

Community Board 7/Manhattan

DECEMBER 2023 PROPOSED RESOLUTIONS

Steering Committee, Beverly Donohue, Chair

1. **Re: Peter Arndtsen, former Executive Director of Columbus Amsterdam BID for his significant contributions to the community.**

This Resolution is based on the Following Facts:

Peter Arndtsen is retiring from his position as Executive Director of the Columbus-Amsterdam BID.

He has held that position since 1998 and has guided the BID through growth in programming, through good times and bad, through cyclical economic downturns and the disruption and heartache of the COVID pandemic and later the flowering of a robust Open Streets Program that both built community and empowered local small businesses.

Peter embraced and promoted the Bloomingdale Neighborhood History Group, further building a sense of community and shared experience.

As a close partner of Community Board 7, he has been a constant presence at our meetings, consistently championing the interests of our most vulnerable neighbors and those deserving of our special attention and respect. He has worked tirelessly in support of the West Side community, especially in the area north of West 96th Street.

THEREFORE, BE IT RESOLVED THAT Community Board 7 / Manhattan extends a heartfelt thank you to Peter for his service to our community and wishes him the best of for his retirement.

Committee:

2. **Re: Central Park, renovation of West 85th Street Playground (previously known as Spector).**

This resolution is based on the following facts:

The Central Park Conservancy ("CPC") will be restoring the West 85th Street Playground (the "Playground", previously known as the Spector Playground) located within the historic Seneca Village site, on the west side of Central Park (the "Park").

The restoration will acknowledge the prominence of this Playground within the Seneca Village site and re-envision it as a play and family space connected to the surrounding landscape. However, it is important to note that the CPC's capital project to commemorate Seneca Village will be distinct from the restoration of the Playground.

In addition, the restoration will enhance the distinctive topography and site features of the surrounding area, like the Pinetum and the rocky outcroppings. Finally, it will also create an accessible route from Central Park West to the West 85th Street Playground and from the nearby Toll Playground located at West 84th Street.

This project will be carried out in accordance with the 2011 Plan for Play Initiative, which is the overall framework for the reconstruction of playgrounds in the park. It is also based partly on CPC's community outreach, done last summer, to which thirty different users responded.

The design presented by CPC is imaginative and inclusive, replacing the current sand play area, bucket swings, spray bollard, bridges, and old fashioned play structures with rustic climber play structures, both tire and strap swings, a stone seat wall, and a large water feature. Although the overall footprint of the Playground will be reduced by approximately 1,000 square feet, the new design will add a picnic area within that is about 6,400 square feet. Overall, the 7' high fence will be replaced with a 4' high fence surrounding the Playground.

THEREFORE, BE IT RESOLVED THAT Community Board 7 / Manhattan **approves** the imaginative, creative restoration plan for the West 85th Street Playground in Central Park to update and freshen the play structures and improve accessibility. CB7 appreciates the user outreach conducted in anticipation of this project. If additional funds become available, we would recommend adding restrooms within the Playground. We look forward to hearing an update from CPC prior to the start of construction with more specific plans, including the staging of construction equipment, specific play equipment plans, any significant landscaping changes, and the phased closure of pathways leading up the Playground.

Committee: 8-0-0-0

Youth, Education and Libraries Committee, Kristen Berger and Kevin Reevey, Chairperson

3. **Re: Support for New Arrivals in Schools**

The following facts and concerns were taken into consideration:

New York City public schools have seen unprecedented growth in new arrivals over the last year. New arrivals have come to New York City from around the world, often as asylum seekers. These recent arrivals generally do not have secure housing or financial resources, frequently have limited English language familiarity, and have often endured significant trauma and disrupted education.

Citywide, roughly 33,000¹ new students have arrived since July 2022, including 3,000 per month since July 2023, which is 15,000 brand-new students so far this fiscal year.

¹ "Update on NYCPS's Budgeting Process for the 23-24 School Year", 10/25/23, Cristina Meléndez, Executive Director Office of Family and Community Engagement

Community Board 7 passed Resolution “Responding to Ongoing Needs of District Schools Enrolling Students from Families of Asylum-Seekers” in October 2022. The current resolution updates the needs identified last year. CSD 3 currently has just under 12,000 students, of which 15% are housing insecure². In CSD 3 1,800 new arrivals have come since July 2022. Most, but not all, of the newly arrived students are in temporary housing.

