# FINAL GENERIC ENVIRONMENTAL IMPACT STATEMENT

# VILLAGE OF PORT CHESTER, WESTCHESTER COUNTY, NEW YORK
# COMPREHENSIVE PLAN AND ZONING MAP AND TEXT AMENDMENTS

**Prepared by:**

**FERRANDINO & ASSOCIATES INC.**
**Planning and Development Consultants**
**Elmsford, NY**

**November 2012**

**On behalf of Port Chester Village Board as Lead Agency**
**Port Chester, NY**

**November 2012**

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# AND
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**Name of Action:**
Adoption of Village of Port Chester 2012 Comprehensive Plan
And Zoning Map and Text Amendments

**SEQRA Classification**:
Type I Action

**Location of Proposed Action**:
Village of Port Chester, New York

**Lead Agency**:
Board of Trustees

**Lead Agency Contact**:
Village Clerk

**DGEIS Accepted as Complete**:
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## EXECUTIVE SUMMARY

In May 2012, a draft Comprehensive Plan and Zoning Map and Text Amendments for the Village of Port Chester was completed (hereinafter referred to as the "Proposed Action"). The Proposed Action contemplates long-range planning strategies and actions for managing development in Port Chester. The proposed zoning amendments aim to retain the qualities of Port Chester by reducing overall densities in the Village and to allow strategic upzonings in areas deemed appropriate in the Comprehensive Plan.

In order to demonstrate the potential impacts affected by the Proposed Action, a Build-Out Analysis was completed for three Focus Areas selected for rezoning by the Village of Port Chester. The results from the Build-Out Analysis were compared with the build-out results completed by the Westchester County Planning Department for *Westchester 2025*[1]. In order to assess the build-out conditions stemming from the Proposed Action, a build-out analysis was completed by the Village. The Build-Out Analysis reported upon the number of dwelling units and non-residential space possible under the Proposed Action regulations. Upon completion, an examination of potential Village-wide environmental impacts stemming from the Proposed Action included a fiscal, traffic, infrastructure and visual assessment. For all potential impacts, recommendations for mitigation were also provided.

### Purpose of Environmental Impact Assessment

Adoption of the Proposed Action is classified as a Type I Action according to SEQR regulations and requires an environmental impact assessment as prescribed by 6 NYCRR §617 State Environmental Quality Review (SEQR). A generic environmental impact statement (GEIS) assesses a broad-based action or a group of related actions and is more conceptual in nature than a site-specific environmental impact statement (EIS). The GEIS does not replace the need for separate and distinct site-specific EISs in connection with any future development proposals. Each specific proposal for any site is independently subject to SEQR.

The Generic Environmental Impact Statement (GEIS) scoping document (adopted by the Village Board on May 7, 2012) determined the elements to be evaluated in the GEIS. This GEIS addresses recommendations set forth in the Proposed Action and examines potential Village-wide environmental impacts that may result from the Proposed Action including, but not limited to, the potential land use changes and/or other actions required to implement the Proposed Action. In compliance with the requirements of SEQR, this GEIS includes the following:

[1] The *Westchester 2025* analysis discussed the build-out scenarios possible under existing conditions.

- Description of the Proposed Action and its purpose and benefits;
- Assessment of existing conditions;
- Evaluation of potential environmental impacts of the Proposed Action and
- Alternatives (in some cases, analyses are based on conceptual information due to the comprehensive and prospective nature of the Proposed Action and its component parts);
- Identification of any potential, significant adverse environmental impacts;
- Identification of any necessary measures to minimize potential significant adverse environmental impacts;
- Identification of any potential growth-inducing impacts;
- Identification of any significant adverse environmental impacts that cannot be avoided if the Proposed Action is implemented; and
- Identification and brief discussion of any irreversible and irretrievable commitment of resources that would be involved in implementation of the Proposed Action.

## Description of the Proposed Action

The Proposed Action involves adoption of the proposed 2012 Comprehensive Plan and Zoning Map and Text Amendments by the Village of Port Chester Board of Trustees. The Plan provides a blueprint of the Village's planning strategies and actions that are proposed for implementation in the Village of Port Chester. As stated in the Plan, the Village's vision involves retaining the qualities of Port Chester that its residents have come to cherish, including a diverse cultural population, quality homes at relatively affordable prices, a vibrant downtown and its proximity to key employment centers in the region. At the same time, the vision addresses the challenges confronting the Village, including changing socio-economic conditions, unpredictable growth and development patterns, physical constraints limiting waterfront access and underutilized non-residential properties.

### *Comprehensive Plan*

The Comprehensive Plan includes a number of recommendations to address the needs and priorities of the Village. Some key recommendations are summarized below.

*Land Use and Zoning*

- Encourage decreasing density in the Neighborhood Protection and Enhancement Zones by amending the zoning code to provide for lowered Floor Area Ratios (FAR) and reduced maximum building heights in all residential zones.
- Promote maintaining existing uses while allowing some additional desired uses within the Limited Intensity Planning Zones that will not adversely affect public schools, traffic or infrastructure in the Village.
- Propose the creation of two new zoning districts within the Higher Intensity Planning Zones (the C5 Train Station Mixed Use Zone and the C5T Downtown Mixed Use Transitional Zone) in a favorable and sustainable manner.

- Support decreasing building heights while promoting development within the Higher Intensity Planning Zones to foster a dynamic and economically prosperous downtown and waterfront.

*Historical and Cultural Resources*

- Preserve Port Chester's historic resources that contribute positively to the Village's unique character.
- Sustain and strengthen the vibrant arts and cultural community that contributes to the economy, education, employment and quality of life throughout the Village.
- Continue to integrate the arts and entertainment into the Village's economic development activities.

*Natural Resources*

- Promote the conservation of resources, including water, energy and materials.
- Promote environmental sustainability and the stewardship of natural resources.
- Promote and implement environmentally sustainable design and development.
- Coordinate planning efforts with neighboring communities, the State and the Federal government to address regional sustainability issues, including: transit, air and water quality, brownfield remediation, protection of floodways and wildlife habitat, and provision of recreation areas and bike paths.

*Transportation*

- Manage the effectiveness of Port Chester's roadway network, including its street grid, by investing in operation and reconstruction improvements.
- Encourage investment in various modes of public transit.
- Promote walking for commuting, recreation and other trips by creating safe and attractive pedestrian environments throughout the Village.
- Provide infrastructure and facilities to encourage safe and convenient bicycling for commuting, recreation and other trips.
- Develop a comprehensive approach to parking that addresses parking needs both in residential neighborhoods and in the downtown.

*Infrastructure*

- Sustain a high quality of life by providing efficient and cost-effective Village infrastructure and services
- Ensure a safe and adequate water distribution system that is able to serve residential, commercial and industrial users throughout the Village.
- Provide an efficient sanitary wastewater treatment system, stormwater collection system and solid waste disposal system that adequately services the entire Village.
- Provide for the energy need of Village residents by supporting the necessary expansion and/or replacement of appropriate utilities in a way that reduces impacts on the environment.

- Maintain and enhance public infrastructure and services to meet current and future demands of residents and businesses.

*Municipal Services*

- Ensure the health, safety and welfare of residents and business owners through implementation of vital services such as police, fire, EMS and code enforcement.
- Encourage inter and intra-municipal cooperation and coordination to provide quality services efficiently and in a cost-effective manner.
- Enable the Village to successfully achieve its vision through public and private partnerships, grant assistance, strong leadership and cost beneficial resources.
- Coordinate with community centers and service providers to share services and facilities.
- Support the Port Chester-Rye Union Free School District in its effort to ensure that it has adequate facilities, equipment and staff to meet the needs of the increasing student population.

*Economic Development*

- Strengthen and expand economic opportunity and the Village's tax base by focusing efforts on retaining and expanding existing businesses and attracting new businesses.
- Improve the condition and appearance of Port Chester's commercial areas, including the Downtown Business District, to encourage new investment and create more attractive locations for visitors and businesses.
- Increase Port Chester's retail capture rate by improving the profitability of commercial businesses and recruiting new establishments based on market demand.
- Establish appropriate organizational structures to facilitate economic development and downtown revitalization and promote effective communication among Village leaders and Port Chester business and property owners.
- Encourage the development of a skilled workforce that matches the employment opportunities in the Village by focusing on workforce needs for advancement.
- Actively promote a sense of civic identity, including "branding" of the Village to facilitate economic development and promote tourism in the Village.
- Promote the waterfront areas as a commercial, recreational and cultural destination.

The Comprehensive Plan can be viewed as a mitigation measure against the prospective impact of development on the Village's qualities and resources. It strives to guide development in a manner that will protect and enhance the natural resources, community character and quality of life, while improving the Village's economic viability. Adoption of the Comprehensive Plan is needed to implement the Village's vision and goals.

### *Zoning Map and Text Amendments*

The proposed zoning amendments correspond with the Comprehensive Plan and aim to reduce overall densities throughout the Village, preserve existing character of the residential neighborhoods, identify key areas for limited growth opportunities, improve development predictability and eliminate all floating zones.

### *Build-Out Analysis and Impacts*

Build-Out Analysis

The purpose of conducting a build-out analysis for the Village of Port Chester regarding the Proposed Action is to assess the impacts associated with the proposed Zoning Map and Text Amendments (henceforth referred to as Build-Out Analysis).

The Build-Out Analysis specifically assessed the Village of Port Chester in two capacities: determining the maximum build-out capacity Village-wide as well as in the three Focus Areas recommended for rezoning. The Village-wide Assessment can be broken down into two categories: 'upzoned' areas and 'downzoned' areas. Generally speaking, the 'upzoned' areas are those specific zones under the Proposed Action that are recommended to become less dense. Conversely, the 'downzoned' areas are those specific zones under the Proposed Action that are recommended to become more dense. Ultimately, the net result between the 'upzoned' and 'downzoned' areas portrays the generalized effects resulting from the Proposed Action.

