civic engagement, and advocacy. We support Int 883, requiring all publicity materials for city-sponsored events to include accessibility information, which will serve as a public commitment to inclusion across New York City. Finally, JASA welcomes Int 882, requiring publicly held government meetings to include hearing induction loops by 2020. The hearing induction loop is yet another way of including people with hearing impairments, avoiding stigma, and utilizing technology to increase quality of life and equality for New Yorkers.

JASA's mission is to enrich and sustain the lives of New York's aging population, many of whom stay actively involved in public affairs and frequently attend City events. Intros 881, 882, and 883 help New Yorkers stay engaged in their community, and provides an equal opportunity to have their voices heard.



*The Nation's Voice for People with Hearing Loss*

October 26, 2015

Eric Bernstein  
Legislative Counsel  
Committee on Aging, Veterans and Mental Health, Developmental Disability,  
Alcoholism, Substance Abuse and Disability Services  
The New York City Council  
250 Broadway, 14<sup>th</sup> Floor  
New York, NY 10007

Re: Int. No. 881, Int. No. 882, and Int. No. 883

Dear Mr. Bernstein:

I write today as Executive Director of the Hearing Loss Association of America (HLAA), the nation's leading organization for people with hearing loss, to express our enthusiastic support for the three bills to expand and improve access to New York City programs and services and participation in civic affairs.

Each of these bills is important and needs to be enacted into law.

**Int. No. 881** will significantly improve access to City programs and services and civic affairs by enabling persons with disabilities to communicate directly with an employee within each agency who can assist in meeting their needs, respond to their concerns and facilitate their filing of complaints for noncompliance.

**Int. No. 883** will also significantly improve the ability of persons with disabilities to participate in civic affairs but in a different and equally beneficial way: by requiring that advance notices of City government meetings, or meetings of organizations that receive City funding, to include specific details regarding the types of accessibility to be available to accommodate persons with both physical and sensory disabilities.

**Int. No. 882** is the most important of the three bills, however, because it will open wide the doors of the City that are now closed to many of its citizens with hearing loss, both young and old alike. That is because the bill calls for all government meetings open to the public to be held in facilities equipped with hearing loops by 2020.

As both audiologists and audio technology experts have testified to your Committee, hearing loops deliver sound far superior in quality to all other currently available assistive listening systems. By adopting hearing loops, the City Council will allow the greatest number of people with hearing loss to hear and understand what is said at its meetings and events, including many of them for the very first time. Even people without hearing loss and those who do not own or wear hearing aids will benefit by listening with a receiver and headset to the pristine electromagnetic signal transmitted inside a hearing loop.

HLAA advocates that government and private for- and not-for-profit organizations accommodate people with hearing loss, whenever possible, in a manner that best meets their requirements for understanding speech. CART and sign language interpreters will still be needed as requested by those for whom hearing aids and cochlear implants have only been of limited benefit, who are not candidates for cochlear implant surgery, and those who are deaf.

But New York City should pass these three bills and move into the forefront of US cities reasonably accommodating the greatest number of its citizens with disabilities.

Sincerely,

A handwritten signature in cursive script that reads "Anna Gilmore Hall".

Anna Gilmore Hall

Executive Director

CC: Council Member Andrew Cohen

Council Member Helen Rosenthal

# Housing New York

## Mandatory Inclusionary Housing

### Summary

As a key initiative of Mayor de Blasio's housing plan, Housing New York, the Department of City Planning is launching a proposal for a Mandatory Inclusionary Housing program that would require through zoning actions a share of new housing to be permanently affordable. Developed in close consultation with the Department of Housing Preservation and Development and informed by extensive policy and financial feasibility analysis, this proposal marks a new approach to ensuring neighborhood economic diversity as we plan for growth.

The requirement would work together with City housing subsidies, other zoning changes and 421a reforms achieved in Albany in June 2015. NYC's Mandatory Inclusionary Housing would be the most rigorous zoning requirement for affordable housing of any major U.S. city. This proposal is a zoning text amendment which will require the approval of the City Council.

### Main Features of the Policy

**Affordable housing would be mandatory**, not voluntary. Production of affordable housing would be a condition of residential development when developers build in an area zoned for Mandatory Inclusionary Housing, whether rezoned as part of a City neighborhood plan or a private rezoning application.

**Affordable housing would be permanent**. There would be no expiration to the affordability requirement of apartments generated through Mandatory Inclusionary Housing, making them a long-term, stable reservoir of affordable housing.

### Levels of Affordability

Mandatory Inclusionary Housing would result in more affordable housing for a wider range of New Yorkers, all of it required as a condition to build housing on the land. It would be responsive to neighborhood needs, with a set of income mix options that the City Planning Commission and Council can work together to apply within each rezoned area through the land use process.

**Under the proposal, the City Planning Commission and ultimately the City Council would apply one or both of the following requirements to each Mandatory Inclusionary Housing area:**

25% of residential floor area must be for affordable housing units for residents with incomes averaging 60% AMI (\$46,620 per year for a family of three), or

30% of residential floor area must be for affordable housing units for residents with incomes averaging 80% AMI (\$62,150 per year for a family of three)

**\*In addition to one of the options above, the City Council and the City Planning Commission could decide to apply an additional, limited workforce option for markets where moderate- or middle-income development is marginally financially feasible without subsidy:**

30% of the total residential floor area must be for housing units for residents with incomes averaging 120% AMI (\$93,240 per year for a family of three)

No direct subsidies could be used for these affordable housing units

This could not apply to Manhattan Community Districts 1-8, which cover south of 96th Street on the east side and south of 110th Street on the west side

For all options, no units could be targeted to residents with incomes above 130% AMI (\$101,010 per year for a family of three).

# Building on Mandatory Inclusionary Housing

Mandatory Inclusionary Housing represents the floor, not the ceiling, of affordability that would ultimately be achieved in new development. In City-initiated neighborhood rezonings, each area would be evaluated to determine the role that HPD programs could play in broadening and deepening affordability, in addition to new City capital investments in services, facilities and infrastructure to support smart growth.

## Timetable for Review

The Department of City Planning introduced the Mandatory Inclusionary Housing proposal into public review on September 21, 2015. The proposal has been referred to all Community Boards, Borough Presidents, and Borough Boards for 60 days for their review. Following this period, the application will be subject to review and votes at the City Planning Commission and City Council.

Every land use action to apply Mandatory Inclusionary Housing to a specific area would also go through a full public land-use review process, with final approval resting with the City Council.

## Proposed Program Would Be the Most Rigorous of Any Major U.S. City

	Boston	Chicago	District of Columbia	Denver	Los Angeles	San Francisco	Seattle	NYC Existing Voluntary program	Proposed mandatory program
Year Adopted	2000	2003	2006	2002	1991	2002	2001	1987 (R10) 2005 (IHDA)	TBD
Program Type	Voluntary	Voluntary	Mandatory	Both	Mandatory	Mandatory	Voluntary	Voluntary	Mandatory
Duration of Affordability	50 years	30 or 99 years	Permanent	15 years	30 years or life	Permanent	50 years	Permanent	Permanent
Set Aside (%)	15%	10%	Varies	10%	15%	12% onsite 20% offsite	5%*	4-5% (R10) 20% (IHDA)	<b>25 to 30%</b>
Income Targets (AMI)	<70 to 100%	≤60 to 100%	<50 to 80%	50 to 80%	30 to 80%	≤55 to 90%	80 to 100%	< 80%	Average of 60% or 80%; limited workforce option at 120%

\* Changes to program underway

Source: BAE Economics, DCP



# Housing New York

- 1) Mandatory Inclusionary Housing (MIH)
- 2) Zoning for Quality and Affordability (ZQA)

# Public Process: Why are we here?



Public reviews of both proposals are concurrent, asking for input now

## Application of MIH in Neighborhoods

- No neighborhood will be affected unless there is a public or private zoning change that allows new housing, each has its own full public review
  - City-initiated rezonings – e.g., East New York
  - Private applications for zoning map changes
  - Private applications for special permits that create substantial new residential density



Key Facets of

# The Affordable Housing Crisis

- **Gap Between Rents and Incomes**

Over the past decade, average rents rose by more than 10% while wages stagnated

- **High Rent Burden**

55% of renter households are “rent-burdened” and 30% are “extremely rent burdened”

- **Insufficient Housing Production**

The marketplace is not meeting the needs of existing residents, let alone new ones

- **Limited Supply of Affordable Units**

Despite significant public investment, only a fraction of eligible New Yorkers served

- **Population Growth**

230,000 new residents arrived since 2010 and 600,000 more are expected by 2040

# Housing New York

## A Five-Borough, Ten-Year Plan

**Housing New York** is a comprehensive plan to build and preserve 200,000 units of high-quality affordable housing over the next decade.



# Housing New York: Implementation

## Build More Affordable Housing

- Create 80,000 new affordable units
- Reform 421-a tax exemption program
- Improve zoning to promote affordability

## Keep people in their homes

- Preserve affordability of 120,000 existing units
- Strengthen rent regulations
- Protect tenants facing harassment

## Plan with & Invest in Neighborhoods

- Collaboratively plan with communities
- Create a Neighborhood Development Fund
- Align planning with strategic investments



# Housing New York:

1) Mandatory Inclusionary Housing (MIH)

2) Zoning for Quality and Affordability (ZQA)

# What is Mandatory Inclusionary Housing?

A new proposal which  
requires permanently affordable housing  
when a zoning change allows new housing:

25-30% **must** be affordable

**Will only apply to future zoning changes**

# Goals of Mandatory Inclusionary Housing

- Promote **vibrant, diverse neighborhoods**
- **Ensure affordable housing** in areas in which we are planning for growth
- Meet the needs of a **range of low- moderate-and middle income New Yorkers**
- Ensure that program meets legal standards
  - Apply program consistently
  - **Support financial feasibility of housing creation**



# Proposed Requirements Would Be The Most Rigorous of Any Major U.S. City

For each rezoning, the City Planning Commission and City Council can apply:

**Option 1:** 25 percent of housing at an average of 60% AMI

**Option 2:** 30 percent of housing at an average of 80% AMI

*Plus, in limited emerging or mid-market areas, an additional option may be added:*

**Workforce option:** 30 percent at an average of 120% AMI (without direct subsidy)

Area Median Income (AMI)	Income*	Sample Occupation	Affordable Monthly Rent for 2BR*
40%	\$31,080	Security Guard	\$775
60%	\$46,620	Paramedic	\$1,150
80%	\$62,150	School bus driver + home health aide	\$1,550
100%	\$77,700	Teacher + retail salesperson	\$1,950
120%	\$93,240	Firefighter + server	\$2,350

\* For 3-person home

# Key Features of Proposed Program

## Other requirements

- Units would be permanently affordable
- Applies to developments, enlargements, or conversions > 10 units

## Locations of affordable units

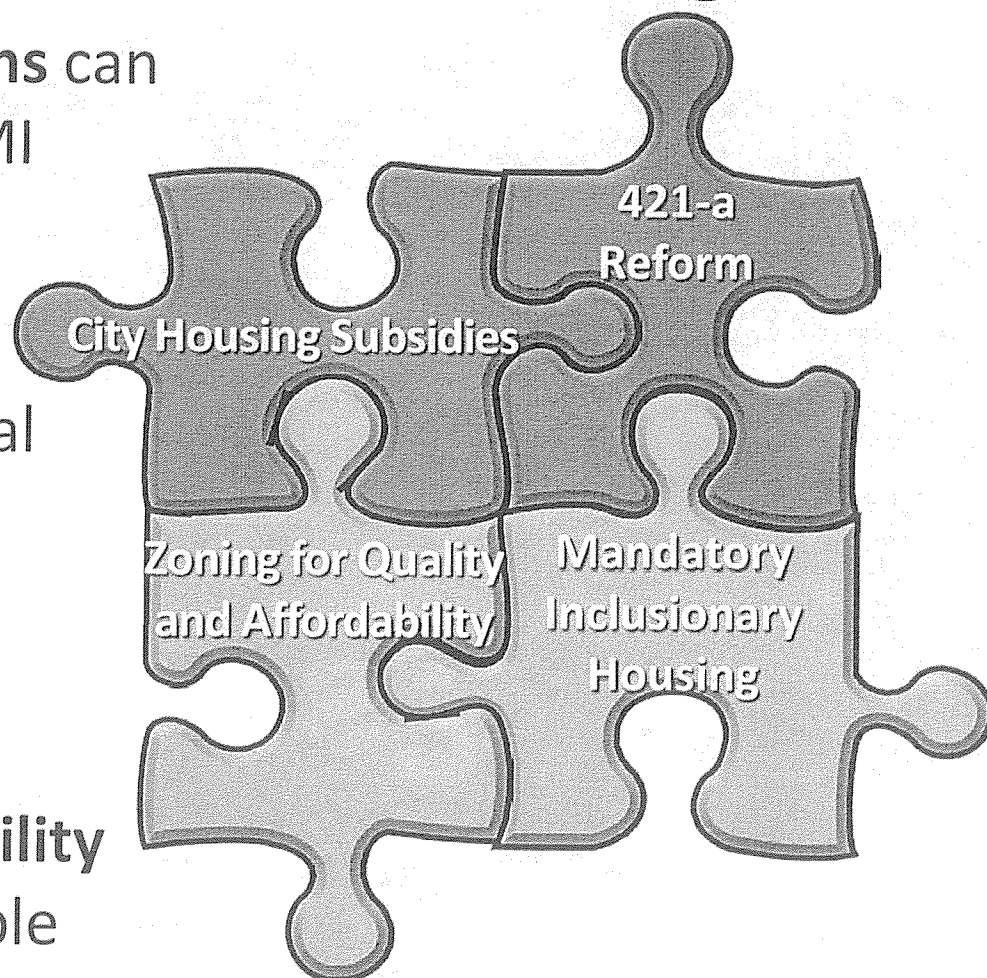
- On-site, **same building** as market-rate units, spread on at least half of the building's stories, with a common street entrance and lobby
- On-site, **separate building**, completely independent from the ground to the sky; would not stigmatize residents of affordable units
- Off-site, **different zoning lot** located within the same Community District or within ½ mile

## Other considerations

- Payment-in-lieu option for buildings of between 11 and 25 units
- Requirements could be reduced or waived through BSA where they would make development infeasible (legal requirement for hardship relief)

