

**COMMUNITY BOARD 7/MANHATTAN**  
**MARCH 2022 RESOLUTIONS**

**Transportation Committee, Andrew Albert and Howard Yaruss, Co-Chairpersons**

**Resolution Re:**

1. **Re: 141-145 West 108<sup>th</sup> Street, WSFSSH** (Amsterdam - Columbus Avenues.)

BE IT RESOLVED THAT Community Board 7/ Manhattan **approves** request to the Department of Transportation for a “No Standing Anytime” sign in front of the WSFSSH main residential entrance.

*Committee: 6-0-2-0. Non-Committee Board Member: 5-0-1-1.*

2. **Re: Street Sweeping Enforcement and Fines.**

The following facts and concerns were taken into account in arriving at our conclusions:

WHEREAS, Alternate Side Parking (ASP) regulations allow for the cleaning of residential streets;

WHEREAS, when ASP is in effect, car owners cannot park on the side of the street that is being cleaned by the street sweeper;

WHEREAS, beginning June 29, 2020, residential streets began to be cleaned only once a week, per side, a reduction from twice weekly per side;

WHEREAS, this reduction has resulted in more street litter and increases the likelihood that debris will block sewers and drains during severe storms;

WHEREAS, some streets remain unswept even one day a week because many drivers, in order to hold their parking spaces, do not move, forcing the sweeper to go around them;

WHEREAS, according to anecdotal reports such drivers frequently escape being ticketed;

WHEREAS, the fine for ignoring ASP rules is \$65;

WHEREAS, on the Upper West Side monthly garage parking rates range from \$450 to \$1400;

WHEREAS, factoring in holidays and snow days, coupled with the possibility of avoiding a ticket, failing to move a car during once-a-week street sweeping hours can be far more economical than garaging the vehicle;

WHEREAS, drivers typically idle their vehicles for the entire 90-minute street-sweeping window, whether or not they intend to move for the street sweeper.

WHEREAS, the New York City Department of Health and Mental Hygiene estimates that emissions from fuel combustion produce high concentrations of pollutants that cause more than 3,000 deaths each year in New York City\*.

THEREFORE, BE IT RESOLVED THAT because there is now only one weekly opportunity to clean each side of each street, Community Board 7/Manhattan calls on the city’s Traffic Enforcement Agents to increase their enforcement of ASP violations; and

BE IT FURTHER RESOLVED THAT the fine for ASP violations be made significant and that the fine escalate with repeated violations; and

BE IT FURTHER RESOLVED THAT Traffic Enforcement Agents begin strictly enforcing anti-idling laws at the same time that they enforce ASP violations.

\*“Air Pollution and the Health of New Yorkers: The Impact of Fine Particles and Ozone,” New York City Department of Health and Mental Hygiene. <https://www1.nyc.gov/assets/doh/downloads/pdf/eode/eode-air-quality-impact.pdf>

*Committee: 8-1-1-0. Non-Committee Board Member: 4-0-0-0.*

**Business & Consumer Issues Committee, Linda Alexander and Christian Cordova, Co-Chairpersons**

3. **Re: New applications to the SLA for two-year liquor licenses:**

BE IT RESOLVED THAT Community Board 7/ Manhattan **approves** the following applications to the SLA for two-year liquor licenses:

- **200 West 60<sup>th</sup> Street** (Amsterdam Avenue) Heledona, Inc. d/b/a Olympic Flame.
- **226 West 79<sup>th</sup> Street** (Broadway – Amsterdam Avenue) Staub Hospitality Group, LLC d/b/a Haven UWS.
- **175 West 90<sup>th</sup> Street** (Amsterdam Avenue) HDMS Food, LLC d/b/a Hummus Kitchen.

*Committee: 10-0-0-0.*

4. **Re: 660 Amsterdam Avenue** (West 92<sup>nd</sup> Street.)