In order to conduct the Build-Out Analysis for the Village of Port Chester, a few assumptions were adopted. First, the Build-Out Analysis considers a 'clean slate' approach, whereby zoning conditions applied to both the No Action/existing zoning and Proposed Action/proposed zoning disregarded existing physical structures, e.g. on-the-ground conditions, in order to better determine maximum build-out capacities. Second, the Build-Out Analysis does not reconcile or consider nonconforming or grandfathered uses. Incorporating such information would have required additional data collection outside of the Build-Out Analysis scope, resulting in the likelihood of additional projects completed prior to the Build-Out Analysis. Third, acquiring a Special Exception (SE) permit for the 20,000 square foot minimum lot size requirement for multifamily development in the downtown area was accepted among all build-out scenarios for a few reasons. Primarily, approximately less than 15 percent of proposed C5 and C5T Zone parcels met the 20,000 square foot requirement. In order to ameliorate this development hurdle, the Build-Out Analysis assumed the SE permit was granted so that proposed development schemes could occur. Additionally, the inclusion of SE permits granted in both the Focus Area and Village-wide Assessment helped to reduce inconsistencies in methodology and approach.

In addition to the Village-wide Assessment, this Build-Out Analysis assessed the maximum build-out potential for three unique areas recommended for rezoning (Focus Areas). These areas, designated as Intensity Planning Zones as explained in the draft

*Comprehensive Plan,* include the proposed C5 Train Station Mixed Use Zone, the proposed C5T Downtown Mixed Use Transitional Zone and the proposed PMU Planned Mixed Use Zone (also known as the former United Hospital site). For each of the eight (8) scenarios associated with the three Focus Areas, maximum build-out potential conditions were posited under a No Action and a Proposed Action setting. The No Action alternative describes maximum build-out conditions under existing zoning regulations, not tied to any proposed zoning changes for the Village. On the other hand, the Proposed Action involves maximum build-out conditions under the proposed Zoning Map and Text Amendments.

*Village-Wide Assessment*

The main goal of the Village-wide Assessment is to determine the net number of units resulting from the Proposed Action by comparing the maximum number of dwelling units possible under the Proposed Action (proposed zoning regulations) for both 'upzoned' and 'downzoned' areas.

In the 'upzoned areas', a net reduction of 712 dwelling units is the result of the Proposed Action compared with a No Action setting. This reduction in dwelling units will help minimize the adverse impacts associated with traffic and infrastructure. In the 'downzoned areas', a net increase of 470 dwellings units is possible under maximum build-out conditions when assessed at 90 percent efficiency.

Comparing the 'upzoned' dwelling unit net reduction with the 'downzoned' dwelling unit net increase, 242 *fewer* dwelling units are generated under the Proposed Action on a Village-wide basis. This reduction in dwelling units bears positive impacts to the school district, with less children to accommodate; traffic congestion will likely be less by way of fewer dwelling units; and impacts to the sewer and water systems will be less.

*Focus Areas*

*The Proposed PMU Zone (former United Hospital site)*

The results of the four scenarios evaluated for the proposed PMU Zone include a variety of maximum build-out potential options for the Village of Port Chester to consider. Under a No Action setting, the existing zoning regulations allow a maximum build-out potential of 240 dwelling units. Conversely, the PMU – Maximum Residential Density Scenario under the Proposed Action provides a maximum residential build-out potential of 432 units, likely causing greater impact upon the water and sewer systems, the transportation system and the School District. Of the remaining two studies one is similar to maximum residential scenario but with different uses and the other is Increased Overall Residential Scenario, featuring similar mixed use configurations except for the senior housing component. Generally speaking, as the median age of the Village increases, the more apt it will be to provide senior housing accommodations.

*C5 Train Station Mixed Use Zone*
Between the No Action and the Proposed Action settings, a maximum increase of 110 residential dwelling units is possible under the proposed C5 Zone. The increase in non-residential space is approximately 22,000 square feet. Both scenarios generate fewer dwelling units than all of the scenarios listed under the proposed PMU Zone. By and large, the Proposed Action for the C5 Zone will likely generate fewer transportation, infrastructure and school district impacts than those associated with the Proposed Action for the PMU Zone.

*C5T Downtown Mixed Use Transitional Zone*
The proposed C5T Zone will provide complementary zoning to the adjacent C5 Zone in an attempt to revitalize downtown uses and provide a pedestrian-friendly landscape. The difference in maximum build-out potential for both residential and non-residential uses does not vary significantly between the No Action and the Proposed Action scenarios. In total, the number of dwelling units increased by 10 and the non-residential space increased by approximately 50,000 square feet. Overall, the C5T Zone, in conjunction with the C5 Zone, will provide focused residential development and economic opportunities for the Village of Port Chester.

Impact Analysis
For the build-out analysis, there were five (5) impact categories that were assessed to show how the No Action and Proposed Action would impact the Village of Port Chester. The five different impact categories analyzed for the Village were infrastructure, traffic impacts, visual, fiscal and natural resources.

*Infrastructure Impact Analysis*
To fully understand the impacts of future development and to evaluate the viability of the Proposed Action, an analysis of impacts and potential mitigation measures to critical infrastructure, such as water supply and wastewater systems, was performed. The Infrastructure Analysis focused on the three Focus Areas where densities have the potential of being increased: the proposed PMU Zone, the proposed C5 Train Station Mixed Use Zone and the proposed C5T Downtown Mixed Use Transitional Zone. The impact analysis quantifies estimated impacts to the stormwater, water supply and wastewater systems within the three Focus Areas and provides detailed recommendations for mitigation measures as necessary.

Within the proposed PMU Zone, the sanitary sewer main in Boston Post Road has been identified as a potential area of necessary mitigation as it is in generally poor condition. Replacement of the sanitary sewer main with a newer, larger diameter pipe would offset impacts as a feasible mitigation measure. The wastewater system in the vicinity of the proposed C5 Zone is among the oldest in the Village of Port Chester and is in relatively poor condition. Development from either a No Action or a Proposed Action

would require the reconstruction of the existing sanitary sewer main on King Street, as this is the main line that collects and conveys wastewater from this area and is undersized for this degree of density. Reconstruction of the sanitary sewer main would cost approximately between $200,000 and $225,000.

The only mitigation-measure associated with the proposed C5 Zone is the upgrading of the stormwater system on Broad Street and King Street to accommodate future development.

In the proposed C5T Zone, a stormwater collection system may have to be installed as a mitigation measure in South Main Street for any new construction. There currently is no stormwater piping in South Main Street near Westchester Avenue. To install some piping and catch basins would approximately cost between $120,000 and $130,000.

*Traffic Impact Analysis*

To understand the traffic impacts resulting from the Proposed Action, an analysis was performed comparing the estimated vehicle trips that would be generated by the No Action (existing zoning) alternative under full build-out conditions with the Proposed Action (proposed zoning) under full build-out condition. The standard method used to estimate the volume of traffic to be generated by a particular development is to use data provided by the Institute of Transportation Engineers in a publication titled, *Trip Generation, 8th Edition*. This method was applied to estimate trips during the morning (7 AM – 9 AM) and afternoon (4 PM – 6 PM) peak hours during a typical weekday. The resulting difference will determine the net new trips that will be generated by the proposed zoning (net new trips = Proposed Action trips – No Action trips).

The Proposed Action affecting the proposed PMU Zone will generate the most new trips under the PMU - Maximum Residential scenario, with an estimated 350 additional vehicles to the during the morning peak hour and 1,270 more vehicles during the afternoon peak hour. Mitigation measures necessary to accommodate the increase in vehicular trips on the existing surrounding roadway network include intersection and traffic operational improvements along US Route 1 (Boston Post Road). Roadway geometry improvements (widening) at the intersections of US Route 1 with High Street, Kohl's Shopping Center Driveway and South Regent Drive are also needed to support the Proposed Action, along with signal timing improvements and coordination along US Route 1 from the I-287 interchange to Pearl Street. Additionally, use of the existing site access driveways would need to be improved to accommodate the additional travel demand.

The Proposed Action for the C5 and C5T Zones will generate fewer than 60 new trips during the weekday morning peak hour and fewer than 200 new vehicles trips during the weekday peak hours. Although the increase in travel demand on the roadway network is moderate with the Proposed Action, it is anticipated that the additional demand will further strain an already highly developed and constrained roadway

system, resulting in improved traffic operations, such as widening for additional travel and turn lanes in these zones. Travel demand management strategies for commute and non-commute travel should be considered as mitigation measures to better accommodate the additional travel demand.

*Visual Impact Analysis*

A visual impact analysis was conducted in order to assess the changes in zone character, concentrating on potential, overall building height changes. This analysis discusses the visual impacts associated with both the No Action and Proposed Action setting for the three focus areas described. Overall, the Proposed Action reduces permitted building heights/stories, indicative of a finding of no significant impact. The Visual Impact results align with the goals and objectives set forth in the draft *Comprehensive Plan.*

*Fiscal Impact Analysis*

The fiscal impacts analyzed in this GEIS include the local tax base, school district costs and municipal services.

- Tax Base

Total tax revenues were generated for residential and non-residential properties in the three Focus Areas and for a Village-wide Assessment. The total tax revenues were generated and include taxes for the County, Village and school district.

*Proposed PMU Zone (former United Hospital site)*

For the Proposed PMU Zone, the total taxes that would be generated by residential properties for the No Action/existing zoning would be $3,703,920. There is no estimated total tax value for the three scenarios for the Proposed Action/proposed zoning in this focus area due to the fact that the PMU is a proposed new district and there are no existing residential PMU tax assessments available to estimate tax revenues. For the non-residential properties the total assessed value is the same for both the No Action/existing zoning and for the Proposed Action/proposed zoning. Therefore, tax revenues generated would be the same for non-residential properties.