# MIH Is One of Many Tools That Work Together

- Strategic use of subsidy programs can reach incomes as low as 30% AMI
- Reform of **State 421-a tax exemption program** will require affordable housing in every rental building receiving benefits
  - More affordable housing
  - Broader range of incomes
  - No benefits for luxury condos
- **Zoning for Quality and Affordability** will promote senior and affordable housing, aid efficient use of housing subsidies and promote better buildings







# Questions?

**NYC**PLANNING

October 2015



# Housing New York:

1) Mandatory Inclusionary Housing (MIH)

2) Zoning for Quality and Affordability (ZQA)

# Goals

## Affordability

Make zoning work better with financial and other programs to create more affordable housing for a wider range of New Yorkers

## Quality

Encourage better buildings that contribute to more beautiful and livable neighborhoods with a strong quality of life

## What Wouldn't the Proposal Do?

- No additional market-rate floor area
- No provisions that encourage tear-downs
- No elimination of any contextual zoning district, or re-mapping of any zoning district
- All projects in historic districts or landmarked buildings remain subject to review by the Landmarks Preservation Commission
- No change to as-of-right residential rules in 1- and 2-family districts
- No reduction in the amount of green or open spaces required for buildings



# Affordability

- Help seniors remain in their communities by making it easier to provide **affordable senior housing and care facilities**
- Support the creation of **Inclusionary Housing**
- Free up resources to create more affordable housing by enabling cost-effective, **transit-accessible affordable housing**



# Why Does Zoning Need to Change?

- Population 65 years and older is **projected to increase 40% by 2040 – over 400,000 additional seniors**
- Dated zoning does not recognize **today's spectrum of senior housing and care facilities**, such as
  - independent living
  - assisted living
  - nursing care
- lower density multifamily districts: zoning is based on walkup houses, but **seniors need elevator buildings**
- medium and higher density districts: affordable senior housing is allowed more floor area, but **zoning doesn't allow room for it all to fit in a well designed building**

### Goal: Help seniors remain in their communities

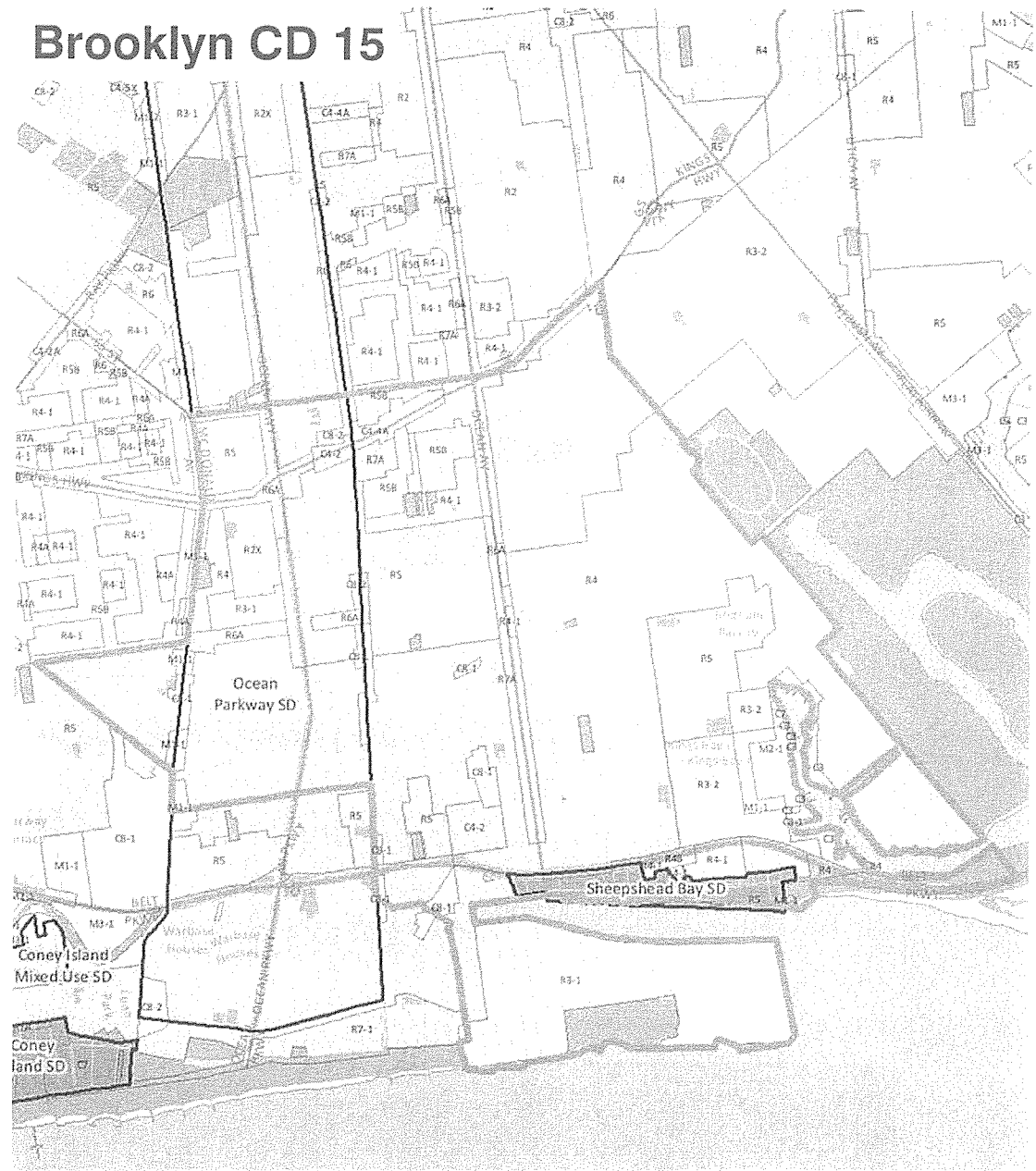
- Update use regulations to allow a spectrum of affordable senior housing and care facilities
  - Affordable Independent Residences for Seniors (AIRS)
  - Long-term Care Facilities
- Allow flexibility for mixing of uses
  - Align as-of-right floor area ratios in districts that permit multiple dwellings

## Affordable Senior Housing and Long Term Care Floor Area

- Floor area ratio maximums would be updated for certain types of affordable senior housing and long term care facilities in the districts shaded on the map.

Res. Equiv.	Zoning District	Existing nonprofit residences for the elderly (FAR)	Existing Nursing Home and Health Related Facilities (FAR)	PROPOSED
				Aff. Ind. Residences for Seniors and Long Term Care (FAR)
R3-2	C3	0.95	0.5	0.95
	R3-2	0.95	0.5	0.95
R4	R4	1.29	0.75	1.29
R5	R5	1.95	1.27	1.95
R6	C4-2	3.9	2.43	3.9
	R6	3.9	2.43	3.9
R6A	R6A	3.9	3	3.9
R7A	C4-4A	5.01	4	5.01
	R7A	5.01	4	5.01

### Brooklyn CD 15



**Goal:** Help seniors remain in their communities

## Update height and setback regulations

In lower-density multifamily districts:

- Accommodate buildings with an elevator

In medium- and high-density districts:

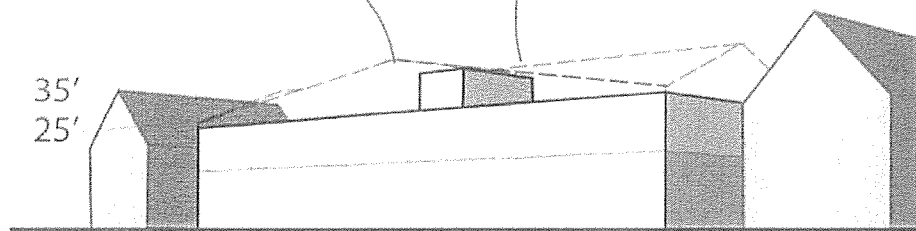
- Allow limited additional height in contextual envelope to fit all floor area in a well designed building

# How Much Additional Height Is Needed for Affordable Senior Housing?

Current envelope cannot accommodate permitted floor area as of right. A CPC authorization is often needed to modify bulk envelope.

Elevator bulkheads are not permitted to obstruct the maximum height limits

35'  
25'



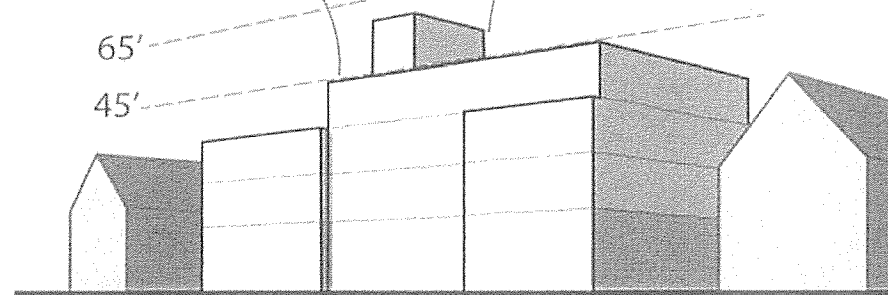
R4 district, 150' x 100' interior lot

**Existing**

New as-of-right envelope reflects height modifications that have been requested by most CPC applications

Elevator bulkheads are permitted to obstruct the maximum height limits

65'  
45'



Proposed R4 district, 150' x 100' interior lot

**Proposed**

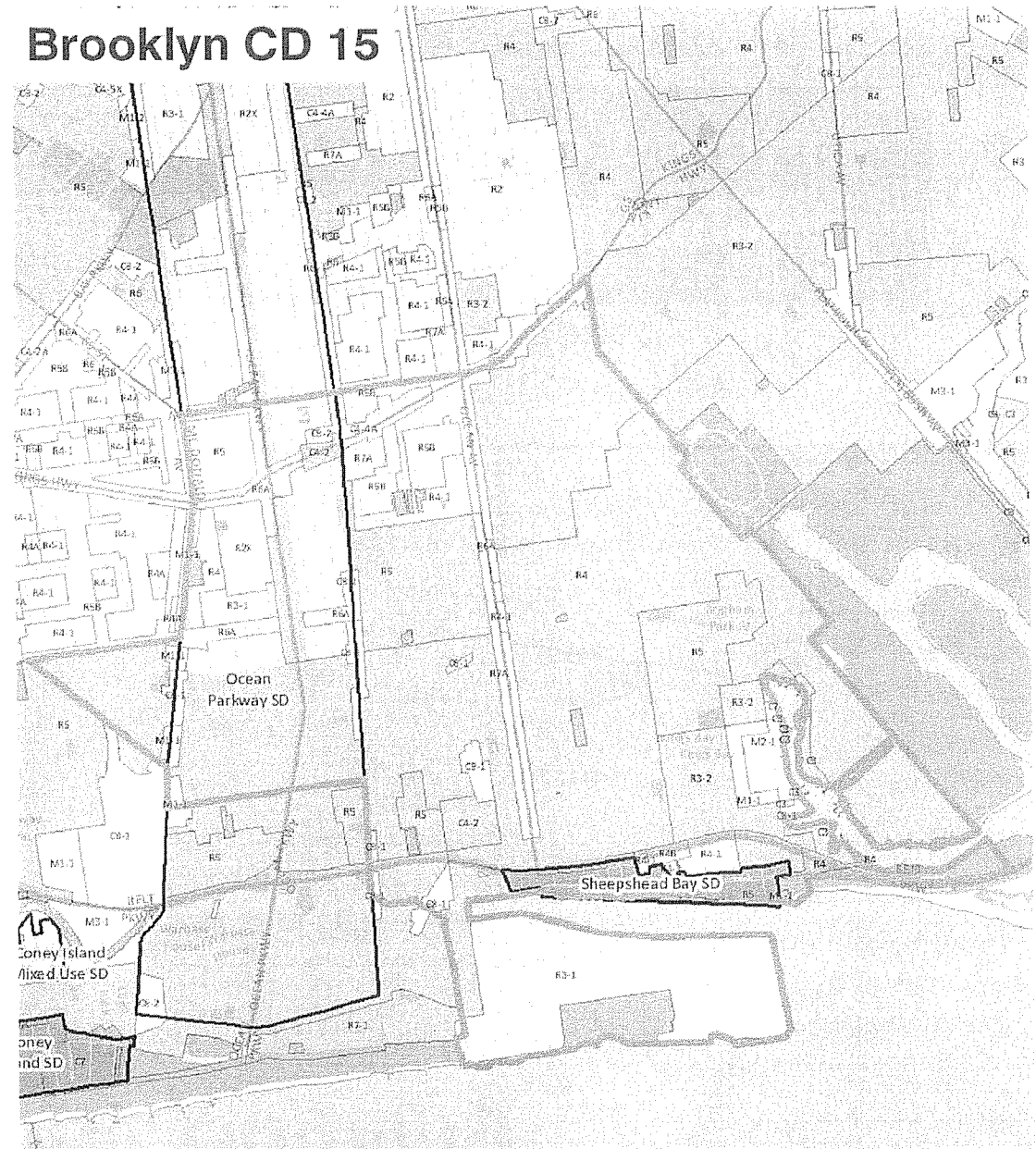
Low-density districts that allow multifamily housing: Buildings would not exceed 4 to 6 stories

# Affordable Senior Housing and Long Term Care: Non-Contextual districts

- To provide a flexible envelope in non-contextual districts, maximum heights would be updated in the districts shaded on the map