BE IT RESOLVED THAT Community Board 7/ Manhattan **approves** Temporary Retail Permit to the SLA for two-year liquor licenses by Izzy’s BBQ Manhattan, LLC d/b/a Izzy’s BBQ Manhattan.

*Committee: 10-0-0-0.*

**Preservation Committee, K Karpen and Michele Parker, Co-Chairpersons**

**5. Re: 117 West 81<sup>st</sup> Street (Amsterdam Avenue - Broadway). Application to the Landmarks Preservation Commission for a Certificate of Appropriateness for the use of smooth stone facing on the front basement facade in place of the rusticated stone called for under a previously issued Certificate of No Effect.**

This resolution is based on the following facts:

The subject building is a four story plus basement brownstone townhouse in the Northern Renaissance Revival style designed by Henry L. Harris and completed ca. 1884-85. It is included in the Upper West Side – Central Park West Historic District.

- The application concerns the use of smooth stone with thin scored horizontal lines across the ground floor façade and the eastern face of the restored stoop during renovations that were completed ca. 2006-09.
- The scope of the front façade renovations in the 2006-09 project included the restoration of the front stoop, the replacement of significant architectural details on the parlor and second floor, and ornamental detailing surrounding the windows on the front façade, among other improvements.
- The portion of the front façade at issue in this application is only a portion of the ground floor façade as the restoration of the stoop shortened the width of the façade, which is now the backdrop to the restored areaway enclosed by a knee-wall and an iron gate.
- The original condition of the front façade at the ground floor was rusticated stone.
- The architects' drawings submitted in connection with the 2006-09 applications showed smooth rather than rusticated stone. The applicant was advised that those drawings had been approved.
- Included in the Permits and Certificates related to those drawings and Certificates, however, was a written requirement that the façade surface at the ground floor in the areaway be rusticated stone.
- Through an oversight, the drawings that the architects and contractor understood to have been approved were used, and smooth stone with horizontal scored lines was used on the ground floor façade in the areaway.
- The building to the east is the Endicott, whose façade is brick with ornamentation at the windows and entrance. The building to the west is another townhouse, with rusticated brick painted a color that made the Committee wish that building was under review.
- The cost of installing rusticated stone now is not an issue with respect to this application.
- The standard to be applied is whether the use of smooth stone would have been approved if brought as part of the original application.
- The use of smooth stone can be seen as a welcome transition from the brick façade of the Endicott to the rusticated stone of the neighboring townhouse.
- The determination as to whether the condition to be "legalized" should be considered not in isolation, but in the context of the entire application, which included the restoration of the stoop and other significant historical features and decorations.

THEREFORE, BE IT RESOLVED THAT Community Board 7/Manhattan **approves** the use of smooth stone in place of rusticated stone as appropriate to the character of the Historic District.

*Committee: 6-0-2-0.*

**6. 121 West 88<sup>th</sup> Street (Amsterdam – Columbus Avenues.) Review of revised plans concerning application #LPC-21-06920 to the Landmarks Preservation Commission for a full-floor rooftop addition, relocation of the main entrance, and expanded fenestration and new balconies on the rear facade.**

This resolution is based on the following facts:

The subject building is a 4-story townhouse constructed ca. 1898 from designs by architect Alonzo B. Kight in the Renaissance Revival style. The primary façade is composed stone at the ground floor and brick with stone details at the upper floors on the front façade.

CB7 heard a previous application concerning this project in October 2021, at which time CB7 approved the relocation of the main entrance to the center doorway, and approved the modified fenestration on the rear façade, but disapproved the penthouse/rooftop addition, which was visible from certain vantages in the front, and was co-planar with the main rear façade.