*Proposed C5 Zone*

For the No Action/existing zoning in the proposed C5 zone, the tax revenues estimated would be $6,491,520 for residential properties. For the Proposed Action/proposed C5 zoning, tax revenues were generated and estimated to be $2,047,069. For non-residential properties, for the No Action/existing zoning, the estimated amount of total tax revenues would be $339,733. For the Proposed Action/proposed zoning, tax revenues generated would be $424,666. This would result in a net increase of $84,933 in tax revenues generated.

*Proposed C5T Zone*
For the No Action/existing zoning in the proposed C5T zone, an estimate of $1,597,120 in total taxes would be generated by residential properties. For the Proposed Action/proposed zoning, the total amount of tax revenues would be $232,798 for residential properties. For non-residential properties, for the No Action/existing zoning, the estimated amount of total tax revenues would be $339,733. For the Proposed Action/proposed zoning, tax revenues generated would be $424,666. This would result in a net increase of $84,933 in tax revenues generated.

*Village-Wide Assessment*
Based on the Proposed Action/proposed zoning, the Village-wide Assessment analyzes the areas affecting the Village as a whole that will be 'upzoned' and the areas that will be 'downzoned.' For the 'upzoned' areas, between the No Action/existing zoning and the Proposed Action/proposed zoning, there would be a reduction in total tax revenues of $7,697,879. This is due to the fact that the 'upzoned' areas are decreasing in density; therefore there are less residential units that will generate taxes.

The second part of the Village-wide Assessment focuses on the 'downzoned' areas based on the Proposed Action/proposed zoning. These areas will encourage mixed use (residential and non-residential uses) and an increase in density which will increase the number of dwelling units and tax revenues. Due to the increase in dwelling units for residential properties in the 'downzoned' area, the total revenues would increase by approximately $621,023. For the non-residential properties the total tax revenues generated would increase by $106,167 for the non-residential 'downzoned' areas. Overall, for the 'downzoned' area for both residential and non-residential properties there would be an increase in total tax revenues of $727,190.

Overall, based on this Village-wide Assessment for the 'upzoned' and 'downzoned' areas there will be a net decrease in total tax revenues of $6,970,689. This decrease reflects the Proposed Action/existing zoning, as overall, the Village is decreasing density; therefore, there would be a reduction in total tax revenues generated.

- School District Costs

A fiscal impact analysis was conducted in order to assess the changes in number of school children associated with both the No Action/existing zoning and Proposed Action/proposed zoning for the three Focus Areas and for a Village-wide Assessment. With an enrollment of approximately 4,231 students during the 2011-2012 school year, spending per student is approximately $17,835 (without Federal aid). Using this spending per student as a guide, an estimate for the number of school generated was conducted for various scenarios associated with the three Focus Areas and for a Village-wide analysis.

*Proposed PMU Zone*
For the No Action/existing zoning scenario, the total number of school children generated would be approximately 70 students on the proposed PMU Zone. Under the Proposed Action/proposed zoning, the PMU scenario would generate a total of 25 school children. This is roughly 2.8 times less than under the No Action/existing zoning scenario. Under the Proposed Action/proposed zoning, PMU maximum residential scenario the total number of school children generated would be 30 students. Then, under the Proposed Action/proposed zoning increased overall density scenario, there would be a total of 111 school children. Pupil costs per scenario were calculated, as well as tax revenues generated by residential properties for each scenario. The net revenues were not able to be generated for this focus area since tax revenues were unable to be generated for the proposed PMU zone.

*Proposed C5 Zone*
Under the No Action/existing zoning, the total number of school children generated would be 12 students. Under the Proposed Action/proposed C5 zoning scenario, the total number of school children generated would be 23 students. Pupil costs per scenario were calculated as well as tax revenues generated by residential properties for both scenarios. Overall, for the Proposed Action/proposed zoning scenario would generate $256,299 more in revenues than the No Action/existing zoning scenario.

*Proposed C5T Zone*
Under the No Action/existing zoning, the total number of school children generated would be 3 students. Under the Proposed Action/proposed C5 zoning scenario, the total number of school children generated would be 4 students. Pupil costs per scenario were calculated as well as tax revenues generated by residential properties for both scenarios. Overall, for the Proposed Action/proposed zoning scenario would generate $7,119 more in revenues than the No Action/existing zoning scenario.

*Village-Wide Assessment*
Based on the Proposed Action, the areas affecting the Village as a whole that will be 'upzoned' will result in a net decrease of 712 dwelling units, predicated on the build out analysis. The 'upzoned' areas will help reduce densities, and therefore will generate fewer school children as a whole. In total, there will be a decrease of 342 public school students in the 'upzoned' areas. This reduction in public school children will reduce annual school costs by $6,099,570.

Alternatively, the 'downzoned' areas will result in a net increase of 470 dwelling units between a No Action/existing zoning and a Proposed Action/proposed zoning setting. This increase in dwelling units will result in an increase of 33 public school children. The cost of educating these 33 students will amount to an increase of $588,555.

Overall, based on a Village-wide Assessment, the Proposed Action/proposed zoning will reduce the number of school children by 309 and associated costs by $5,511,015.

- Municipal Services

Based upon the Proposed Action/proposed zoning, fiscal impacts on municipal services in the Village of Port Chester will be negligible. Due to the overall reduction in density throughout the Village (minus 242 dwelling units total), there will be no additional burdens on municipal services.

*Natural Resources Impact Analysis*

The Proposed Action recommends the conservation of resources, including water, energy and materials, by educating and encouraging residents and business owners to adopt environmentally sound practices focused on sustainability and stewardship of natural resources.

The Proposed Action also recommends that the Village promote and implement an environmentally sustainable design and development review process. It recommends an overall decrease in development density within the Village resulting in fewer environmental impacts to the area. The Proposed Action suggests up-zonings within the residential areas of the Village focused on quelling any future development or greater environmental impacts in these areas. Further, the Proposed Action focuses increased development and density within Higher Intensity Planning Zones to enhance the vitality of the Village's downtown and Route 1 Corridor and concentrate development away from environmentally sensitive areas.

As the Proposed Action encourages sustainability through the protection of natural resources and the promotion of sustainable development practices, there are no adverse impacts.

## 1.0 PROJECT DESCRIPTION

The Proposed Action involves adoption of the proposed 2012 Comprehensive Plan and Zoning Map and Text Amendments by the Village of Port Chester Board of Trustees (hereinafter referred to as the "Proposed Action"). In the spring of 2007, the Village of Port Chester initiated an update to the Village's 1968 Master Plan, with assistance from a team of consultants. A Comprehensive Plan Advisory Committee (CPAC) was created by the Village to develop and propose a comprehensive plan to the Board of Trustees. The CPAC consisted of Village representatives, including members of the Planning Commission, the Zoning Board of Appeals and the Industrial Development Agency, residents, members of the business community, local area stakeholders and community members at large. The CPAC was tasked with reviewing draft documents, collecting information and serving as a point of contact for community members within the Village. CPAC also shared its knowledge with the Village's consultants about various topics that were addressed in the Existing Conditions portion of the Comprehensive Plan. Following this, the CPAC was also responsible for reviewing and amending goals

and recommendations set forth by the planners prior to review by the Board of Trustees and subsequent inclusion in the Comprehensive Plan.

Following completion of the draft Comprehensive Plan in 2009, another planning firm[5] was retained to "synthesize" the original draft plan and to prepare the Zoning Code Amendments and Map for the Village of Port Chester. Originally adopted in 1986, and amended several times since then, the Village of Port Chester Zoning Code has become outdated. The proposed zoning amendments aim to retain the qualities of Port Chester that its people have come to cherish and address the challenges confronting the Village. The overall approach of the zoning amendments is to capture the five following elements:

- Reduce overall densities throughout the Village
- Preserve existing character of the residential neighborhoods
- Identify key areas for limited growth opportunities
- Improve development predictability
- Eliminate all floating zones

As demonstrated in the Comprehensive Plan, the Village has focused its proposed land use plan to accommodate increased density only in strategic locations – not Village-wide. As such, the Village has planned for areas of Higher Intensity Planning Zones to help achieve the future vision desired by Port Chester and its residents. Additionally, the Village has planned for Limited Intensity Planning Zones to help achieve an overall reduction of density and impacts for those areas.

In order to establish a baseline to evaluate differences between the existing zoning and the Proposed Action, build-out results were extrapolated for the Village of Port Chester as part of the Westchester County Department of Planning's *Westchester 2025.* The results from *Westchester 2025* demonstrated future conditions congruent with a No Action Alternative. As part of *Westchester 2025*, the County's analysis sought to determine full municipal build-out results that incorporated vacant or underutilized parcels.

The results from *Westchester 2025* demonstrate that under existing zoning regulations, an additional 3,123 dwelling units were possible for the entire Village of Port Chester. Based on 2010 US Census data, the application of the average Village household size of 2.9 people per dwelling unit resulted in a possible addition of 9,057 residents. These results can be attributed to a No Action Alternative. However, the results of the No Action Alternative do not equate to the overall goals and objectives to decrease density overall as described in the *Comprehensive Plan.*

[5] LaBerge was originally retained by the Village in 2007 to prepare the Plan. BFJ Planning was subsequently retained in 2011 to "synthesize" the draft Plan, and Ferrandino & Associates Inc. was retained in 2011 to prepare this DGEIS.

In order to investigate further, a Build-Out Analysis was conducted to compare the existing and proposed zoning Village wide and among selected areas within the Planning Intensity Zones outlined in the *Comprehensive Plan*. Within the Planning Intensity Zones, Focus Areas were selected based on existing land use conditions within the Village to align the analysis with possible future development opportunities in the area. The three Focus Areas addressed include the Proposed PMU Zone (former United Hospital site), the proposed C5 Zone parcels and the proposed C5T Zone parcels.