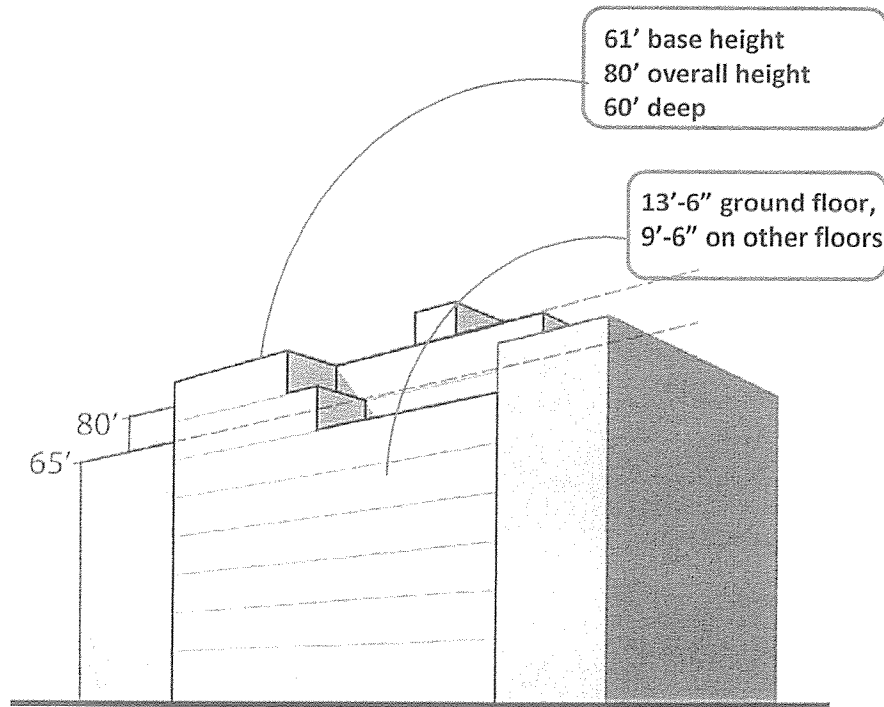
Res. Equiv.	Zoning District	Existing Height (stories)	Senior Modifications	
			AIRS and LTCF Proposed (Stories)	AIRS and LTCF Height Difference
R3-2	C3	35' / CPC auth.	65' (6)	30'
	R3-2	35' / CPC auth.	65' (6)	30'
R4	R4	35' / CPC auth.	65' (6)	30'
R5	R5	40' / CPC auth.	65' (6)	25'

## Brooklyn CD 15



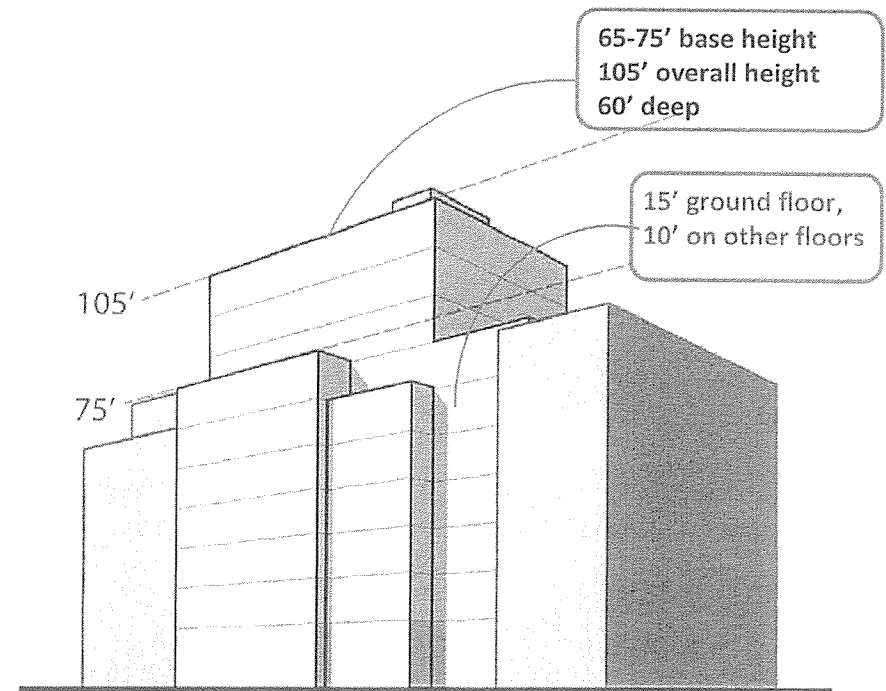


# How Much Additional Height Is Needed for Affordable Senior Housing?



Existing R7A envelope on narrow street, interior lot

**Existing**



Proposed R7A envelope on narrow street, interior lot

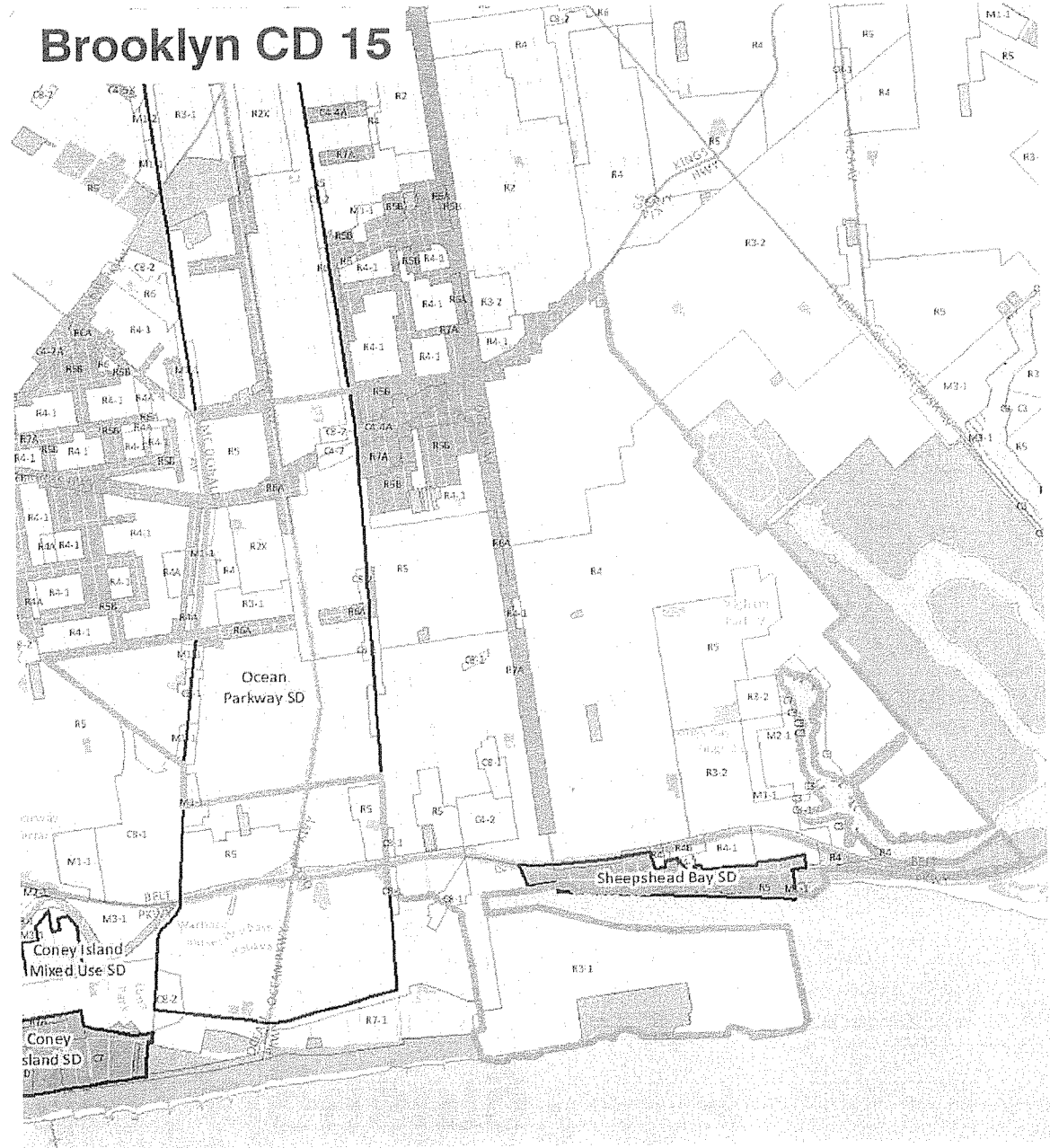
**Proposed**

**Medium- and high-density districts: In over 95% of affected areas, no more than 1 or 2 additional stories**

## Affordable Senior Housing and Long Term Care: Contextual districts

- To fit permitted floor area, maximum heights would be updated in the contextual districts shaded on the map.

			Senior Modifications	
Residential Equivalent	Zoning District	Existing Height (stories)	AIRS and LTCF Proposed (Stories)	AIRS and LTCF Height Difference
R6A	R6A	75' (7)	85' (8)	10' (1)
R7A	C4-4A	85' (8)	105' (10)	20' (2)
	R7A	85' (8)	105' (10)	20' (2)





# Affordability

- Help seniors remain in their communities by making it easier to provide **affordable senior housing and care facilities**
- Support the creation of **Mandatory Inclusionary Housing**
- Free up resources to create more affordable housing by enabling cost-effective, **transit-accessible affordable housing**

# Why Does Zoning Need to Change?

- Inclusionary Housing is allowed more floor area, but zoning doesn't allow room for it all to fit in a well designed building

The result: **less affordable housing**

### **Goal:** Support the creation of Mandatory Inclusionary Housing

- When buildings participate in the Mandatory Inclusionary Housing program, **allow the same height as proposed for buildings providing affordable senior housing**

**Would only apply in future zonings changes where Mandatory IH program is applied**

# Affordability

- Help seniors remain in their communities by making it easier to provide **affordable senior housing and care facilities**
- Support the creation of **Inclusionary Housing**
- Free up resources to create more affordable housing by enabling cost-effective, **transit-accessible affordable housing**

# Why Does Zoning Need to Change?

Current affordable housing parking requirements make it harder to meet the need for affordable housing

- Off-street parking can cost as much as \$30,000-\$50,000 per parking space to provide
- Residents of affordable housing cannot pay the fees necessary to support this cost (approx. \$200-300+/month)
- Lower income households own fewer cars – and low-income seniors own extremely few

**Goal: Free up resources to create more affordable housing by enabling cost-effective, transit-accessible affordable housing**

Designate a “transit zone” where auto ownership and commutes by car are low, in which:

- Parking would be **optional** for new Inclusionary Housing or low-income housing
- Where appropriate, other modifications allowed:
  - Removal of parking for existing affordable senior housing
  - For other affordable or mixed-income housing, reduction of requirements possible by discretionary action

**No Change in Parking Requirements for  
Market Rate Buildings**

# Proposed Transit Zone

- Includes only districts that **allow multifamily housing**
- Neighborhoods with a variety of public transportation options, generally within a half-mile of a subway station





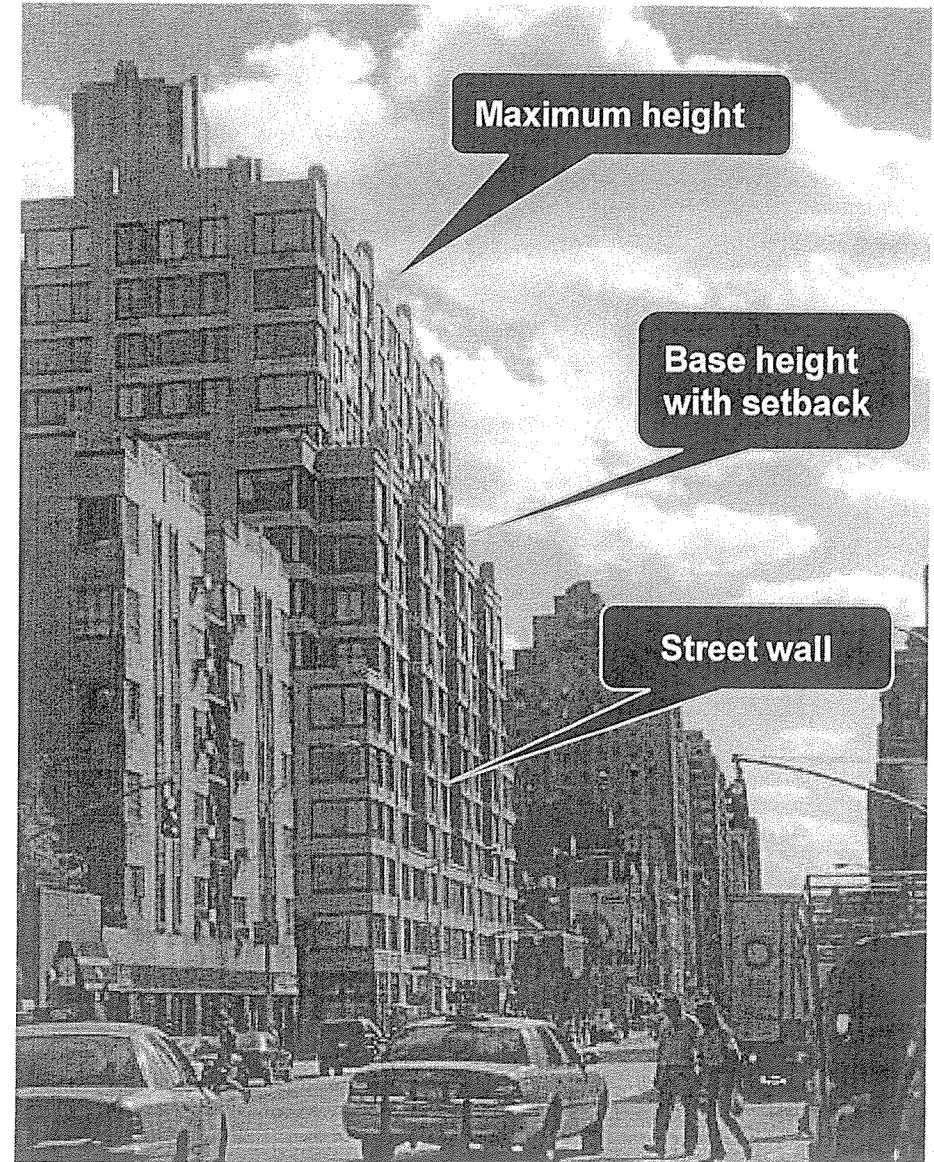
# Quality

- Encourage **better ground-floor retail and residential spaces** and apartments with adequate ceiling heights
- Change rules that lead to flat, dull apartment buildings to encourage **visual variety and features common in traditional apartment buildings**
- **Maintain rules that work well today**, including the essential rules of “contextual” zoning districts and lower-density zoning districts



# What are “contextual” building envelopes?

- Established in 1987 to promote housing that fit better within neighborhoods
- Required in contextual zoning districts (for example R6A, R7A, R8A)
- Optional in non-contextual districts (for example R6)