All elementary schools in D3 have added some new arrivals to their school rosters. Initially, new arrivals were placed in the schools closest to their temporary housing and in schools that had some language supports already in the school (Dual Language, English as a New Language). For example, PS 145 (which has both a dual-language Spanish program and a dual-language Russian program) received 120 new families within 15 months. As demand increased, students were placed in a wider range of schools.

The older students have been placed primarily in transfer high schools. Citywide, only 5 transfer High Schools specifically serve ELLS, the transfer high school for students on the West Side is West Side High School, which has recently been relocated to the East Side and already has far greater enrollment than predicted during its move last year. Community School District 3 refers primarily to PreK- 8th grade, as most High Schools and D75 Special Education schools are under the jurisdiction of different District Superintendents.

Funding

Community Board 7/Manhattan believes that the needs of newly arrived students, who often arrive unannounced and traumatized by their travels and ordeals, are immense – and acute – and schools to which these students arrive need immediate, real-time access to funding and other resources to support their new students and ensure their current students’ experiences do not suffer as a result.

In the 2022-23 School year through Project Open Arms (SAM 65), schools were given an additional \$2,000/ new student when they added 5 or more new arrivals. This was funding added to the individual school budget during the school year. This year, the mid-year allocation for school budgets will likely miss out on finding vital support for students in temporary housing.

The City Comptroller testified to the City Council that students in temporary housing will miss out on up to 11 million dollars this school year if the DOE does not adjust its mid-year adjustment formula³. Individual school funding is adjusted in the annual midyear adjustment, which adds or subtracts money from the individual school budget (originally allocated to the school over the summer) based on enrollment. The enrollment number is traditionally based on an enrollment snapshot on October 31st. Schools are funded, in part, per student based on the Fair Student Funding Formula (FSFF). The FSFF allocates additional funds (via weights) for students in certain categories such as Students with Disability (SWD) or Students in Temporary Housing (STH).

Currently, the midyear adjustment includes data about students in specific weighted categories, such as SWD, but does not update the data on students in temporary housing in the same manner. Missing the additional funds assigned to students in temporary housing will disproportionately affect new arrivals and the schools serving them.

Centralized Support

Schools and community groups have learned from experience over the last year. They have identified the lack of cohesion of services as a significant need. Support is not always predicted or provided in a timely manner. Locally, some of the organizations working to assist new arrival families include D3 Open Arms, Project Rousseau, Mañana Otro Día, and the New York Immigration Coalition. Many school communities have come together to work to support new students on an ad hoc basis. There is a need for more consistent and centralized services for new arrivals.

The DOE has hired 100 shelter-based community coordinators to help students and families in shelters connect with needed educational services and supports, including helping newly arrived immigrant students enroll in school. However, the City does not have a plan to continue funding for the community coordinators when the funding expires at the end of the school year.

² CSD 3 District Superintendent K. Samuels, 10/19/23 presentation to D3 Open Arms

³ <https://www.chalkbeat.org/newyork/2023/11/21/school-funding-leaves-new-homeless-students-behind/>,
<https://comptroller.nyc.gov/newsroom/testimony-of-new-york-city-comptroller-brad-lander-to-the-city-council-education-and-immigration-committees/>

Social-Emotional Support

One of the greatest needs is for additional counseling and social work. Most children are arriving with very serious trauma. Naveed Hassan, of D3 Open Arms, notes that D3 has had several Portuguese-speaking new arrivals who were not able to receive psychological services because we lacked providers who can speak Portuguese.

The UFT Vice President for Education recently testified that “there is a dearth of social and emotional support (especially in home languages) for students and families, many of whom experienced and continue to experience severe trauma...Of the spring survey, 68% of schools reported that there was no designated social worker for new arrivals and that 58% of these students were not receiving regular services from a social worker. Educators report not knowing where to refer families who have asked for outside support.”⁴

THEREFORE, BE IT RESOLVED THAT Community Board 7/Manhattan **calls on** the Mayor, the NYC DOE, and the New York State Education Department to ensure that funding streams are made available to schools receiving new arrivals over the course of the school year. We need a replacement of 2023 SAM 65 Project Open Arms funding, to explicitly address the needs of new arrival students who do not speak English and are differently traumatized. Specifically, NYC DOE must implement the Fair Student Funding weight for students in temporary housing during the mid-year allocation, as it does for other weights included in the Fair Student Funding Formula.