Outlined below are the areas of the Proposed Action that are recommended to receive rezoning in an attempt to achieve the goals and objectives set forth in the *Comprehensive Plan*.

The proposed Zoning Code Amendments for the 2012 Comprehensive Plan include:

- Residential Zones
    - Five strategic upzonings
    - Floor area ratio (FAR) reductions to all residential districts
    - Maximum building height reduction in the RA3 and RA4 districts
    - Eliminate PT Planned Tower Development District

- Non-Residential Zones (Commercial)
    - C1 Neighborhood Retail district → No changes
    - C2 Central Business district → New C2: Main Street Business District
    - C3 Design Office and Commercial district → Modified C3: Office and Commercial district
    - New C5 Train Station Mixed Use district (based on existing C2 district)
    - New C5T Downtown Mixed Use Transitional district
    - Eliminate PRSP Planned Railroad Station Plaza Development district

- Waterfront
    - Rezone waterfront area C3 Design Office and Commercial and DW Design Waterfront Development

- Former United Hospital site
    - New PMU Planning Mixed Use district

The Village's overall vision, via the Comprehensive Plan, is to retain Port Chester's unique qualities, including a diverse cultural population, quality homes at relatively affordable prices, a vibrant downtown and its proximity to key employment centers in the region. The Plan identifies goals, policies and guidelines for the immediate and long-range protection, enhancement, growth and development of Port Chester. The Plan

focuses on major elements of the Village's built environment which include:

- Maintenance and enhancement of residential neighborhoods
- Revitalization of commercial areas and the waterfront
- Strengthening of industrial areas
- Improvement of transportation and infrastructure facilities
- Identifying opportunities for new development

# 2.0 ENVIRONMENTAL ANALYSES

The following evaluates the Proposed Action, including a discussion of existing conditions and of potential adverse environmental impacts, as well as any necessary mitigation.

## 2.1 Land Use, Zoning and Public Policy

This section describes the existing land use, zoning and public policy within the Village of Port Chester and evaluates any potential impacts associated with the Proposed Action. This will also include an assessment of the Village's local planning objectives and consistency with local plans including the *Local Waterfront Revitalization Plan*, as well as regional plans such as *Westchester 2025*.

### *2.1.1 Existing Conditions*

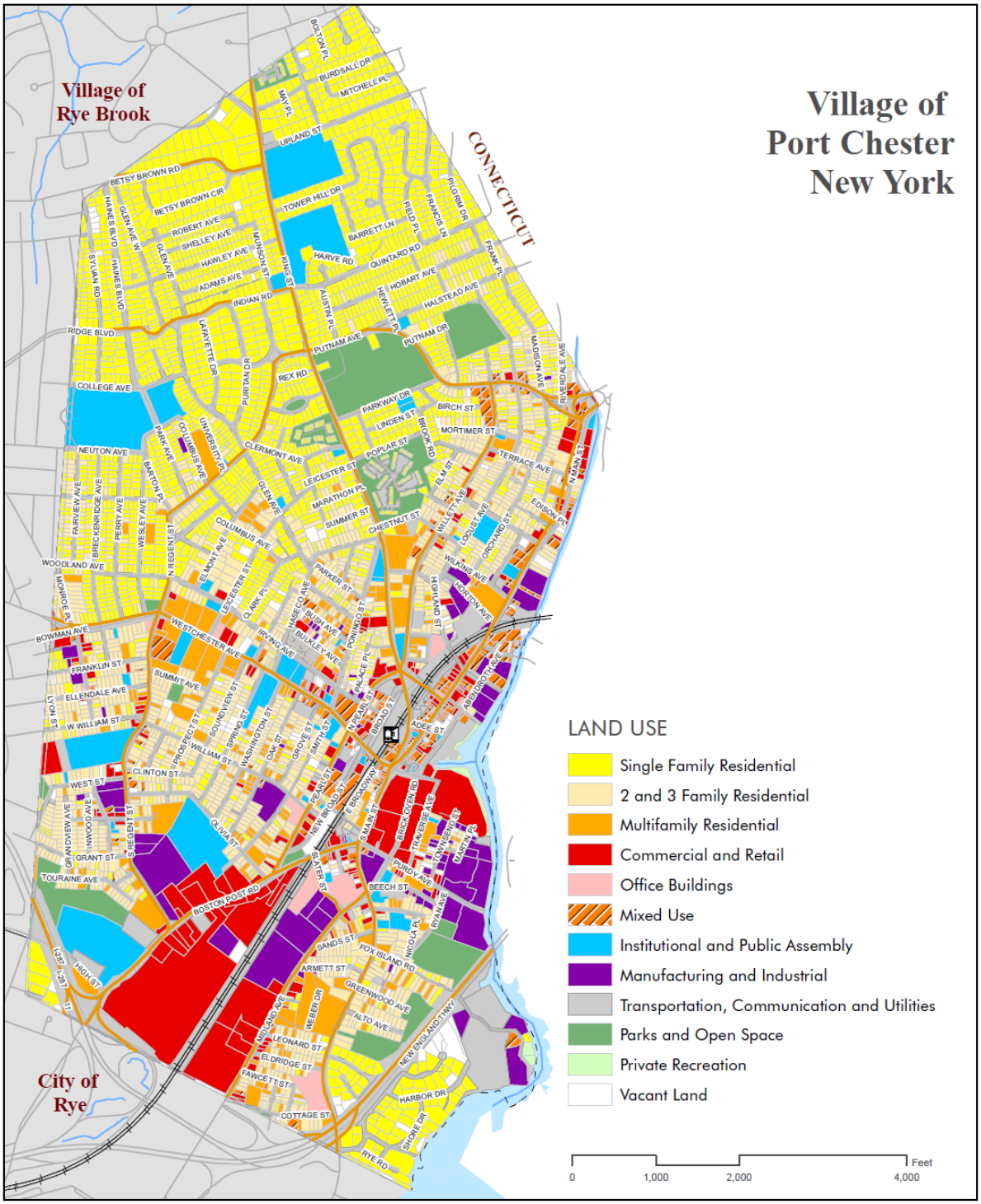
Existing Land Use

Development in Port Chester has been greatly influenced by many factors, including its waterfront location, proximity to New York City, manufacturing history and socioeconomic diversity. An evaluation of the type, distribution and intensity of land uses in the Village yields a useful picture of prevailing patterns and identifies issues and potential opportunities.

Port Chester encompasses approximately 1,233 acres and is comprised of over 5,000 parcels. See Figure 1: Existing Land Use Map.

Residential properties represent the largest land use in Port Chester, covering 57 percent of Village land. Residential uses are found throughout the Village but are largely concentrated in the northern area. Port Chester has a range of residential property types including one-family detached homes, two- and three-family homes, apartment complexes, townhouses, condominiums and co-ops.

**Figure 1. Existing Land Use Map**



Commercial uses represent the second largest land use in Port Chester, covering 24 percent of its land, and are primarily concentrated along the railroad corridor and along Route 1 in the Village's downtown. Commercial properties include dining establishments, retail, banks, motor vehicle services, storage/warehouse and distribution facilities and office buildings. The Waterfront at Port Chester, a retail mall, houses over 500,000 square feet of retail and entertainment use. Located at the intersection of South Main Street and Westchester Avenue, The Waterfront is anchored by Costco, Super Shop & Stop, Loews Cineplex and Bed Bath & Beyond.

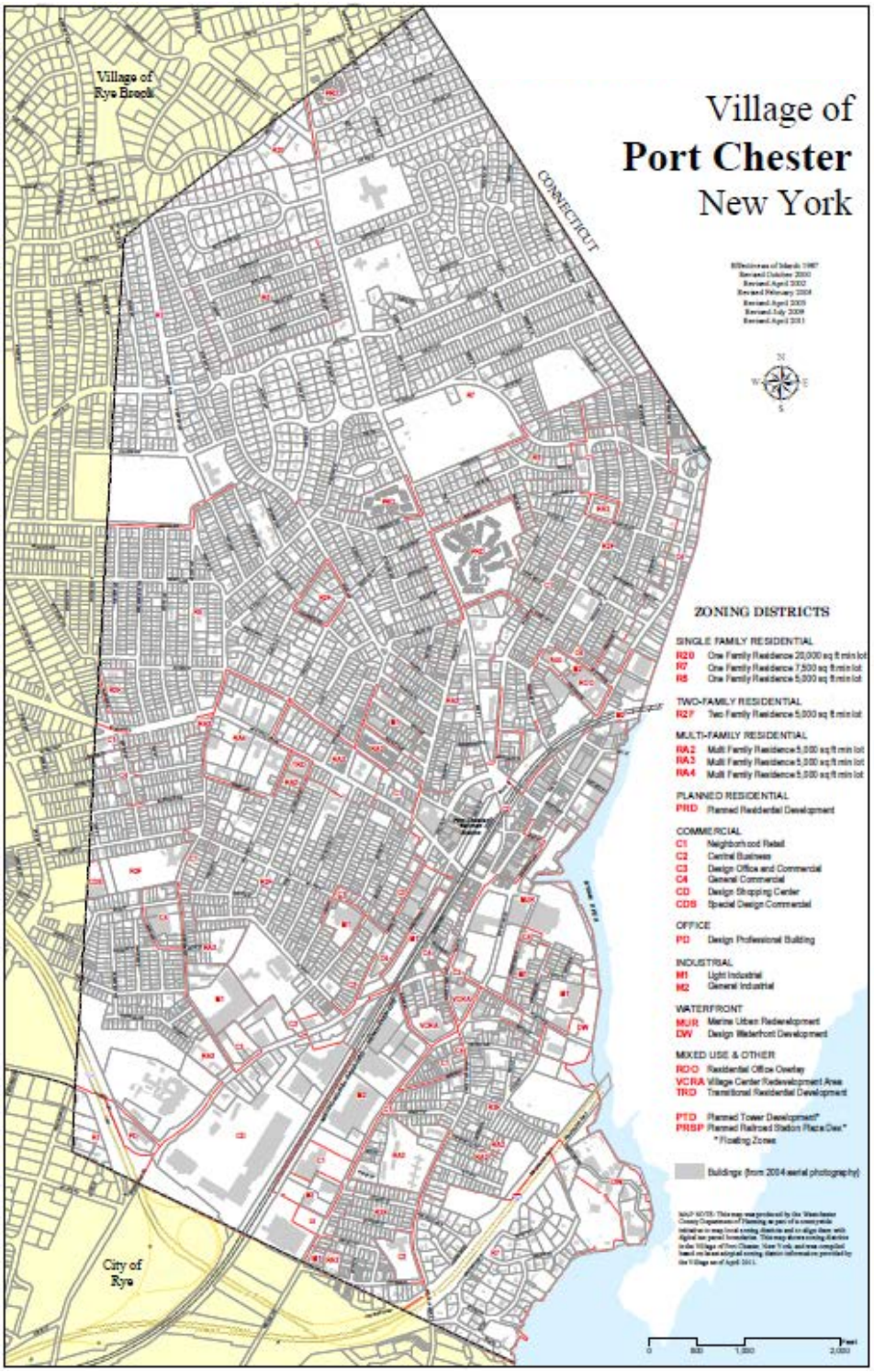
Community service buildings occupy 67 tax parcels, or about 7.5 percent of Village land. These parcels tend to be larger than others due to the types of uses they host, including water treatment facilities, communication services, transportation services, waste disposal, and electric and gas facilities.