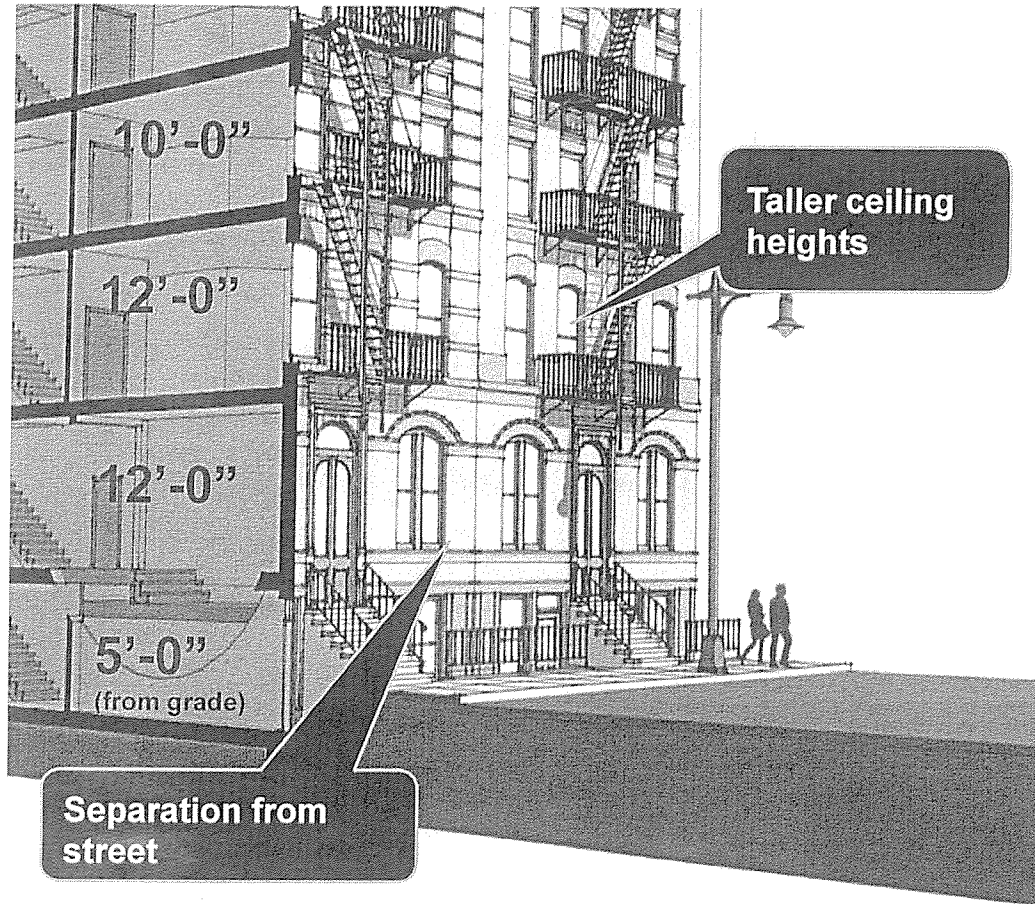
# Why Does Zoning Need to Change?

Flat buildings and bad ground floors in medium- and high-density contextual districts

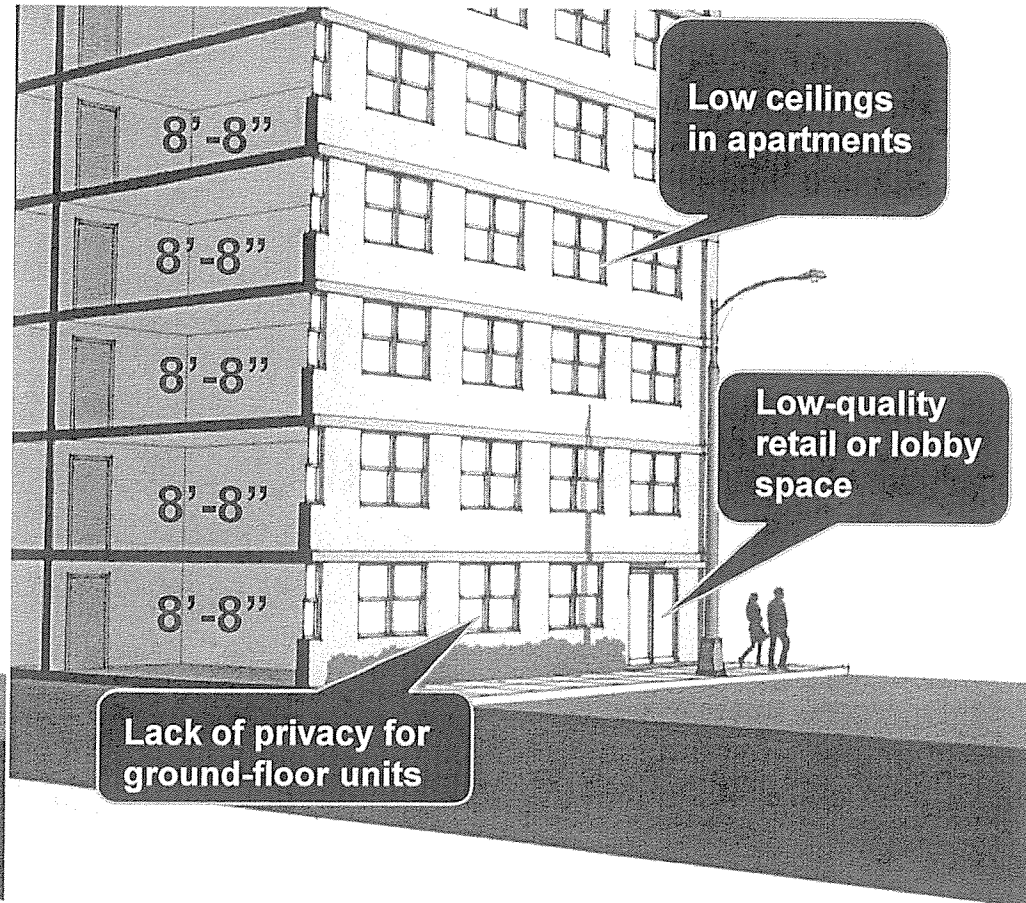




# Some key 1987 assumptions do not match historic or contemporary housing standards



1910 Typical Historic Building



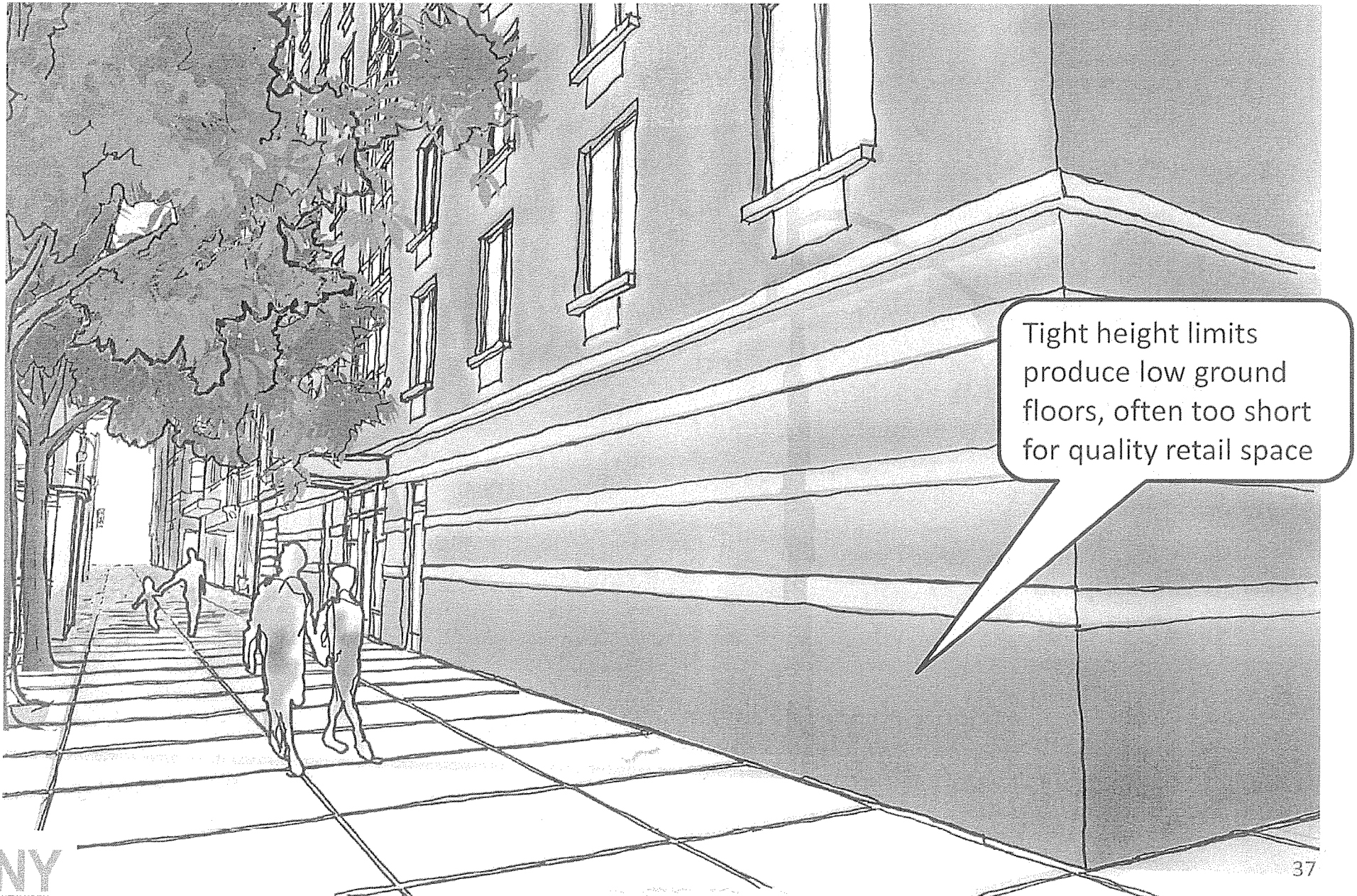
1987 "Contextual Zoning" Building

**Goal:** Encourage better ground-floor retail and residential spaces and apartments with adequate ceiling heights

**In medium- and high-density contextual districts:**

- Allow limited additional height if buildings provide taller ground floors
  - No more than **five feet**, in over 95% of affected areas