BE IT FURTHER RESOLVED THAT the Community Board 7/Manhattan **calls on** the Mayor, the Chancellor, and the NYC DOE to create a formal department of Refugee Student Resettlement that has a similar scope, budget, and staff as the Students in Temporary Housing office has for domestic homeless students. This Refugee Student Resettlement office at DOE will collaborate with City Hall, Immigrant Affairs, Homeless Services, etc. to make pathways for students' continued stability & family self-reliance, and self-sufficiency.

BE IT FURTHER RESOLVED THAT Community Board 7/Manhattan **calls on** the Mayor, the NYC DOE, and the New York State Education Department to dedicate funding for additional language-specific social-emotional support for students including but not limited to school psychologists, nurses & social workers.

Committee: 9-0-0-0.

Preservation Committee, K Karpen and Madge Rosenberg, Co-Chairpersons

4. Re: 7 West 83rd Street, Congregation Rodeph Sholom (Columbus Avenue - Central Park West). **Application to the Landmarks Preservation Commission for a certificate of appropriateness to replace an existing rooftop fence by the parapet.**

The following facts and circumstances were considered:

- The existing galvanized steel chain-link fence was in place prior to the historic district designation. It is 11' high from the roof with the highest point 13' high.
- The existing fence is, and the proposed replacement will be, around the existing 6th floor addition, not around the existing rooftop addition.
- The proposed replacement will be slightly smaller than the existing fence as part of the fencing facing North on the West corner is being removed.
- The new fence will be 10' high with a 1' top on a 45degree angle, made of Webnet cable net which is thinner than the existing and stretchable. It will be less visible.
- The fence will be slightly visible from inside Central Park and from across the street.

THEREFORE, BE IT RESOLVED THAT Community Board 7/ Manhattan recommends **approval** of the application as appropriate to the building and to the Historic District.

Committee: 7-0-0-0.

Business & Consumer Issues Committee, Josh Cohen and Benjamin Wu, Co-Chairpersons

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

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

- a. **150 West 62nd Street, 7th Fl** (Amsterdam – Columbus Avenues) by Aramark Educational Services, LLC.
- b. **158 West 72nd Street** (Broadway - Columbus Avenue.) by Ruay Infinity, LLC d/b/a Samui.

Committee: 7-0-0-0.

⁴ <https://www.uft.org/your-union/uft-testimony/testimony-on-immigrant-students-new-york-city-public-schools>

6. Re: New Application & Temporary Retail Permit to the State of Liquor Authority for two-year liquor licenses.

BE IT RESOLVED THAT Community Board 7 / Manhattan **approves** New Application & Temporary Retail Permit to the State of Liquor Authority for two-year liquor licenses, as follows:

- a. **200 West 60th Street a/k/a 16 Amsterdam Avenue** by ESQ 60th, LLC d/b/a Emmy Squared Pizza.
- b. **485 Columbus Avenue** (West 83rd – 84th Streets) by Cilantro NYC, LLC.
- c. **2014 Broadway** (West 68th – 69th Streets) by West Side 2014, LLC.

Committee: 7-0-0-0.

Method of Operation and Alteration Application

7. Re: 2175 Broadway (West 76th – 77th Streets).

BE IT RESOLVED THAT Community Board 7 / Manhattan **approves** Method of Operation and Alteration Application to the State Liquor Authority for two-year liquor licenses by Belleclaire Hotel, LLC. The proposed changes are as follows:

- **Alterations**
 - Ground Floor Dining Area is being expanded to add additional seating.
 - 11th Floor/Roof Level Interior Space is being renovated and converted from Private Dining/Events to a public Bar/Lounge. There will be no outdoor seating on this level.
- **Method of Operations**
 - The hotel is requesting the addition of an occasional DJ to its existing method of operation.

Committee: 7-0-0-0.

8. Re: 768 Amsterdam Avenue (West 97th – 98th Streets).

BE IT RESOLVED THAT Community Board 7 / Manhattan **approves** Method of Operation Application to the State Liquor Authority for two-year liquor licenses by Rincon Mexicano, Inc. d/b/a Pico de Gallo Bar & Kitchen. The proposed change is to include Karaoke.

Committee: 7-0-0-0.