- CB7's objections concerning the prior proposed rooftop addition were that it
  - Was co-planar with the main rear façade, and should have been set back to distinguish the penthouse from the main rear façade;
  - Was too tall, with excessive interior ceiling heights; and

- Included a front railing behind the cornice that was visible from certain vantages, which railing should not have been glass.
- The rear wall of the proposed penthouse is now to be set back 3 feet from the rear façade, creating a clear distinction from the main rear façade.
- The proposed height has been reduced. The roof of the proposed penthouse still slopes, but except for the stair bulkhead, the roof over the occupiable space slopes at a shallower angle, which leads to reduced ceiling and overall heights. Because of the reduced slope, an additional railing is required at the rear. The stair bulkhead remains at the original slope due to Code requirements. The new proposed rooftop addition is not visible from the front.
- The railing on the front portion of the roof has been moved back and is no longer visible from the public way. The railing is now proposed to be a thin metal tubular railing instead of glass.
- The penthouse is still visible from the rear as the donut is interrupted by a playground on West 89<sup>th</sup> Street.
- Both townhouses that flank the subject building have rooftop additions, although none as deep as the subject building.

THEREFORE, BE IT RESOLVED THAT Community Board 7/Manhattan **approves** the revised application as presented as appropriate to the character of the Historic District.  
*Committee: 8-0-0-0.*

**7. 325 Riverside Drive (West 105<sup>th</sup> Street). Application to the Landmarks Preservation Commission for permission to engrave the adopted name of the building ("Sherwood") on the limestone lintel over the main entrance facing Riverside Drive, in honor of longtime tenant advocate and Co-op president James Sherwood.**

This application is based on the following facts:

The subject building is a 13-story apartment building constructed in the Colonial Revival style by architect Gaetan Ajello and builder Paterno Brothers ca. 1920-21. It is included in the Riverside – West End Historic District Extension II.

The front façade is composed of brick, limestone and terra cotta, with significant stone and terra cotta details surrounding each window.

The main entrance consists of a two-story limestone archway with wide pilasters flanking the few steps up to a double-door main entrance with a tall transom and narrow side windows. The address of the building is visible in the center of the transom in gold-colored decal lettering.

There is a horizontal lintel between the transom and the second-floor windows contained within the archway.

- The Co-op recently determined to name the building after the late James Sherwood. Sherwood was a tenant advocate, first as the president of the tenant association when the subject building was a rental residential building, and then as leader in the co-op conversion, and later for over 40 years as the president of the Co-op.
- Sherwood was instrumental in the rescue of this formerly derelict building.
- The proposal is to etch the name "Sherwood" in the lintel above the main entrance. The Co-op Board is continuing its search for the most appropriate font.
- The Rutherford, another similar apartment building at 360 Riverside Drive just up the street, which was designed by the same architect and builders, has its name etched in a similar location above its main entrance.
- The renaming of the building to honor Mr. Sherwood, and the etching of his name above the main entrance, is both an a touching way to remember a community activist, and is thoroughly appropriate to the character of the Historic District.

THEREFORE, BE IT RESOLVED THAT Community Board 7/Manhattan **approves** the application to etch the name "Sherwood" in the lintel above the main entrance as thoroughly appropriate to the character of the Historic District.  
*Committee: 8-0-0-0.*

**Health & Human Services Committee, Catherine DeLazero and Sheldon Fine, Co-Chairpersons**

**8. Re: Initiatives Supporting the Mental Health and Wellness of Our Community**

Over the past two years, there has been an increase in mental health problems in our community and across the city. Consequently, there is an urgency for all levels of government to approve initiatives that support the mental health and wellness of New Yorkers. We cannot allow the status quo to continue.

We must stem the crisis and get our fellow community members and all New Yorkers the help that they need. Councilman Erik Bottcher has proposed the following initiatives that will address the mental health crisis:

**1. Reverse the closure of inpatient psychiatric beds.**

According to the Nurses Association of New York (NYSNA), the number of certified inpatient psychiatric beds statewide dropped 12% between 2000 and 2018, At the same time as the population and the need have grown. New York City alone accounts for 72% of that decline. This loss of clinical space hasn't been replaced by community-based services as promised. Instead, patients have been funneled into the carceral system — our jails and prisons — and homeless shelters.