# Commercial Ground Floors Today

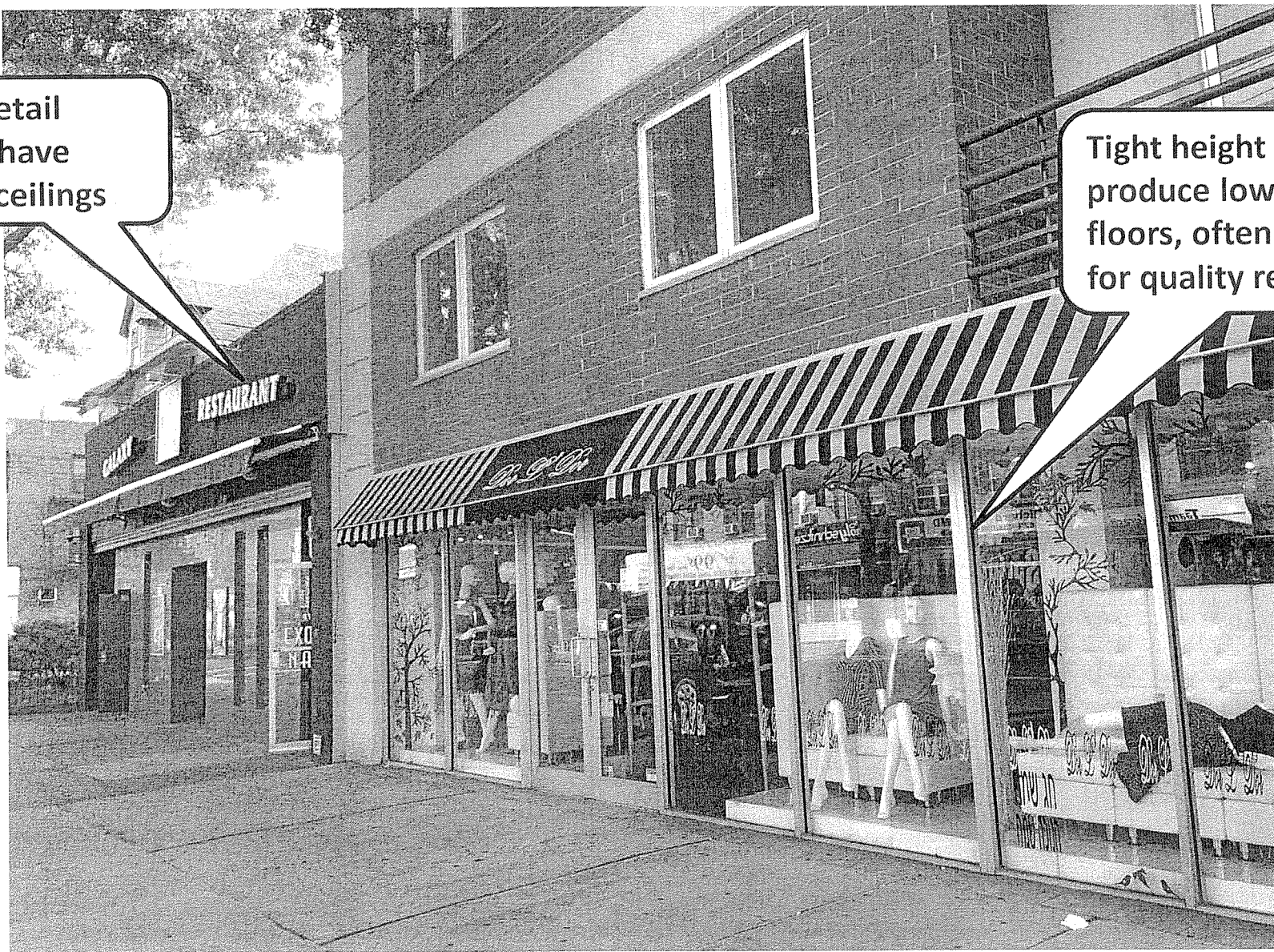




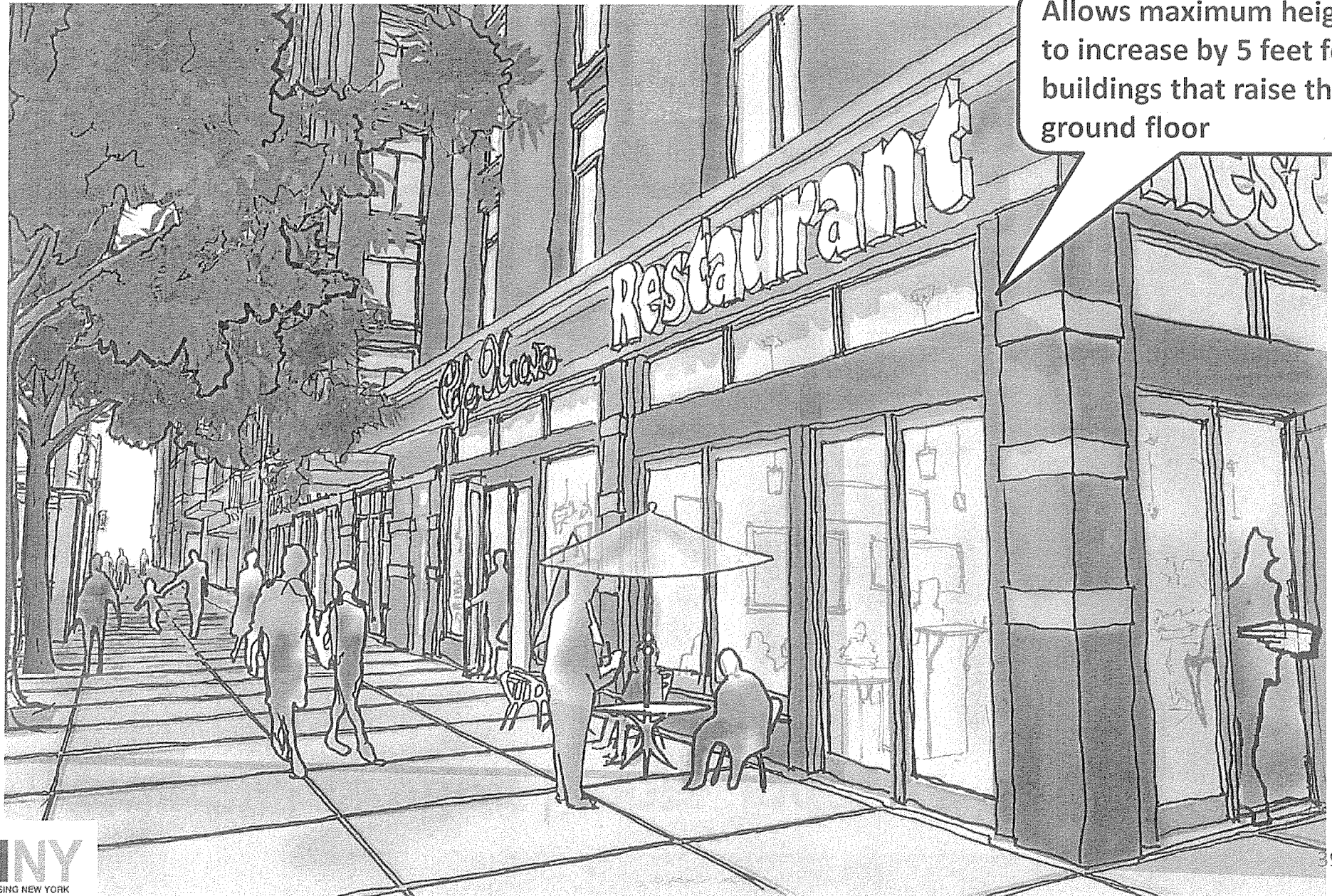
## Example in CD 15

Older retail spaces have higher ceilings

Tight height limits produce low ground floors, often too short for quality retail space



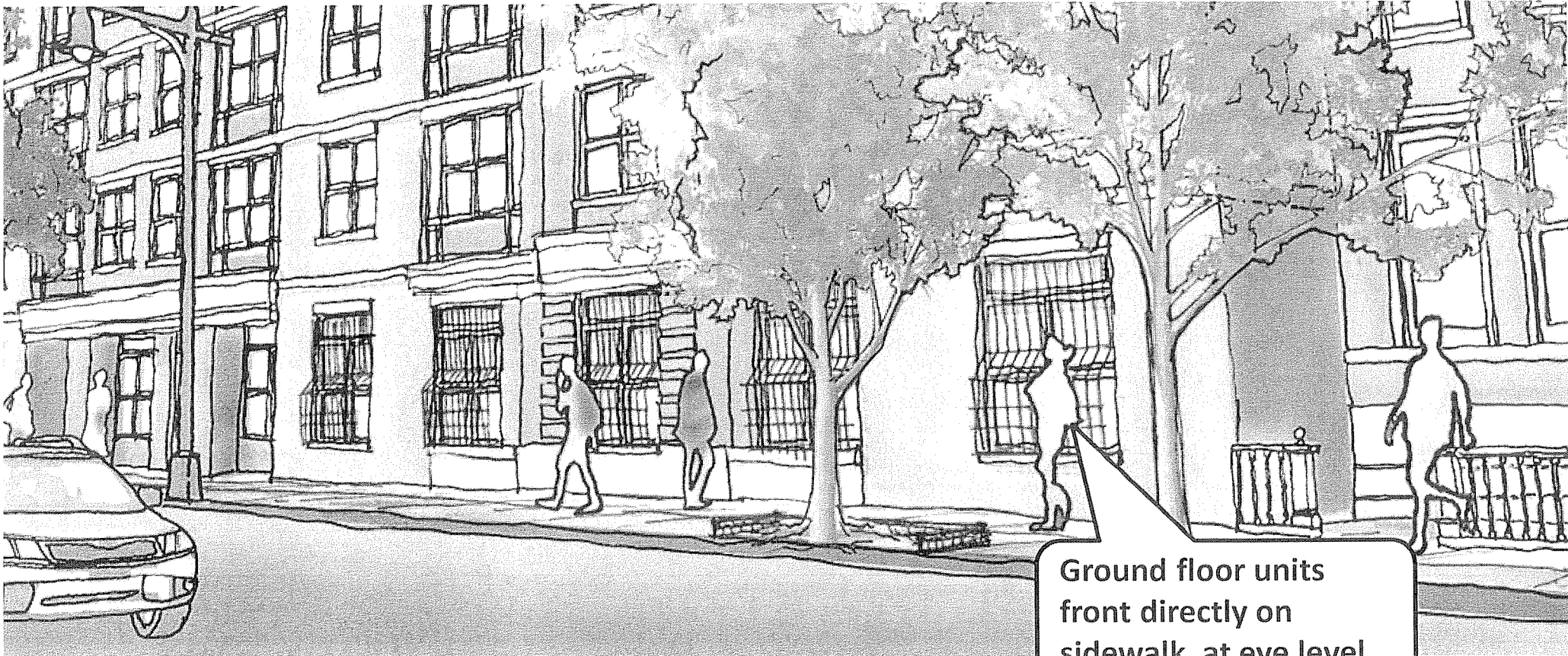
# Commercial Ground Floors With Proposal



Allows maximum heights to increase by 5 feet for buildings that raise the ground floor



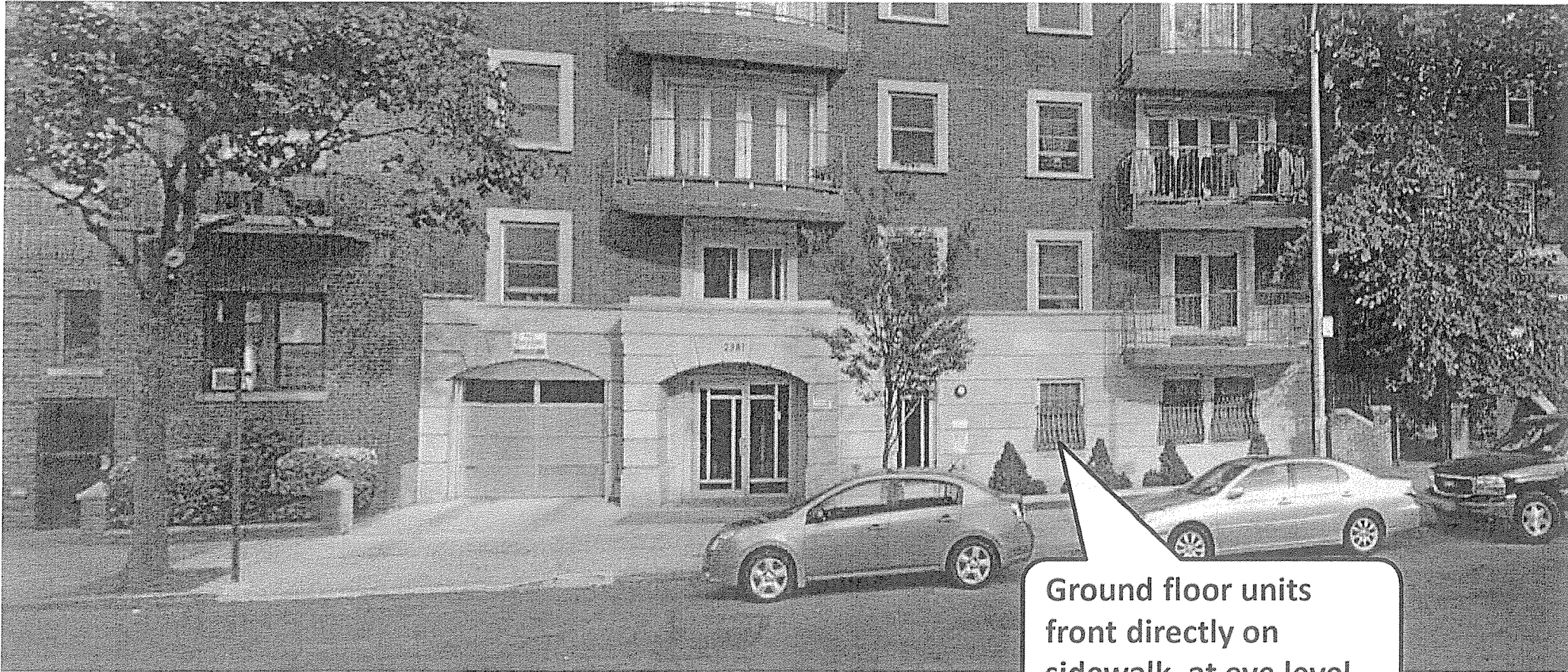
# Residential Ground Floors Today



Ground floor units  
front directly on  
sidewalk, at eye level



## Example in CD 15



# Residential Ground Floors With Proposal



Ground floor units elevated above sidewalk and set back so planting can be provided

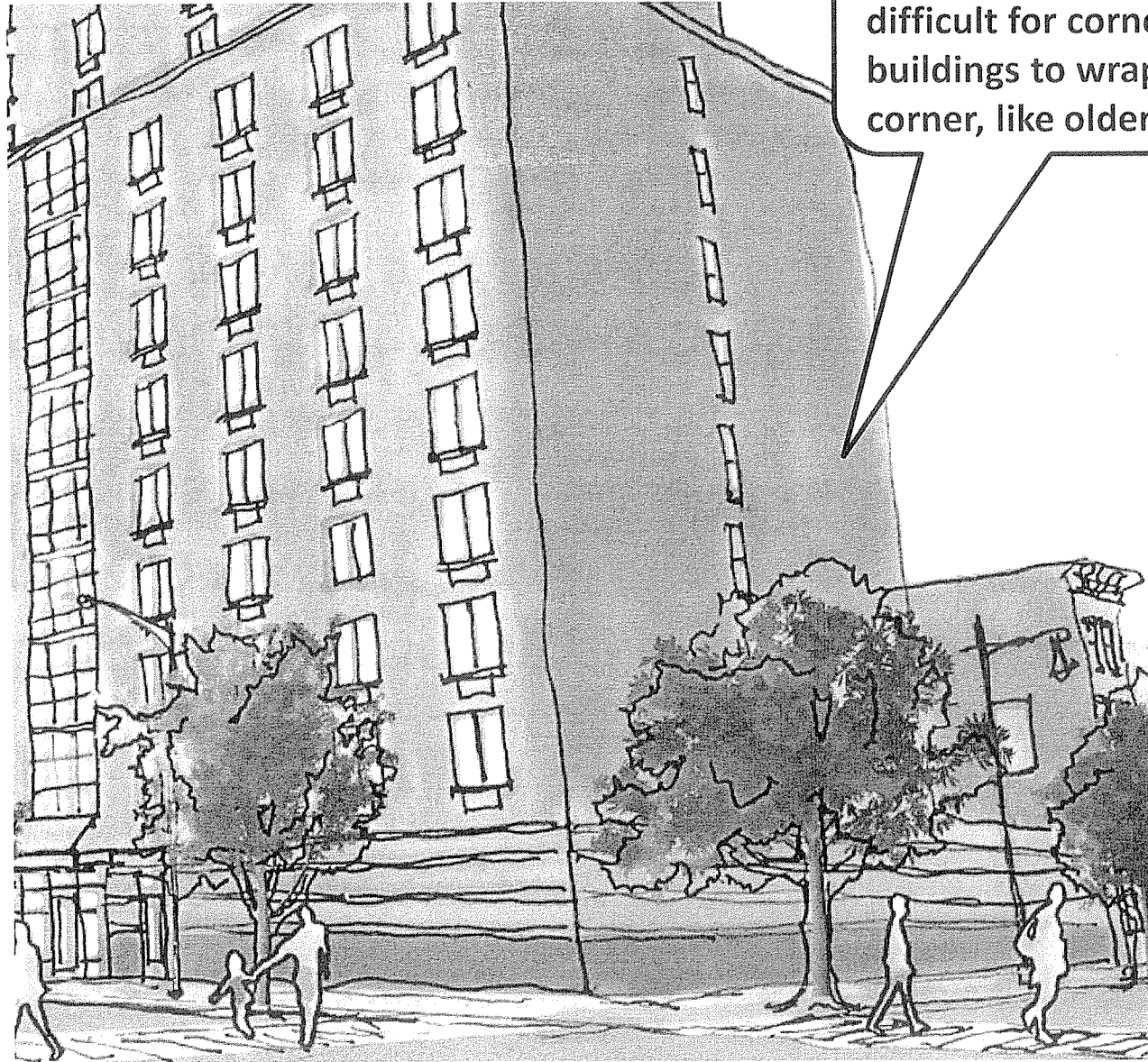
**Goal:** Change rules that lead to flat, dull apartment buildings to encourage visual variety and features common in traditional apartment buildings