Other uses include commercial/industrial, recreation and entertainment, parks and open space, and vacant land.

## Zoning

The current zoning ordinance for the Village was adopted in March of 1987 and has since been amended six times. The Village currently has eight (8) residential zoning districts, eleven (11) nonresidential districts and five (5) mixed use/other districts (see Figure 2). Much of the northern section of Port Chester is zoned for residential use, largely one and two-family residences. Light industrial, commercial and business uses are largely confined to the southern and eastern sections of the Village, particularly in the railroad corridor and along the shoreline. The Village's current Official Existing Zoning Map is shown on the next page in Figure 2.

**Figure 2. Existing Zoning Map**



Public Policy

In general, the Village's land use and zoning practices and policies are consistent with other regional plans. *Westchester 2025* is a regional (Westchester County) comprehensive plan that is currently underway, and it updates its predecessor *Patterns (1995)*. *Westchester 2025* indicates that development of "greenfields" is a shrinking component of new construction in the County, and that the future lies in redevelopment of residential, commercial and industrial space with most new construction located in downtowns and centers, especially those with access to a rail station.

*Subdivision Regulations*
Subdivision regulations are identified as a chapter of the Village Code; however, it is no longer published since it does not apply to current Village conditions.

Provisions for large subdivisions through the use of conservation development (cluster) regulations exist in the Village Zoning Code and, in the past, have been effectively used. These regulations specifically addressed development in the R2F district, establishing bulk regulations and parking accommodations for these developments. However, the largely built-out nature of the Village has rendered conservation subdivision regulations obsolete and it is recommended in the proposed Comprehensive Plan that they be deleted from the Code.

*Site Plan Review*
Site plan approval is required by the Planning Commission for the proposed use or changes in use or intensity of land, all uses of vacant land and buildings and other structures other than one or two-family residences as identified in the Zoning Law. According to Chapter 345 of the Village Code, in certain circumstances, such as the storage of hazardous materials and properties within the Residential Office Overlay District and the Marina Urban Renewal District, site plan approval is required from the Board of Trustees.

*Architectural Review Board and Design Guidelines*
It is the purpose of the Architectural Board of Review to promote the health, safety and general welfare of the community, conserve the value of the buildings and encourage the most appropriate use of land within the Village. The Board consists of seven members, all of whom must be residents of Port Chester and be specifically qualified "by reason of training or experience in art, architecture or other relevant business or profession or by reason of civic interest and sound judgment to judge as to the effects of a proposed building upon the desirability, property values and development of surrounding area". At least one member of the Board must be a registered architect in the State of New York.

Every application for a building permit for construction, reconstruction, alteration or extension of any structure within the Village shall be made simultaneously with the Building Inspector and the Architectural Review Board.

Design guidelines typically appear as a separate section within a municipality's zoning law. Although this section has not yet been created within Port Chester's zoning, some design standards are established in Article IV of Chapter 345 in the Village Code, which is entitled, "Supplementary Regulations." Regulations addressing driveways, parking areas, awnings, spotlighting, terraces, projecting architectural features, fenestration, fire escapes and fences are included in this article.

*Signage Regulations*

Signage regulations control the location, size, type and design of existing and proposed signs and billboards in order to enhance the Village's physical appearance, ensure that signs and billboards are effective, address public safety issues and protect property values. Regulations are found in Chapters 272 and 345 of the Port Chester Village Code. The permitting process for new signs includes a submission of an application to the Architectural Review Board and Building Inspector who issues a permit for a fee if the proposed sign is in compliance with all regulations.

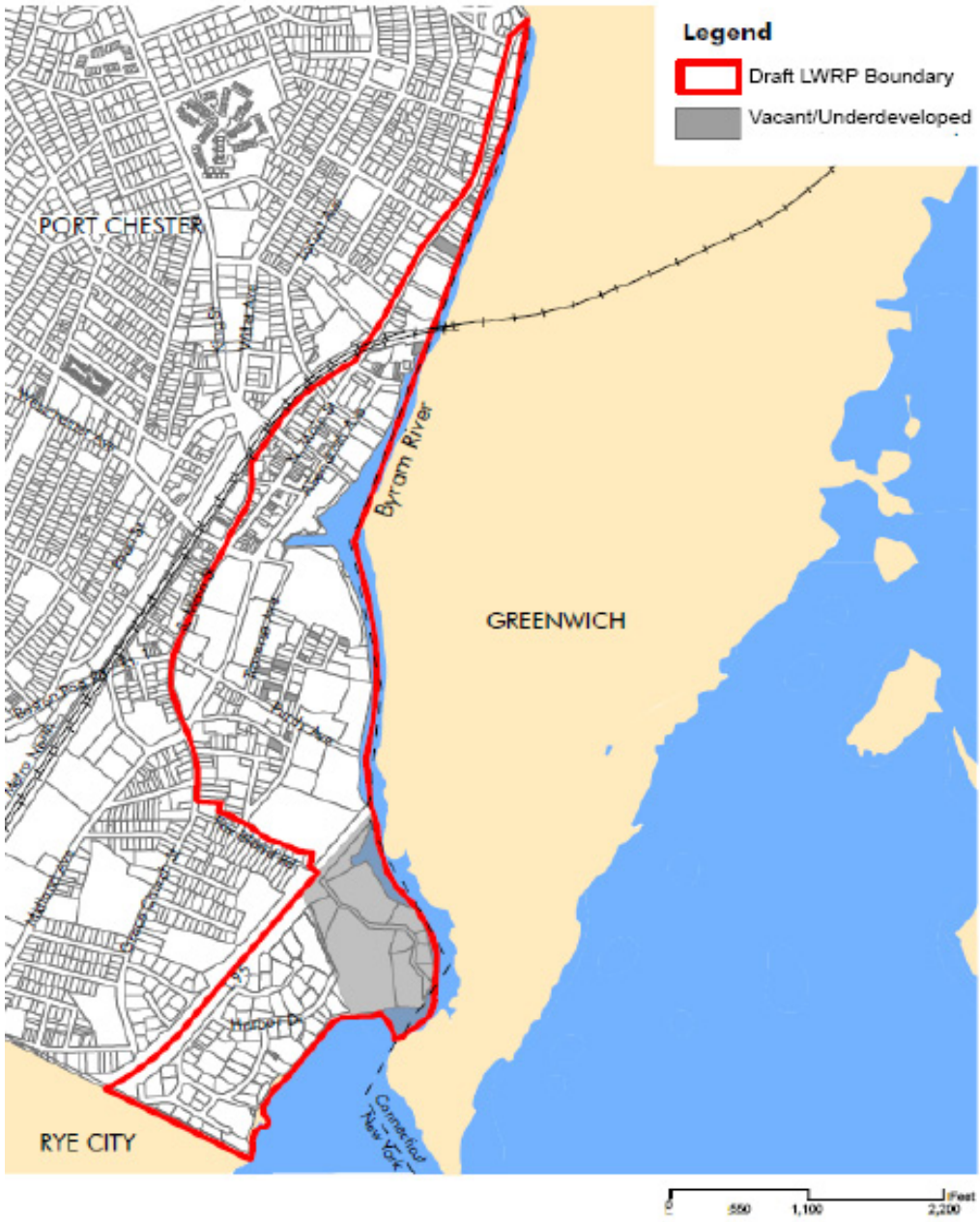
*Urban Renewal Plans*

According to Chapter 345 of the Village Code, the Urban Renewal Plan Amendment adopted on July 14, 1999 delineates an area referred to in such amendment as the "Modified Marina Redevelopment Project" consisting of contiguous portions of the Village Center Urban Renewal Plan Area (adopted November 1, 1977) and the Marina Redevelopment Urban Renewal Plan Area (adopted June 23, 1982). The boundaries of the Modified Marina Redevelopment Project correspond to the boundaries of the zoning district designated on the Zoning Map as the "MUR Marina Redevelopment Project Urban Renewal District."

The Village also adopted in 1983 the Harbor Redevelopment Urban Renewal Plan. The boundaries of the Harbor Redevelopment Area contain the land area comprising the

Fox Island peninsula. In 2012 the Village completed a Draft Local Waterfront Revitalization Program (DLWRP) aimed at creating a comprehensive strategy to best use the waterfront as a Village resource. A map displaying the boundaries of the DLWRP is shown below in Figure 3.