New York State needs to reverse the decertification of inpatient psychiatric beds. Any closures of beds must be accompanied by an increase in quality services elsewhere that can serve this vulnerable population.

Additionally, there must be an infusion of funding for comprehensive hospital discharge planning, which is currently inadequate.

**2. Expand mobile mental health crisis response teams.**

Last year, Mayor de Blasio initiated a pilot program in Northern Manhattan in which crisis response teams with social workers and psychiatric professionals, instead of just NYPD officers, are dispatched to respond to mental health crises. We do not have time to wait for a lengthy pilot program to be completed before expanding this program. It must grow quickly to reach neighborhoods throughout the five boroughs. People experiencing mental health emergencies need to be stabilized and connected to appropriate wrap-around services.

**3. Increase crisis stabilization centers.**

When unhoused New Yorkers experiencing mental health crises are brought to the hospital, they are typically released after they are medically stabilized. Frequently, while they may not be sick enough to stay in the hospital, they are too sick — meaning psychologically sick — to return to shelter or the streets. Crisis stabilization centers, also known as medical respite beds, can fill this critical need, giving people time and space to recuperate. The four crisis centers in all of New York City serve only a fraction of the demand.

**4. Build more supportive housing with mental health services.**

Supportive housing is the best way for people with mental health challenges to lead full lives outside of hospital settings, the shelter system, or the criminal justice system.

Unfortunately, the city has only constructed a fraction of the supportive housing that is needed. We must create quality supportive housing across the city. It's not cheap, but it's essential. New York City currently has more than 32,000 units and advocates have said we need nearly double that number to meet the need.

**5. Embrace and expand the “clubhouse model” of rehabilitation.**

Clubhouses, like Fountain House in Hell's Kitchen, are community centers where people with mental illness can find opportunities for friendship, employment, housing, education, and access to medical and psychiatric services in a caring and safe environment. These are great resources that are proven to help get people back on the right track. New York City should immediately begin facilitating the creation of at least 10 more such locations, distributed across the five boroughs.

**6. Revamp discharge planning for formerly incarcerated New Yorkers.**

Upon release from prison or jail, people are frequently cut loose without adequate planning and support services. Those without homes to go to are often released directly into the shelter system, with inadequate case management and few prospects for housing, employment, substance use treatment and mental health care.

We need a quality statewide program that connects the formerly incarcerated, especially those with mental illness, with the housing and services they need to re-enter society.

**7. Increase school-based behavioral health.**

Serious mental illness often begins to take shape in adolescence. Schools must have more nurses, counselors and social workers on site who are trained to identify warning signs of behavioral health issues and make referrals to behavioral health professionals.

**8. Redirect ThriveNYC funds to address serious mental illness.**

As of 2019, only 10% of ThriveNYC's \$250 million annual budget was spent on serving those with serious mental illness. This was a big, missed opportunity.

**THEREFORE, BE IT RESOLVED THAT** Community Board 7/Manhattan urges our Mayor, Manhattan Borough President, Council Members and other City and State elected officials, to advocate for these initiatives and to support legislation and other means of securing the funding and resources needed to implement these initiatives.

*Committee: 5-0-0-0. Non-committee Board members: 3-0-0-0.*

**Youth, Education and Libraries Committee, Blanche Lawton and Courtney Clark Metakis, Co-Chairpersons**

**9. Re: Call for pay equity and enhanced data collection with respect to UPK and 3K special education services.**

This resolution is based on the following facts:

One significant advance in connection with greater equity in public education has been the expansion of Universal Pre-Kindergarten ("UPK") and Preschool Services for 3-year-olds ("3K") in our City.

Pre-schoolers between the ages of 3 to 5 with diagnosed special needs have a legal right to special education services under the federal Individuals with Disabilities Education Act ("IDEA"). The rights were confirmed in landmark litigation. *See Ray M. v. Board of Education*, 884 F. Supp. 696 (E.D.N.Y. 1995).