**In medium- and high-density contextual districts:**

- Allow buildings to set back a few feet from the sidewalk and provide garden areas in front of the building
- Allow more flexibility for courtyards, bay windows, and other features typical of the city's older buildings
- With targeted changes to setback and coverage requirements, allow better interior layouts and reduce blank walls

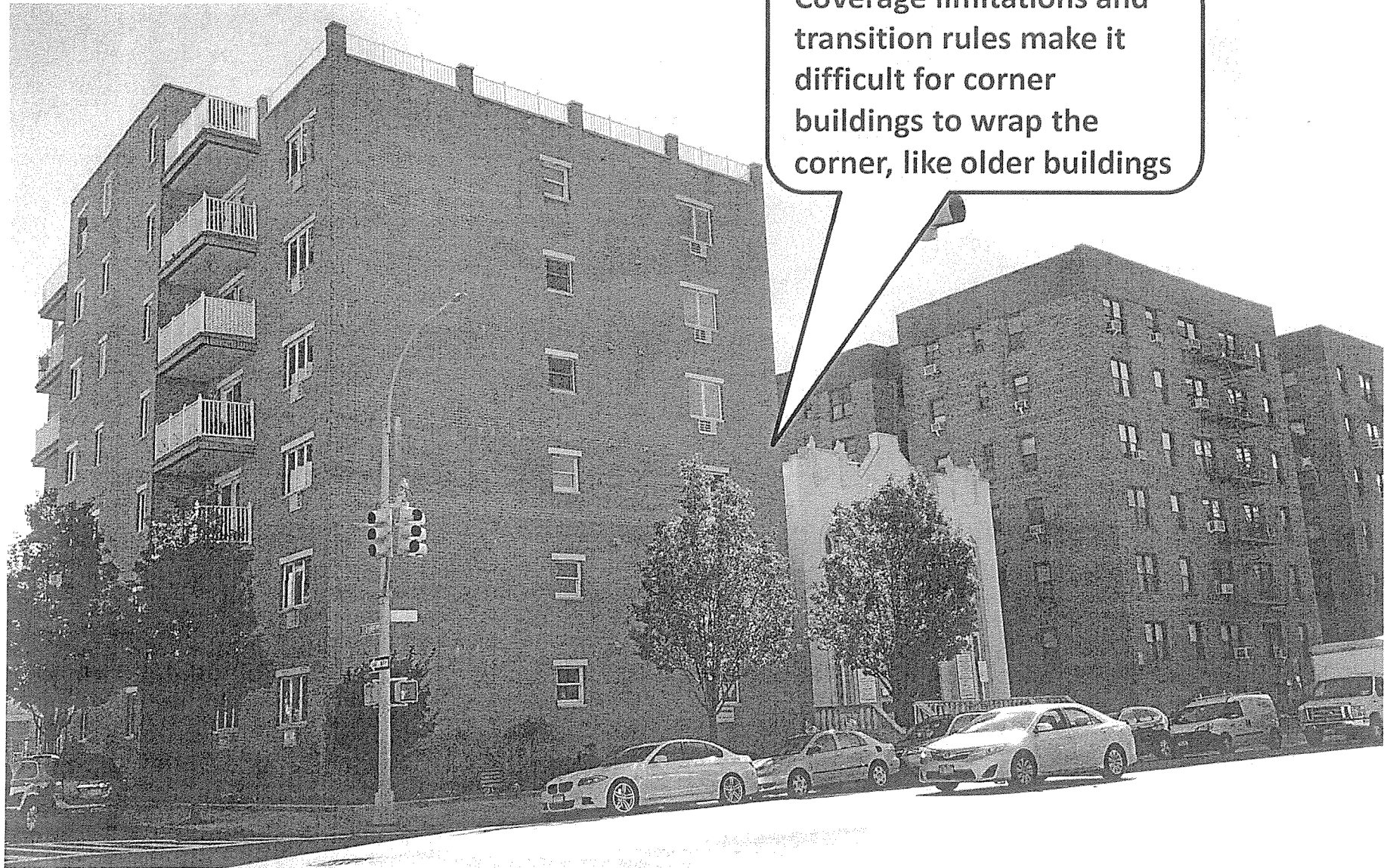


# Corner Buildings Today



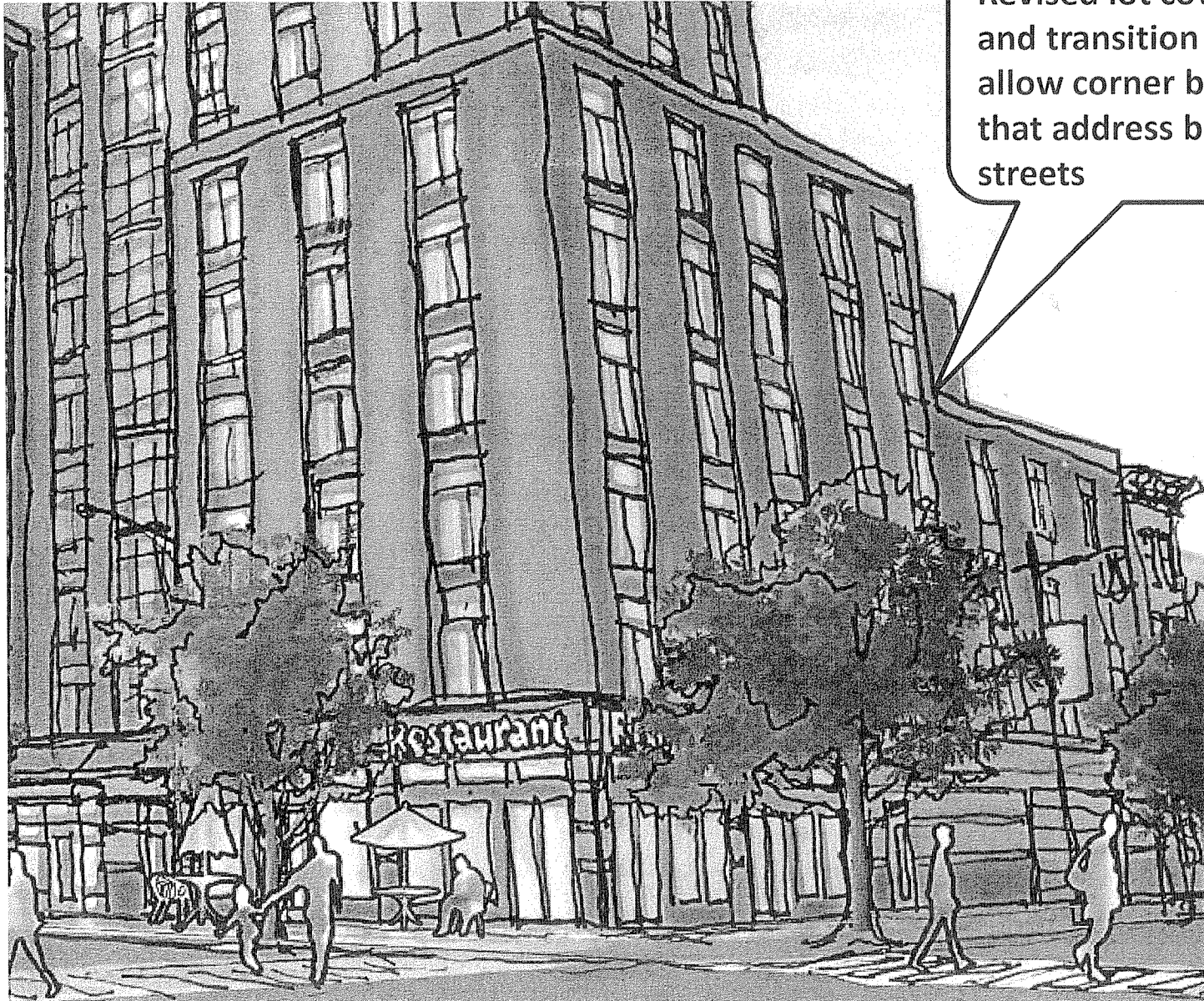
Coverage limitations and transition rules make it difficult for corner buildings to wrap the corner, like older buildings

## Example in CD 15



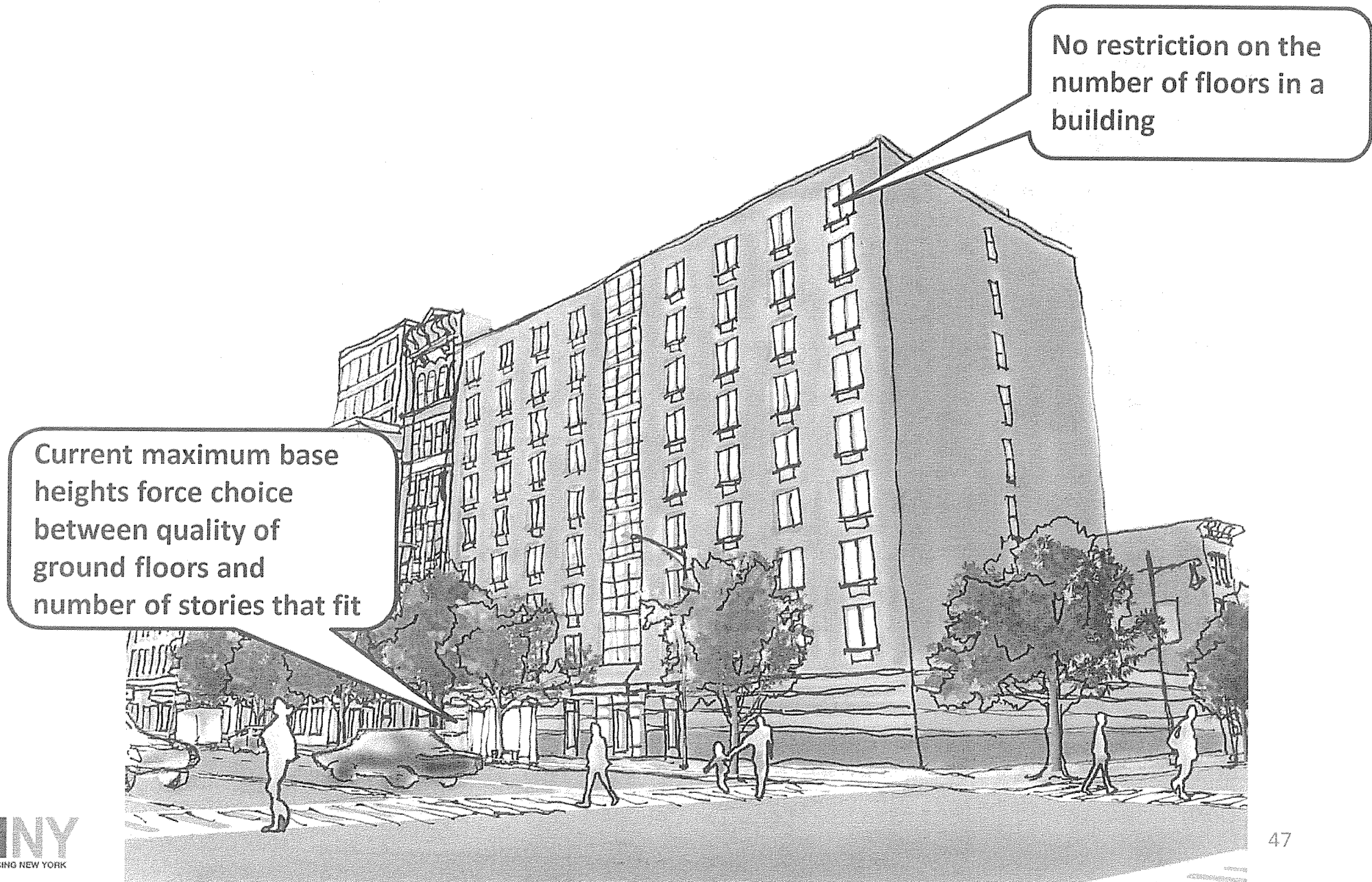


## Corner Buildings With Proposal



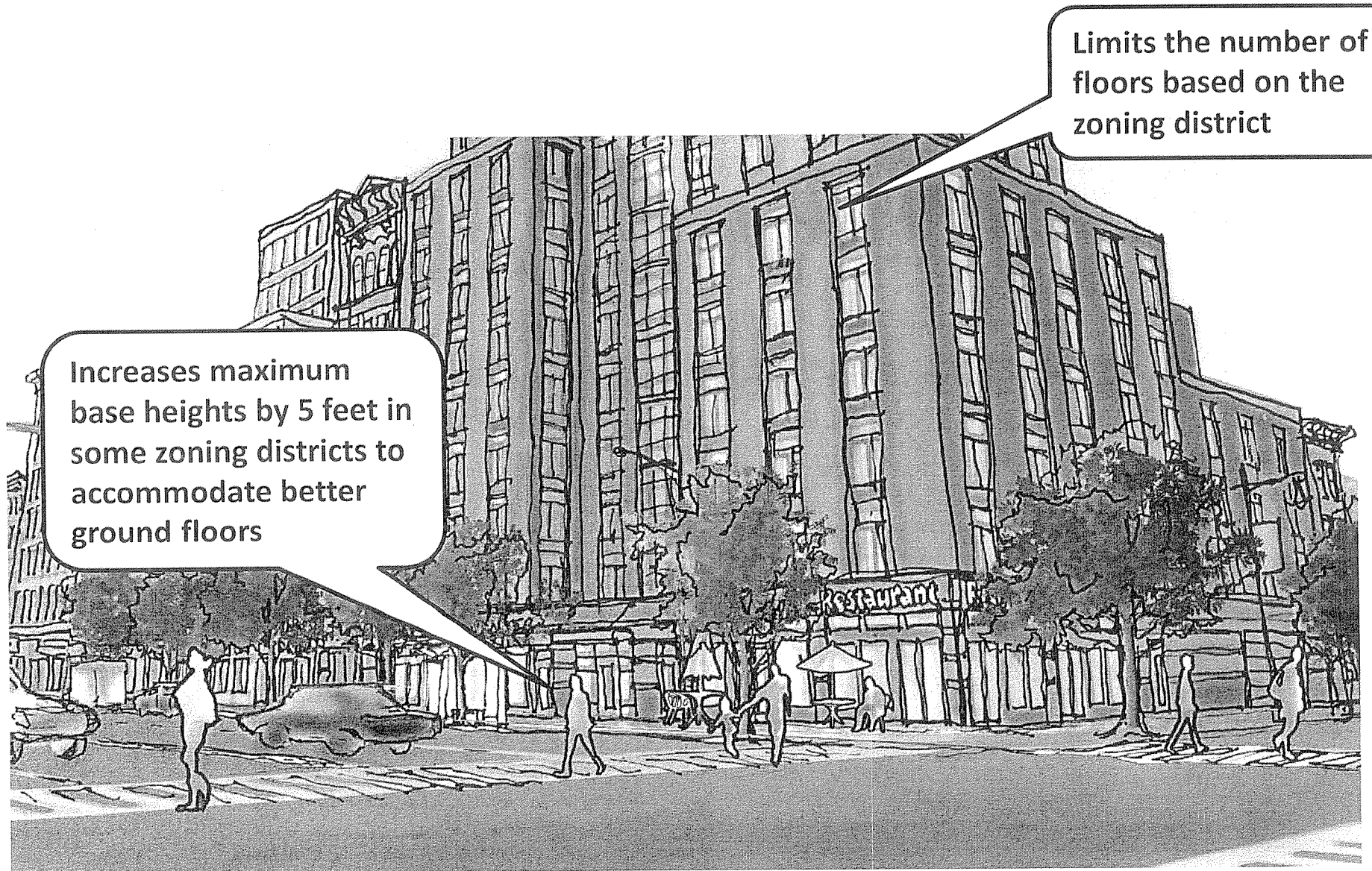
Revised lot coverage  
and transition rules  
allow corner buildings  
that address both  
streets

# Building Envelopes Today





# Building Envelopes With Proposal





## Contextual Districts: Basic Residential changes

- In order to fit all permitted floor area and allow better design, maximum heights would be updated in the contextual districts shaded on the map.