**Figure 3. Draft Local Waterfront Revitalization Program Boundary Map**



### *2.1.2 Potential Impacts*

The Proposed Action is expected to preserve existing patterns of development while establishing a framework to allow the Village to achieve its vision, for the built environment in the future. The Proposed Action provides for strengthening land use controls, zoning, subdivision and site plan regulations to achieve the recommendations set forth in the Comprehensive Plan. The Comprehensive Plan recommends adoption of the Proposed Revised Zoning Map (Figure 4) which outlines all areas within the Village that are subject to zone changes, their future proposed zone name and their current existing zone name. The following outlines recommendations for three areas identified in the Comprehensive Plan; Neighborhood Protection and Enhancement Zones, Limited Intensity Planning Zones and Higher Intensity Planning Zones. These three subareas of the Village are the focus of recommendations set forth in the Comprehensive Plan and will therefore be impacted by the Proposed Action.

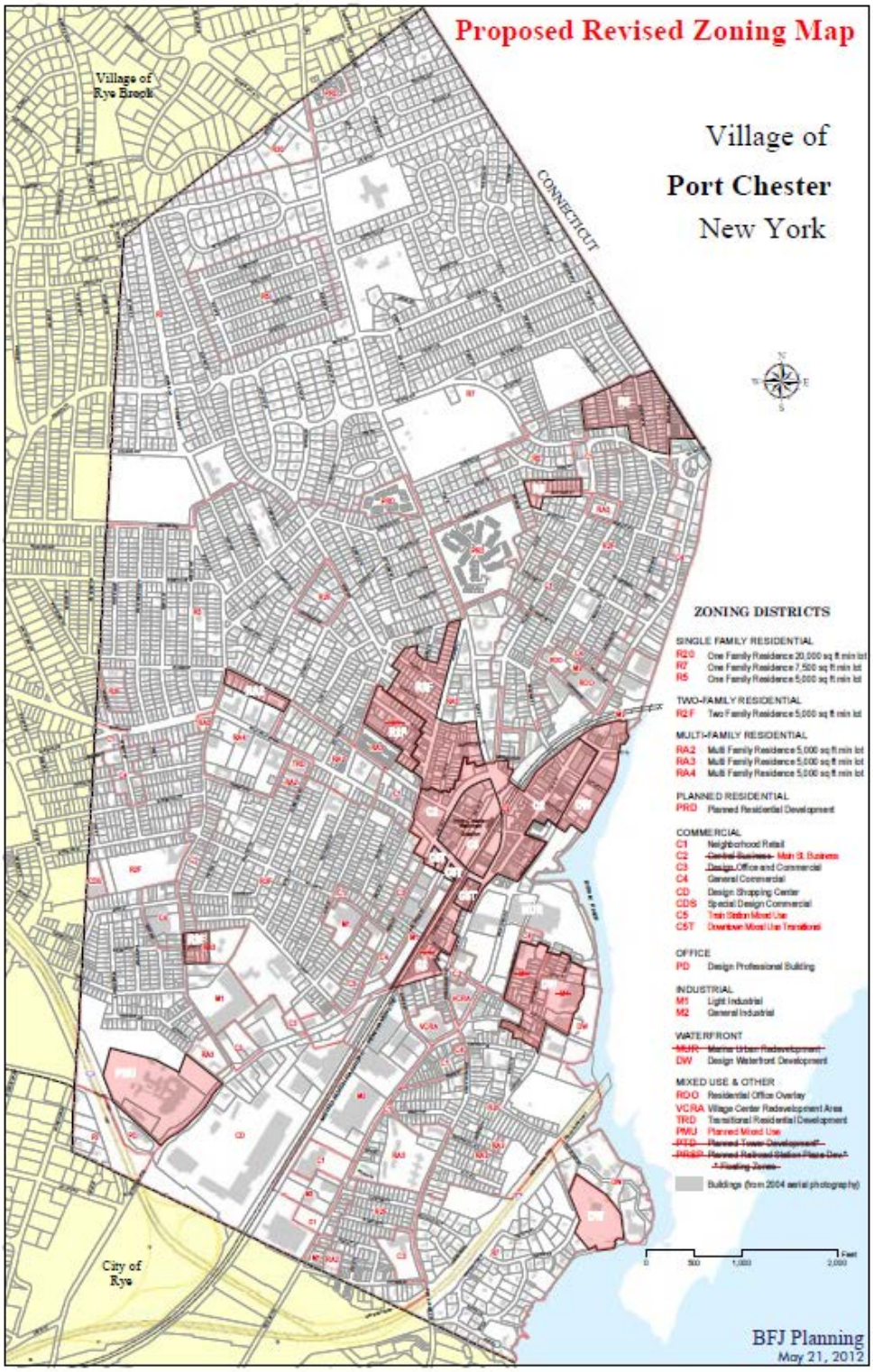
The three focus subareas of the Comprehensive Plan are described below;

*Neighborhood Protection and Enhancement Zones:* The Village's residential neighborhoods comprise the Neighborhood Protection and Enhancement Zones. The goal for these areas is to protect and enhance the existing low-density character of the neighborhoods and to prohibit out-of-character development and non-conforming structures.

*Limited Intensity Planning Zones:* Purdy Avenue, Fox Island, United Hospital and the Kohl's Shopping Center site comprise the Limited Intensity Planning Zones. The goal for these areas is to maintain existing uses and allow for additional uses, appropriate to the area. The overall scale and character of these areas will be maintained and their functionality improved.

*Higher Intensity Planning Zones:* Downtown Port Chester, the train station and the central waterfront area comprise the Higher Intensity Planning Zones. The goal for these areas is to allow for contextual mixed-use development that will reinforce the Village's key commercial center and enhance the waterfront. The Higher Intensity Planning Zones are also intended to absorb development pressures in the Village's residential neighborhoods.

**Figure 4. Proposed Revised Zoning Map**



Neighborhood Protection and Enhancement Zones

The following strategies, when implemented, will help maintain and enhance the low-density character of Port Chester's residential neighborhoods and protect against non-conforming and out-of-character development.

*Decrease Floor Area Ratios (FAR) in all Residential Districts*

Floor Area Ratio (FAR) controls are designed to regulate the bulk and size of a building in relation to its lot size and, along with traditional height and setback requirements, are an effective tool for controlling the scale and character of development. To help protect against future density increases and out-of-character development in Port Chester's residential neighborhoods, FAR modifications are proposed for all of the Village's residential districts, as shown on Table 26.

Table **1. Proposed FAR Modifications for Residential Zoning Districts**

| Intent | District | Existing FAR | Proposed FAR |
|---|---|---|---|
| SINGLE FAMILY RESIDENTIAL | One Family Residence, R20 | 0.50 | 0.35 |
| | One Family Residence, R7 | 0.60 | 0.50 |
| | One Family Residence, R5 | 0.70 | 0.60 |
| TWO FAMILY RESIDENTIAL | Two Family Residence, R2F | 0.80 | 0.70 |
| MULTI FAMILY RESIDENTIAL | Multi Family Residence, RA2 | 1.00 | 0.90 |
| | Multi Family Residence, RA3 | 1.60 (8 stories, 70 ft.) | 1.50 (6 stories, 60 ft.) |
| | Multi Family Residence, RA4 | 2.50 (10 stories, 95 ft.) | 2.00 (7 stories, 70 ft.) |

*Reduce Maximum Building Heights in the RA3 and RA4 Districts*

To help prevent future density increases and maintain the low-scale character of Port Chester's residential neighborhoods, decreases in maximum allowable building heights are proposed for the RA3 and RA4 multi-family residential districts, as shown on Table 2.

Table 2**. Proposed Maximum Allowable Building Height Reductions: Multi-Family Districts**

| Intent | District | Existing Maximum Allowable Building Height | Proposed Maximum Building Height |
|---|---|---|---|
| MULTI FAMILY RESIDENTIAL | Multi Family Residence, RA3 | 8 stories, 70 ft. | 6 stories, 60 ft. |
| | Multi Family Residence, RA4 | 10 stories, 95 ft. | 7 stories, 70 ft. |

*Pursue Strategic Upzonings in Residential Neighborhoods*

In an effort to preserve the existing built character of certain residential neighborhoods as well as to prevent future increases in density within the Village's residential neighborhoods, the Proposed Action recommends the upzoning of four residential areas (see Figures 5 and 6). These four areas were carefully selected based not only on their location but also their existing built form. These areas were strategically selected as they limit, to the extent practicable, the number of parcels that would become nonconforming[19] in the future if the upzonings are pursued through future rezonings. The four selected areas are largely under-built in terms of the densities allowed under their existing zoning such that moving to a more restrictive zoning district (R2F to R5 and RA3 to R2F) will render as nonconforming approximately 40 percent of the existing residential structures located within these areas. It is important to note that if these areas are upzoned, any non-conforming buildings that are created would be allowed to continue to exist (i.e. 2-family units could remain as 2-family units); however, the conversion of single-family units to 2-family units or two-family units to 3+ family units would not be allowed. These areas were also selected in that they provide for an additional transition zone between lower density and adjacent higher-density residential uses. Each of the proposed strategic upzonings is described in detail below. As shown, the proposed upzoning for the Multi Family R3F district reduces the Floor

[19] The Village of Port Chester approved a Permit Amnesty Program on September 4th, 2012, aimed to address properties within the Village with open or deviant permit applications on record with the planning, building or zoning departments. The approved Amnesty Program offers property owners within the Village with several open or expired building permits an opportunity to settle under one all encompassing permit. Under the Program, administrative fees for construction activities without a building permit will be waived in an effort to correct all targeted violations for properties with open or deviant building, planning or zoning applications in the Village. The application period for the Permit Amnesty Program is October 1st , 2012 through December 31st , 2012.