As recognized in a January 2022 report by Advocates for Children of New York entitled "Not Yet For All," "the first five years of life are a period of rapid brain development, making it all the more critical that children received interventions and support at the earliest opportunity, when services can have the greatest impact." *Report at 2.*

Despite dedicating a portion of Covid-19 relief funding received from the federal government to underwrite the expansion of special education services in UPK and 3K programs, far too many go without those services and are left behind. This gap exacerbates the existing inequity in access to receiving a diagnosis (known as an "Individual Education Plan" or "IEP"). For example, Black and Asian children and children whose families speak another language at home are consistently underrepresented, and White children are overrepresented, in receiving IEPs when compared to the demographic makeup of 3K and UPK enrollment. *Report at 4.* The likelihood that a special need will result in an IEP also varies widely among the Boroughs, *Report at 7*, and among those who are housing insecure, *Report at 9.*

**Pay Parity**

Among the many reasons for the wide disparities in the provision of special education services to 3K and UPK students is the salary disparity between the pay received by teachers at Community Based Organizations who provide 3K and UPK services as compared with their City Department of Education counterparts. CBOs report that teachers and staff providing special education services leave for higher paying DoE jobs with frequency.

While the City DoE has committed to seeking pay parity between CBO teachers in UPK and 3K positions, special education teachers and service providers were excluded from that initiative. *Report at 14.*

This means that the children with the most challenging needs are being served inconsistently, with frequently changing teachers and service providers, or difficulty finding an available provider at all.

Pay parity with DoE counterparts is essential to enable CBOs to recruit and retain the talented and caring professionals needed to address the needs of the whole child under these most challenging settings.

***Need for a Pre-school Special Needs Data System***

Ensuring equity in the provision of services starts with accurate collection, retention and analysis of data concerning how and to whom those services are offered. The City DoE employs a computer system to record and monitor the provision of such services to school-age children, a parallel or equivalent system for pre-schoolers is still in the planning stages. *Report at 19.*

While building a comprehensive system for 3K and UPK special education services is appropriate and necessary, the current cohort of children should not be left without the benefits of a data-driven allocation of resources and remedial attention while those plans proceed.

The City DoE should develop methodologies to ensure that the data that currently is available, in the form currently available, is used to “address staffing shortages, identify and address systemic barriers to evaluations and service delivery, address disparities ... to ensure all children receive their needed evaluations and services.” *Report at 19.*

***Need for Adequate Access to Evaluations for Special Education Service***

While the system still falls woefully short of meeting the special needs of preschoolers with IEPs, by definition, children whose special needs have not been diagnosed and who have not received an IEP are completely unserved. Sadly, the likelihood that a child’s needs will be identified varies widely with their Borough of residence and their demographics. *Report at 7, 9.*

Addressing such needs begins with have adequate capacity to make evaluations and diagnostic assessments equitably available. It is therefore essential that the DOE deploy adequate Committee on Preschool Special Education staff focused on the CBO-housed UPK and 3-K population to assist with timely special education referrals.

THEREFORE, BE IT RESOLVED THAT Community Board 7/Manhattan calls on the New York City Department of Education and all other City agencies involved in the provision of special education services to UPK and 3K students to:

- Immediately institute pay parity between special education teachers and service providers at Community Based Organizations and those employed directly by the DoE, using the contract enhancement platform and other rulemaking and contract mechanisms at their disposal; and
- Implement a work-around system to collect and analyze data currently available to record and monitor the provision of evaluations for and provision of special education services to UPK and 3K students with a goal of enhancing equity in the delivery of such services, including where to allocate funds and direct resources where they are most needed and will address persistent inequities, until such time as the counterpart system now in the planning stages can be implemented.
- Hire, train and deploy a sufficient number of CPSE staff focused on the CBO-housed UPK and 3-K population to assist with timely special education referrals.

*Committee: 8-0-0-0.*