Residential Equivalent	Zoning District	Existing Max Height	Basic Modifications	
			Basic Proposed (Stories)	Basic Height Difference
R6A	R6A	70'	75' (7)	5'
R7A	C4-4A	80'	85' (8)	5'
	R7A	80'	85' (8)	5'

Limited additional height can only be used if buildings provide taller ground floors



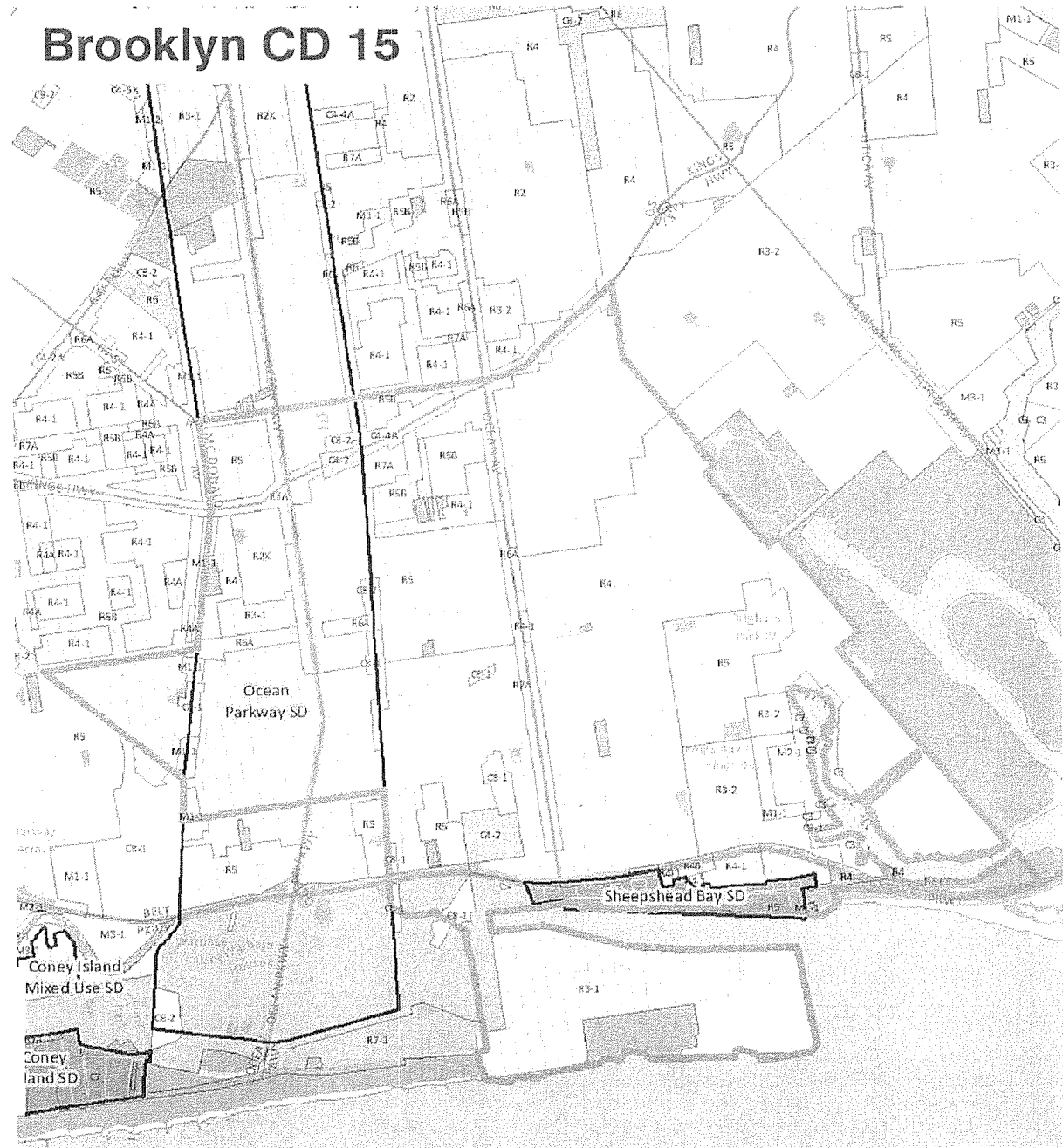
## Non-Contextual Districts: Basic Residential changes


- In Non-Contextual Districts, buildings have a “Quality Housing option” similar to the Contextual envelope.
- In order to match the Contextual envelope, the Quality Housing option will be updated in the shaded districts.

Residential Equivalent	Zoning District	Existing Max Height	Basic Residential Modifications	
			Basic Proposed (Stories)	Basic Height Difference
R6 (narrow)	C4-2	55'	55' (5)	0'
	R6	55'	55' (5)	0'
R6 (wide)	C4-2	70'	75' (7)	5'
	R6	70'	75' (7)	5'

\* In addition, developments in R6 through R10 districts could use the applicable Quality Housing option envelope.

## Brooklyn CD 15



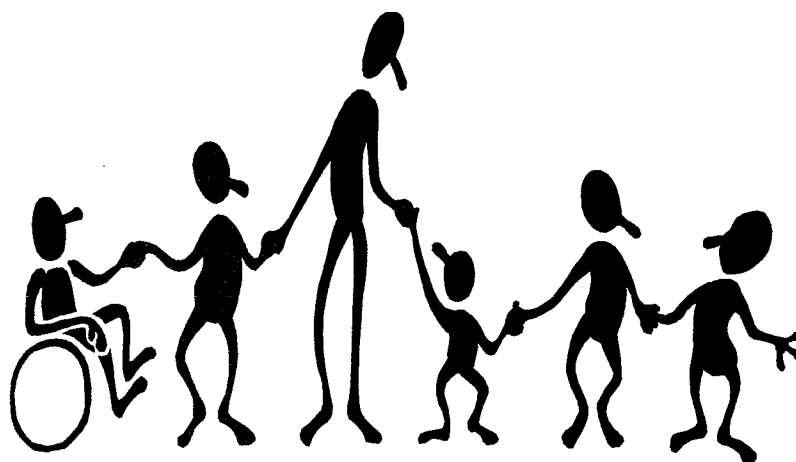


For complete information, including specific  
Community District profiles, **visit DCP's website:**

**[nyc.gov/planning](https://nyc.gov/planning)**

**[ahousing@planning.nyc.gov](mailto:ahousing@planning.nyc.gov)**

# **WHAT IS THE BROOKLYN FAMILY SUPPORT SERVICE ADVISORY COUNCIL**



**Helping Families With  
Developmental Disabilities  
In Brooklyn**

## **What is Brooklyn Family Support Services Advisory Council?**

At each of OPWDD's Developmental Disabilities Regional Offices (DDROs) to help families access Family Support Services. Each DDRO also has a Family Support Services Advisory Council to represent the interests of family members and people with developmental disabilities. The councils work in partnership with the DDROs to make decisions supporting families and loved ones.

Family Support Services can help in times of crisis when a family member or loved one becomes ill, or when things get difficult at home for other reasons. With assistance and support, families can often work these situations out and stay together. Find out more information about these services and supports by calling the Family Support Services Coordinator at the DDRO representing the county in which the individual/family lives.

DDROs continually work with local community agencies to ensure that other family support services for people with developmental disabilities and their loved ones are available when and where they are needed. These family support services may include:

- information and referral
- family and individual counseling
- family-member training
- recreation
- camps (Adult Overnight Summer Camp Information)
  - after-school programs
  - transportation
  - sibling services
  - support groups
  - service coordination

DDROs can also arrange for specialized equipment and home modifications. For information about these types of FSS supports and services, please contact the Family Support Services Coordinators Listing of the Developmental Disabilities Regional Office (DDRO) representing the county in which the individual/family lives.

**Brooklyn Family Support Services Advisory Council**  
**888 Fountain Ave Bldg 1 suite 121 Brooklyn NY 11239**  
**Meet every 3<sup>rd</sup> Tuesday 10am to 12pm**  
**Office 718-642-8512 fax 718-642-4791 [bfssac@yahoo.com](mailto:bfssac@yahoo.com)**  
**Chairperson & Statewide Debra Greif**  
**1<sup>st</sup> Vice Chairperson Cal Fischetti**  
**2<sup>nd</sup> Vice Chairperson Laure Rosenfeld**  
**3<sup>rd</sup> Vice Chairperson Sharon Shields**  
**Secretary Sandi Napor**  
**Corr Secretary Christopher D Greif**