Area Ratio (FAR) from 0.80 to 0.70. The proposed upzoning for the Multi Family RA3 district reduces the FAR in half, from 1.60 to 0.80 and decreases the maximum allowable building height from 8 stories (70 feet) to 2.5 stories (35 feet).

*Consider Site Plan Approval for Two-Family Dwellings*

Currently, the Village Municipal Code requires site plan approval for all multi-family zoning districts (Sec. 345-23). One and two-family dwellings are exempt. Requiring site plan approval for two-family dwellings would empower either the Planning Commission or the Village Board of Trustees to review two-family dwellings in terms of (1) erection or enlargement of all residential buildings or accessory uses and (2) any change in use or intensity of use that would affect the characteristics of the site in terms of parking, loading, access, drainage, utilities or municipal services.

Figure **5. Proposed Upzonings for the Two Family R2F District**

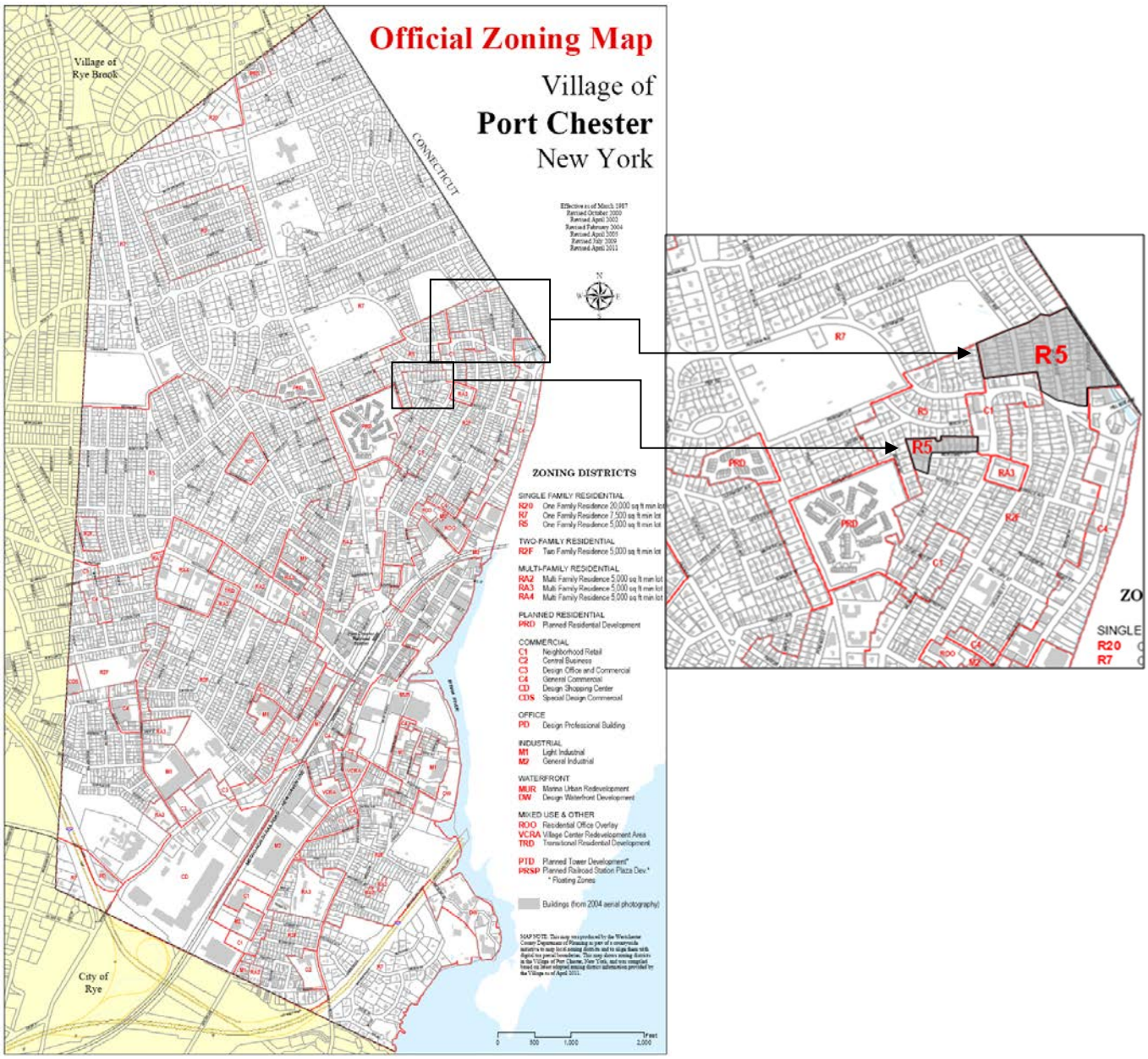
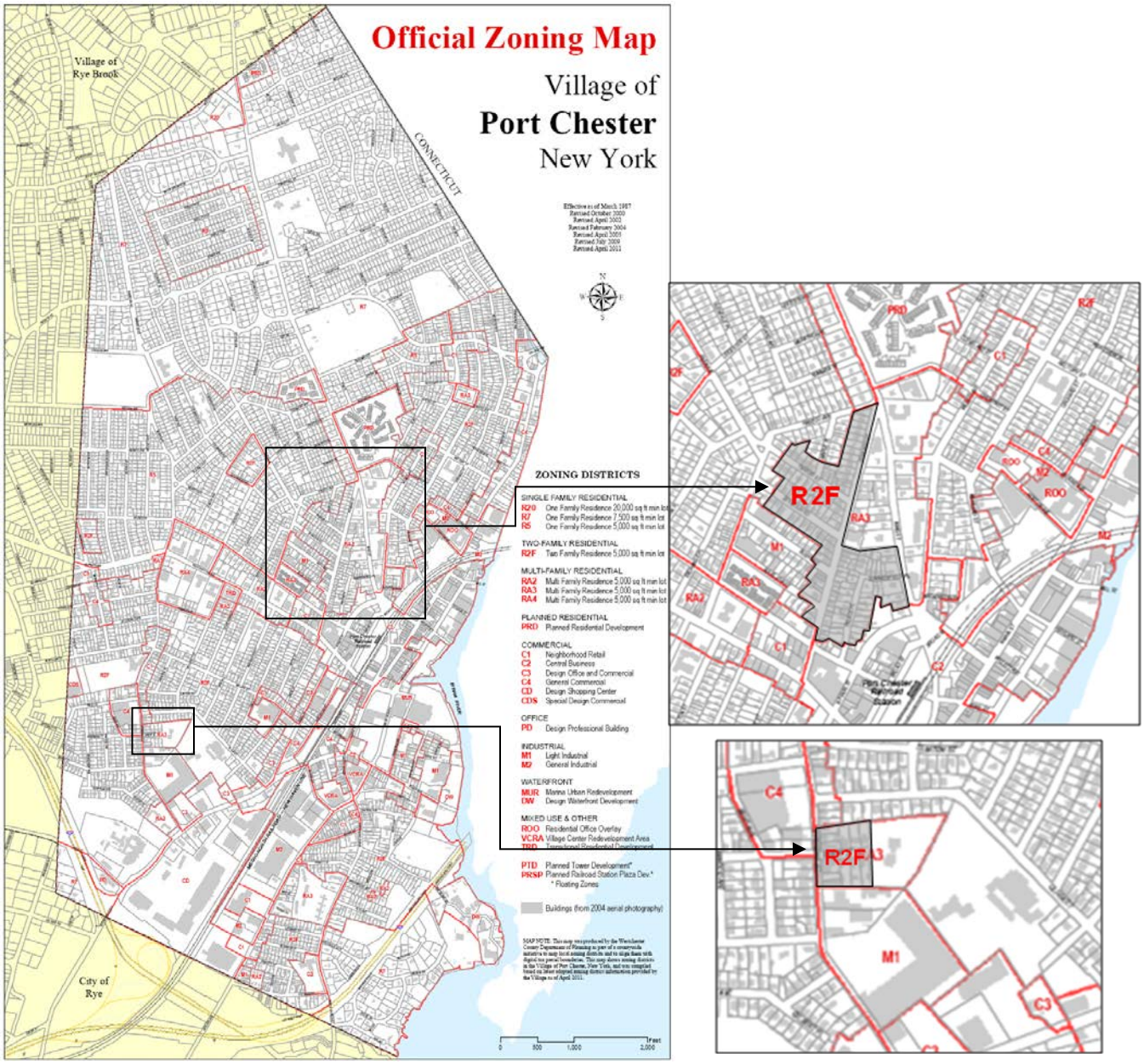


Figure 6**. Proposed Upzoning for the Multi Family RA3 District**



Limited Intensity Planning Zones

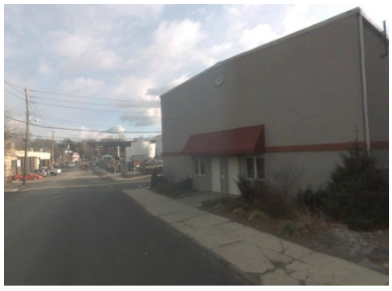
The Proposed Action identifies four Limited Intensity Planning Zones and corresponding recommendations as follows;

1. Purdy Avenue
2. Fox Island
3. United Hospital Site
4. Kohl's Shopping Center

## 1. Purdy Avenue

*Existing Zoning*

The Purdy Avenue sub-area includes a wide range of uses reflecting the seven (7) zoning districts currently mapped within its boundaries: DW, Design Waterfront; M1, Light Industrial; R2F, Two-Family Residence; MUR, Marina Urban Redevelopment; VCRA, Village Center Redevelopment Area; C2, Central Business and C4, General Commercial.