Retail Dispensary Premises

9. Re: 2465 Broadway (West 91st – 92nd Streets.)

The following facts and concerns were considered in arriving at our conclusion:

Community Board 7 / Manhattan was in receipt of Benjamin Herbst d/b/a Sweetspot Upper West Side “Notice of Municipality” form to NYS Office of Cannabis Management for a Retail Dispensary Premises for a two-year full license to open a retail dispensary premises; and

WHEREAS, listed below are the details of the establishment’s operations as presented to Community Board 7 / Manhattan on November 8, 2023, Business & Consumer Issues Committee in the Applicant/s questionnaire and live testimony concerning the elements of the presented cannabis dispensary, as follows:

I. Location

- Occupancy and Zoning: Zoning Use Group 6, M Occupancy; Retail Sales | C4-6A
- Provisional License
- Area:
 - Above - Health Club (Equinox);
 - Side (North) - Physical Therapist (Spear Physical Therapy), Pet Supply Retail Store (Petco); and
 - Side (South) - Residential (The Westly), Veterinary Medicine Clinic (Bond Vet)

II. Permitting & Zoning

- Monday – Sunday 10:00am – 10:00pm
- No one challenged this location on meeting the zoning requirements set forth in Cannabis Law.
 - **Locality**
 - Sound: Will not have entertainment, events, parties, music, or amplified sound.
 - Sidewalk/Vehicular traffic: Visitors will queue inside our reception area prior to ID check & entering restricted sales area. A text-message alert system will be used to enable excess visitors to wait off-site if necessary.
 - Odor Control Plan: Signs will be posted outside, inside, and at registers reminding customers that no loitering or on-site consumption of any kind, including smoking, is

permitted. Employees at registers will also provide this verbal instruction & monitor security cameras.

Operational Plans

- Site Plan was not provided.
- Security Plan: We will implement sufficient security measures to deter diversion, theft or loss of cannabis and cannabis products, theft or loss of cash, prevent unauthorized entrance into areas containing cannabis or cannabis products, and to ensure the safety of the licensee's employees and the general public. To ensure successful implementation, Sweetspot Upper West Side's security procedures and infrastructure includes the follow key elements:
 - Limited Site Access
 - Secure Facility Design: featuring RFID identification card-controlled restricted zones limiting both employees and visitors access to different areas of the facility by security level to only those areas necessary to complete transactions or for employees to fulfill their required tasks. The facility will feature the following 4 distinct physically separated security zones:
 - *Public, Retail, Limited Access and Restricted Access Zones.*
 - Security Management System (Genetec Security Center)
 - Secure Storage
 - Intrusion Alarm System
 - Third-Party Alarm System Monitoring
 - Hold-Up Button
 - Secondary Independent Alarm System
 - Video Surveillance System:
 - Backup Power
- Delivery Plan: Applicant will offer home delivery options for online orders to qualified customers aged 21 and over in accordance with New York State and City of New York regulations. All deliveries will require customer to present a valid government issued ID to delivery courier to confirm identity and age before the delivery may be completed. No customer may receive the delivery without presenting satisfactory identification in accordance with New York law.

Outdoor Signage and Esthetics

- No velvet ropes, façade or opened windows. Exterior security lighting with minimal light pollution.

Incident Reporting

- On-site employees or managers must immediately report any safety or security incidents to management at first possible moment. All reports of security related incidents from on-site staff or security monitoring system will result in immediate notification made to law enforcement. Applicant will notify OCM of all such incidents within 24 hours. A full report on any incident will be submitted to OCM within 10 days. All documentation related to security incidents will be retained by applications for a minimum of 5 years.

THEREFORE, BE IT RESOLVED THAT Community Board 7 / Manhattan:

A. LOCATION

disapproves the location referenced above for a new establishment application to NYS Office of Cannabis Management for a Retail Dispensary due to Noncompliance with the requirement to provide proof of control on their location in support of their "Notice to Municipality".

B. Regulation of Municipal Governance

approves New establishment application by Benjamin Herbst d/b/a Sweetspot Upper West Side, LLC to the Office of Cannabis Management for a two-year license to open a retail dispensary premises.

BE IT FURTHER RESOLVED, **we strongly recommend** submission of a Site Plan and Delivery Plan in good faith, in order to update the community on the Method of Operations, once they have obtained their full license (proof of control over property).

Committee: 6-0-0-1.