**Brooklyn Family Support**

**Service Advisory Council**

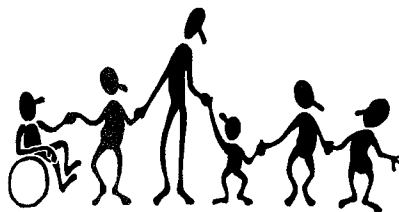
**Meet Every 3<sup>rd</sup> Tuesday**

**Located 888 Fountain Ave Bldg 1<sup>st</sup> 2<sup>nd</sup> floor 9:45am**

**facebook.**

**This information may not include last minute adjustments or  
cancellations**

**Helping Families With Developmental  
Disabilities In Brooklyn**



**Brooklyn Family Support  
Service Advisory Council**

**888 Fountain Avenue Brooklyn NY 11239**

**Bldg1 Suite 121**

**TEL 718-642-8512 FAX 718-642-4791**

**Email:bfssac@yahoo.com**

**facebook.**

Helping Families with Developmental Disabilities in  
Brooklyn



# Brooklyn Family Support Service Advisory Council Outreach

FRIDAY NOVEMBER 6 2015

10AM TO 1PM 10 Grand Army plaza

Grand Army Plaza Library 3<sup>RD</sup> FLOOR

**Bklyn**  
Public Library

Library Services for Children and  
Youth with Disabilities

NEW YORK TRANSIT MUSEUM

**MetroCard**  
Photo ID Photo



**BDDRO**

**DO NOT HAVE TO BE TRAVEL TRAINED  
TO APPLY FOR THE HALF FARE CARD**

**IF YOUR METRO CARD IS NOT WORKING OR YOU NEED TO UPDATE YOUR PICTURE  
BRING YOUR CARD IN**

**IF YOU ARE COMING TO SIGN UP FOR A REDUCED FARE METRO CARD**

**PLEASE HAVE COPIES OF A  
MEDICARE CARD DRIVER'S LICENSE  
OR NON DRIVER'S ID**

**BIRTH CERTIFICATE PSYCHOLOGICAL  
& A DOCTOR'S NOTE WITH YOU**



# How To Get To Meeting

## BY TRAIN

2 3 TO GRAND AMY PLAZA

B Q OR FRANKLYN AVE SHUTTLE TO PROSPECT PARK

TRANSFER FOR B41 TO GRAND AMY PLAZA

## BUS

B41 B69 TO GRAND AMY PLAZA

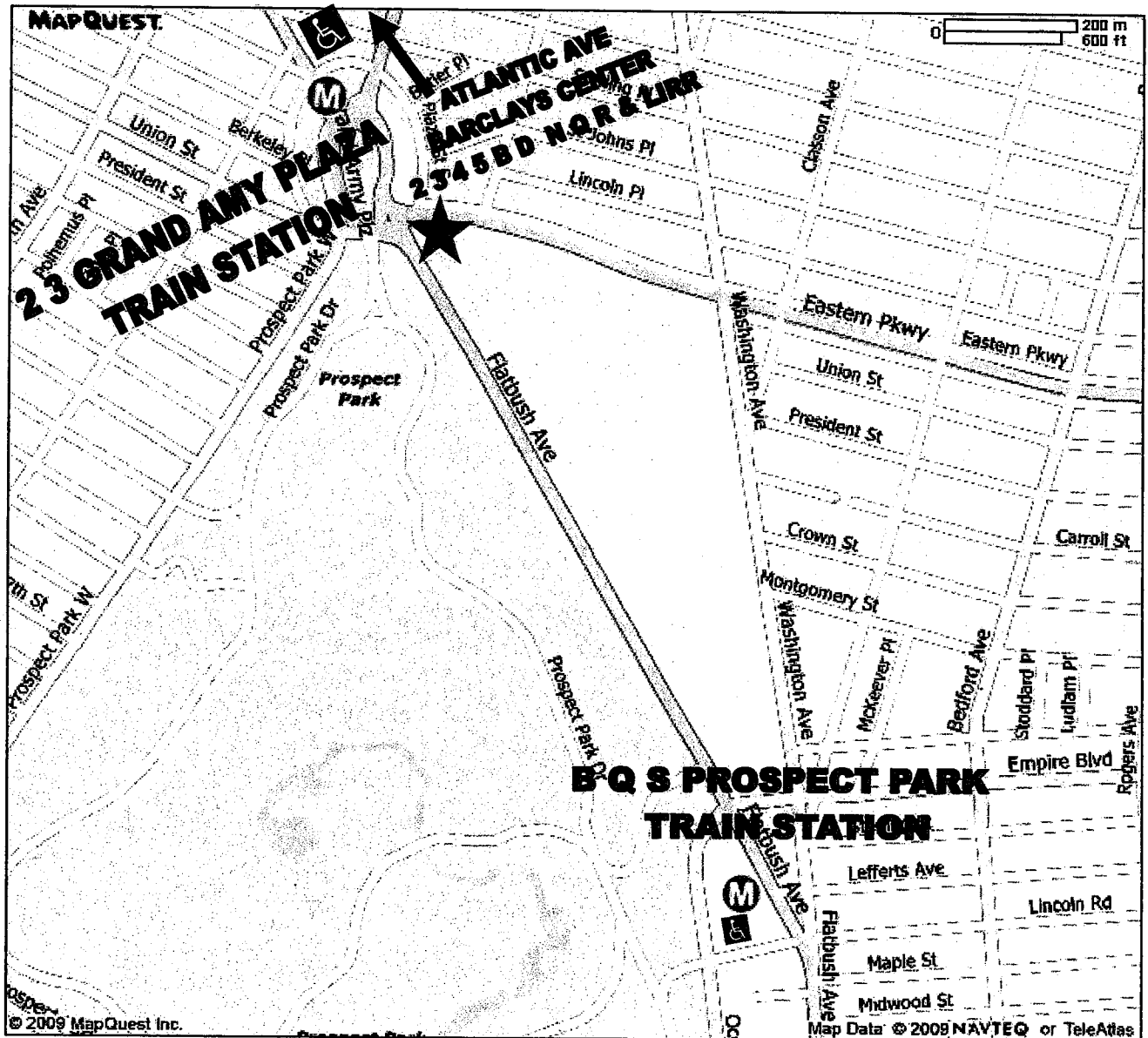
## ACCESSABLE

USE ATLANTIC AVE TERMINAL TO STREET LEVEL

TRANSFER B41 TO GRAND AMY PLAZA

OR TAKE B Q OR FRANKLYN AVE SHUTTLE TO PROSPECT PARK

TRANSFER FOR B41 TO GRAND AMY PLAZA





FOR THE RECORD

METRO SOUND PROS

11 HALLOCK DRIVE SUITE 1 WASHINGTONVILLE, NY 10992

P: (845)429-7900 F: (845)614-5262

WWW.METROSOUNDPROS.COM

CONTACTUS@METROSOUNDPROS.COM

### **AUDIO FREQUENCY INDUCTION LOOP SYSTEMS (A.F.I.L.S)**

An Induction Loop is a copper wire that circles or is intertwined within a room, and is connected to a house's audio system. An Induction Loop's signal is picked up by a small coil of wire inside a hearing aid, cochlear implant, or loop receiver called a Tele-Coil. The Tele-Coil uses no electricity so it doesn't affect the battery life of the device. The signal from the loop plays through the customized hearing device's programming. The sound is mixed and adjusted by the hearing device to compensate for the users' hearing loss, creating a hearing experience as close to true sound as possible.

Tele-Coil equipped devices provide crystal clear customized sound, eliminating the need for another complicated device that requires charging or batteries. An Induction Loop system eliminates background noise and echo by sending the audio signal directly to the hearing aid or cochlear implant without extra equipment or devices to connect or put over the ears. To the listener, it sounds like the difference between listening to a song at a live concert and listening to a song in a quiet room.

Loops are more likely to be used than other assistive systems because they do not require wearing a device or checking out equipment that identifies the user. They can make a profound difference in the lives of the hard of hearing anywhere sound is broadcasted over a public address system.

Metro Sound Pros Inc is one of the few installers that installs Induction Loop systems complying with the International Electrotechnical Commissions (I.E.C) set of Induction Loop Standards (60118-4). Currently, ANSI A117.1 is very close to adopting this standard. Since Induction Loop systems create a magnetic field, they are affected by the amount of metal in the proximity of the installation. In order to offer the end users the best hearing experience possible, it is important that installation companies of loop systems follow their manufacturers guidelines and install the systems to the I.E.C set of standards so the end users are ensured the system will work with their device.

Induction loop systems signage is just as important as it is installed to the I.E.C standard. Induction loop systems are gaining popularity in America thanks to its discrete characteristics for the end user. The signage advises that this system is installed and the end user should switch their device to its Tele-Coil mode. ADA regulations also advises that signage is to be provided at all entrances to any facility equipped with such technology.

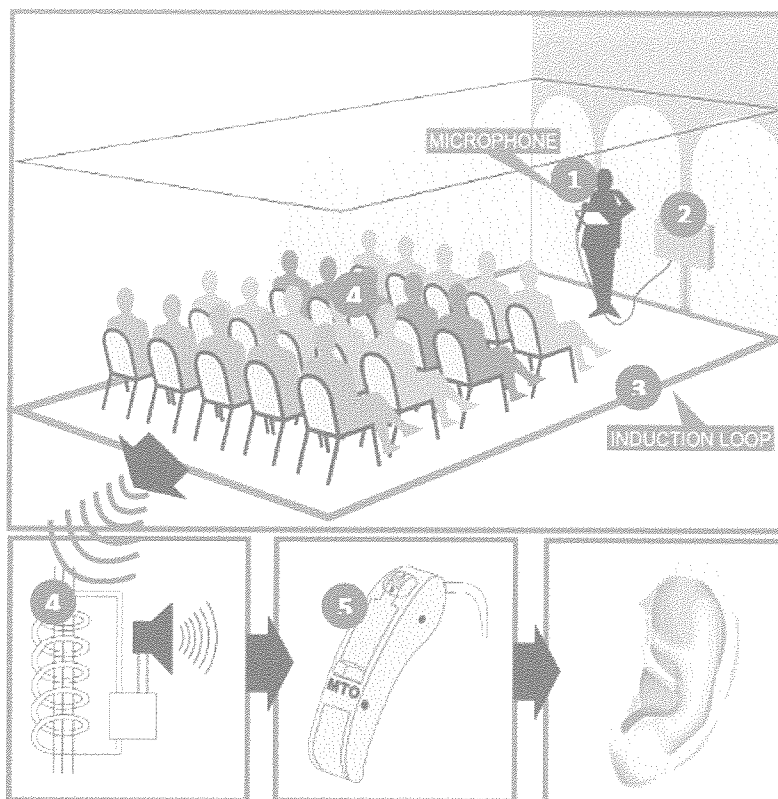
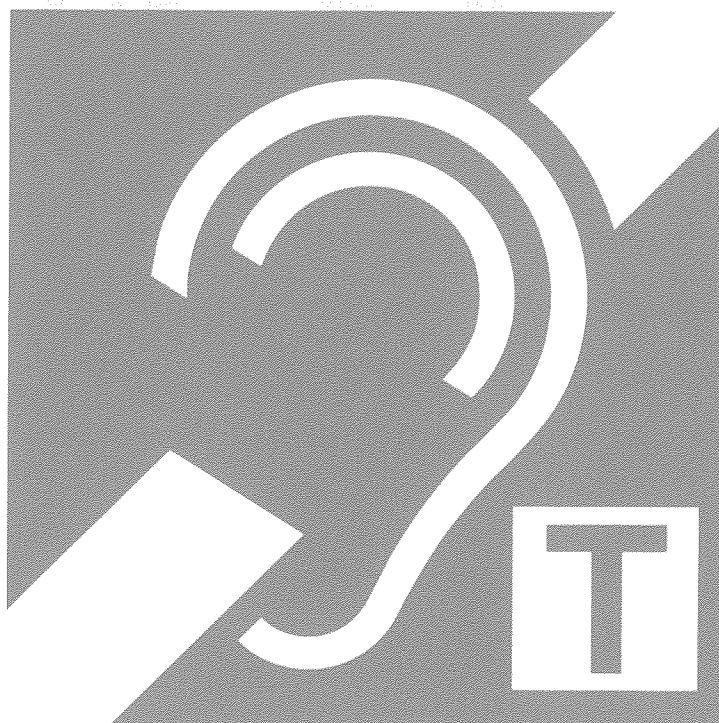


FIGURE 1



**Induction Loop System Installed  
To Use, Please Switch Your  
Hearing Aid to "T"**

FIGURE 2

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 882 Res. No. \_\_\_\_\_

☒ in favor ☐ in opposition

Date: 10/22/2015

(PLEASE PRINT)

Name: VELINA KOLIL

Address: 235 EAST 82ND ST., NEW YORK, NY

I represent: DISABILITY RIGHTS ADVOCATE

Address: 40 WORTH ST., NEW YORK, NY

Intro

881

882

883

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

☒ in favor ☐ in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: CATHERINE HAYLEY HUGHES

Address: 169 White Sun Way Armonk NY 11642

I represent: MONROVIAN COMMUNITY BOARD 1

Address: \_\_\_\_\_

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

☒ in favor ☐ in opposition

Date: 10/22/15

(PLEASE PRINT)

Name: Leo Garrison

Address: 25 Goshen Road Chester NY 10918

I represent: MakeSound Pros Inc

Address: 11 Hallock Drive, Washingtonville NY 10992

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

☒ in favor ☐ in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: \_\_\_\_\_

Address: \_\_\_\_\_

I represent: \_\_\_\_\_

Address: \_\_\_\_\_

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

☒ in favor ☐ in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: \_\_\_\_\_

Address: \_\_\_\_\_

I represent: \_\_\_\_\_

Address: \_\_\_\_\_

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

☐ in favor ☐ in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: \_\_\_\_\_

Address: \_\_\_\_\_

I represent: \_\_\_\_\_

Address: \_\_\_\_\_

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

883

I intend to appear and speak on Int. No. 881/882 Res. No. \_\_\_\_\_

☒ in favor ☐ in opposition

Date: 10/22/15

(PLEASE PRINT)

Name: Jerry Bergman

Address: 70 Riverside Drive, 3E

I represent: myself - HARD OF HEARING

Address: \_\_\_\_\_

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. 882

☒ in favor ☐ in opposition

Date: 10/22/15

(PLEASE PRINT)

Name: Ellen Polivy

Address: 531 MAIN ST, NYC 10044

I represent: HLA NYC Hearing Loss Assoc

Address: \_\_\_\_\_

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 881, 882 Res. No. \_\_\_\_\_

☒ in favor ☐ in opposition

Date: 10/22

(PLEASE PRINT)

Name: DONNA GARDE

Address: 600 W 111th apt 9F1 NYC

I represent: HLAA NYC Hearing Loss Association

Address: \_\_\_\_\_

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 883 Res. No. 883

☒ in favor ☐ in opposition

Date: 10/22/15

Name: Dr. Barbara Weinstein (PLEASE PRINT)

Address: Graduate Center, CUNY

I represent: HCAA, NYC

Address: Cherry Lane Aso - NY

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 88382 Res. No. 883

☒ in favor ☐ in opposition

Date: 10/22/15

Name: Jennifer E. Rintzen (PLEASE PRINT)

Address: 233 E 78th St Drive, 3E

I represent: Hearings & Access to Information

Address: 233 E. 78th St NYC

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 8834881 Res. No. 883

☒ in favor ☐ in opposition

Date: 10/22/15

Name: Debra Greif (PLEASE PRINT)

Address: 2245 Ocean Pkwy Bklyn NY 11223

I represent: BFSAC (Brooklyn Family Support Service Advisory Council)

Address: col BDDRO 888 Fountain Ave

Please complete this card and return to the Sergeant-at-Arms



**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 881/2/3 Res. No. \_\_\_\_\_

☒ in favor ☐ in opposition

Date: 10/22/15

Name: Janice Park (PLEASE PRINT)

Address: 321 W. 21 St. NYC

I represent: Hearing Disabled City Employees

Address: \_\_\_\_\_

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 881, 882, 883 Res. No. \_\_\_\_\_

☒ in favor ☐ in opposition

Date: 10/22/15

Name: ROBERT PICCOLO (PLEASE PRINT)

Address: 100 GOLD ST., NYC, NY

I represent: MOPD

Address: \_\_\_\_\_

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 881, 2, 3 Res. No. \_\_\_\_\_

☒ in favor ☐ in opposition

Date: \_\_\_\_\_

Name: KATHERINE BOUTON (PLEASE PRINT)

Address: 180 DIVAS. DE DUWE

I represent: HEARING LOSS ASSOCIATION of

Address: REHESDA Md, America

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

☒ in favor ☐ in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: MONICA BARTLEY

Address: 1251 Dekalb Ave #6E Brooklyn, NY 11221

I represent: Center for Independence of the Disabled, NY

Address: 841 Broadway #301 N.Y., NY 10003

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 882 Res. No. \_\_\_\_\_

☒ in favor ☐ in opposition

Date: 10/22/15

(PLEASE PRINT)

Name: RICHARD EINHORN

Address: 320 RIVERIDE #11A NY, NY 10025

I represent: HEARING LOSS ALLIANCE OF AMERICA

Address: BETHESDA, MD + NEW YORK, NY

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

☐ in favor ☐ in opposition

Date: 10/22/15

(PLEASE PRINT)

Name: Roberto Zenora

Address: 77-50 104 ST CORN NY, 11368

I represent: CCSD : CUNY COORDINATOR FOR STUDENTS WITH DISABILITIES

Address: \_\_\_\_\_

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

☒ in favor ☐ in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: Lester MARKS

Address: \_\_\_\_\_

I represent: Lighthouse Guild

Address: 15 W 65th St NY NY 10023

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 881-883 Res. No. \_\_\_\_\_

☒ in favor ☐ in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: Joan Petersen

Address: 684 Ave C, Brooklyn 11215

I represent: Brooklyn Public Library

Address: 270 Smith St, Brooklyn NY 11201

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 881, 882 Res. No. \_\_\_\_\_

☒ in favor ☐ in opposition

Date: 22 OCT 15

(PLEASE PRINT)

Name: Jana Owen

Address: 93-19 244th St 11001

I represent: Registry of Interpreters for the Deaf

Address: PO Box 8398 NY NY 10116

Please complete this card and return to the Sergeant-at-Arms