*Zoning Recommendations*

The recommended regulatory controls for Purdy Avenue set forth by the Proposed Action will provide for the continued support of the existing industrial and commercial uses with a de-emphasis on future residential uses. While the specifics of future zoning amendments will require a more detailed analysis beyond the proposed Comprehensive Plan, it is recommended that the MUR, Marina Urban Redevelopment and the VCRA, Village Center Redevelopment Area districts be eliminated. Building heights along Purdy Avenue will be limited to 4 stories, or 50 feet.

## 2. Fox Island

*Existing Zoning*

The Fox Island sub-area is currently zoned DW, Design Waterfront and R7, One Family Residence. The DW district allows uses only by special exception and permits a maximum building height of 8 stories. The R7 district extends from the Greyrock residential neighborhood into the Fox Island sub-area; existing uses within the sub-area's portion of the R7 district are nonconforming.

Aerial image of Fox

*Zoning Recommendations*

The Proposed Action supports a new zoning district for the Fox Island sub-area that will encourage both "wharf-type" development (restaurants and retail) and a mix of commercial/office uses with the possibility of some light industrial uses. In order to discourage potential conflicts between uses, any new residential uses will be permitted by special permit only, subject to approval by the Village Board of Trustees. At the same time, any new residential development would be properly controlled so as to not result in potential adverse impacts on public schools, traffic and infrastructure. Specifically, new residences would be comprised primarily of efficiency (studio) and one-bedroom dwelling units. Building heights will be limited to 4 stories, or 50 feet. The creation of a continuous walkway along the Fox Island waterfront will be facilitated though a mandatory setback requirement of at least 20 feet along the Byram River shoreline. In addition, a new vegetative buffer is proposed along the rear landward lot lines of the parcels located on the southern side of Fox Island Road to screen these industrial areas from the adjacent Greyrock neighborhood. The new zoning district will also bring into compliance the existing non-conforming uses in the R7 district.

## 3. Former United Hospital Site

*Existing Zoning*
The former United Hospital site is currently zoned R2F, Two-Family Residential, which permits one and two-family dwellings. No businesses are permitted other than home professional offices. Special exception uses may be granted for hospitals, nursery schools, membership clubs and public utility buildings. Maximum floor area ratio (FAR) is 0.80 and maximum building height is 2½ stories, or 35 feet. However, the United Hospital building stands at 5 stories and the apartment building at 999 High Street stands at 12 stories.

*Zoning Recommendations*
The zoning recommendations for the former United Hospital site are intended to encourage a mixed use development comprising some combination of a hotel and/or convention center, retail stores, restaurants, residential uses and community facilities. Any new residential development would be controlled so as not to result in potentially adverse impacts on public schools, traffic and infrastructure. Specifically, the Proposed Action supports residential development that is primarily comprised of efficiency (studio), one-bedroom and two-bedroom dwelling units aimed at serving a young age group, an empty nester age group and possibly a combination of both.

The recommended maximum floor area ratios (FAR) and maximum building heights are calibrated so as to place an emphasis on the hotel/convention center and retail/commercial components as the prominent uses and the residential component as the complementary use. As shown on Table 3, the proposed regulations outline dimensional standards and requirements by individual use. The existing FAR of the former United Hospital site is 0.80. The proposed maximum building height for a hotel/commercial use is 8 stories (85 feet), while the proposed maximum building height for a residential building is 5 stories. It is also recommended that the new zoning district allow by special permit – subject to approval by the Village Board of Trustees – a mid-rise residential structure with a maximum building height of 8 stories (85 feet). The proposed zoning district would also permit senior housing and/or assisted living units.

The proposed zoning district for the United Hospital site also includes a density bonus program, which would allow for an additional 2 stories over the proposed 8 story (85

feet) maximum building height (total: 10 stories, or 100 feet) for any mixed use structure in connection with the provision of community services. Specific dimensional requirements under such a density bonus program would be set forth in the updated Zoning Code.

Table **3. Proposed Zoning Requirements: United Hospital Site**

| **Dimensional Characteristics** | **Standards and Requirements** |
|---|---|
| Maximum Floor Area Ratio (FAR) for hotel/convention center | 0.40 |
| Maximum FAR for commercial uses | 0.20 |
| Maximum FAR for residential uses | 0.20 |
| Maximum FAR for senior housing/assisted living | 0. 30 |
| Maximum FAR for community facility | 0.10 |
| Maximum site coverage | 70% |
| Maximum building height for hotel/convention center | 8 stories (85 feet) |
| Maximum building height for commercial/residential uses | ▪ 5 stories (55 feet) (4 residential floors over ground floor commercial)<br>▪ 8 stories (85 feet) by special permit |
| Residential Apartments | Only efficiency (studio), one-bedroom and two-bedroom dwelling units shall be permitted |

*Note: The proposed maximum FAR of 0.80 would be comprised of any combination of permitted uses, with possible bonus to an FAR of 1.0.*

### 4. Kohl's Shopping Center

*Existing Zoning*
The Kohl's Shopping Center sub-area is currently zoned CD, Design Shopping Center, which prohibits residential uses. Maximum allowable building height in the CD district is 3 stories, or 45 feet.

*Zoning Recommendations*
It is recommended that the CD district underlying the Kohl's Shopping Center sub-area be amended to allow for a mix of commercial and residential uses, the latter of which would be permitted by special permit. Specific use and dimensional regulations of the Kohl's Shopping Center sub-area will need to be determined exclusive of the Comprehensive Plan.

<u>Higher Intensity Planning Zones</u>

1. Downtown/Train Station
2. North and South Main Street and Abendroth Avenue (west side)
3. Central Waterfront

## 1. Downtown/Train Station

*Existing Zoning*
The Downtown/Train Station sub-area is currently zoned Central Business, C2. The C2 district allows for a range of retail and commercial/office uses; upper floor multi-family dwellings are permitted by special permit. Maximum allowable building height in the C2 district is 8 stories, or 70 feet.

View of Port Chester Train Station Terminal

Although not currently designated in the Village, the Planned Railroad Station Plaza Development (PRSP) district is designed to encourage a full service railroad station plaza, including office buildings, parking facilities for passenger motor vehicles, retail stores and restaurants. Residential uses are not permitted in a PRSP district. The PRSP allows for building heights of up to 235 feet (22 stories) on the west side of the railroad and 45 feet (3 stories) on the east side.

*Zoning Recommendations*
This Proposed Action creates a new zoning district for the Downtown/Train Station area to achieve the following goals:

- Create opportunities for new residential units targeting singles, young professionals and empty-nesters, including mixed use and transit-oriented development (TOD)
- Preserve the unique architectural character of Downtown Port Chester
- Ensure that new development reflects Downtown's existing built character
- Reinforce Downtown Port Chester as a vibrant, economically prosperous district
- Offset future development pressures in the Village's lower-density residential neighborhoods.

To achieve these goals, the new zoning district would allow for a limited mix of retail, commercial/office and residential uses in the same building or on the same site. The existing maximum building height of 8 stories will be maintained; however, an incentive provision would be included to allow for an additional 2 story (maximum 120 feet) in exchange for a community provision(s) (e.g. creation of new public open space). New residential uses would be targeted at the single, young professional, and empty nester demographic, and therefore would primarily consist of studio and one-bedroom dwelling units.

To ensure new development will be of a scale and character that is harmonious with Downtown's existing built environment, the new zoning district includes provisions that regulate not only use but urban form. Known as form-based codes, these ordinances contain requirements for building placement, site orientation and architectural elements such as doors, windows, building expression lines and cornices.

This sub-area is one of the three sub-areas located within the Higher Intensity Planning Zones targeted for a new municipal parking garage, the exact site of which would be determined independent of the Comprehensive Plan.

## 2. Downtown: North and South Main Street and Abendroth Avenue (west side)

*Existing Zoning*

Abendroth Avenue (west side) is currently zoned Central Business, C2 and Marina Urban Development, MUR. The C2 district allows for a range of retail and commercial/office uses; upper floor multi-family dwellings are permitted by special permit. Maximum allowable building height in the C2 district is 8 stories, or 70 feet. The MUR district is an urban renewal district originally intended to revitalize a neglected area along the waterfront.

View of North Main Street, Port Chester

The land area bounded by South Main Street, Boston Post Road, Pearl Street and Westchester Avenue is currently zoned General Commercial, C4 and Marina Urban Development, MUR. The C4 district allows for a range of commercial/office uses and certain light industrial uses; no residential uses are permitted. Maximum allowable building height in the C4 district is 3 stories, or 45 feet.

*Zoning Recommendations*

Specifically, the zoning would permit residential uses over ground floor retail, and would *reduce* maximum allowable building heights from 8 stories to 5 stories (4 residential stories over ground floor retail). New residential uses would be targeted at the single, young professional and empty nester demographic, and therefore would primarily consist of studio and one-bedroom dwelling units.

Rezoning to allow for a mix of uses on Abendroth and South Main would both strengthen existing uses as well as stimulate the market for future homes and businesses in the Downtown. These dimensional requirements also will provide for a harmonious transition from the higher-density Downtown center to the lower-density character defining the Village's residential neighborhoods and waterfront area.

This sub-area is one of the three sub-areas located within the Higher Intensity Planning Zones targeted for a new municipal parking garage, the exact site of which would be determined independent of the Comprehensive Plan.

### 3. Central Waterfront

*Existing Zoning*

The Central Waterfront sub-area is currently zoned C2, Central Business and MUR, Marina Urban Redevelopment. The C2 district allows for a range of retail and commercial/office uses; upper floor multi-family dwellings are permitted by special permit. Maximum allowable building height in the C2 district is 8 stories, or 70 feet. The MUR district is an urban renewal district originally intended to revitalize a neglected area along the waterfront.

Aerial image of Central Waterfront sub-area

*Zoning Recommendations*

The Proposed Action creates a new zoning district for the Central Waterfront area to achieve the following goals:

- Foster a pattern of development that enhances community character and revitalizes the Village as a "maritime center."
- Preserve and increase waterfront access and open space
- Enhance visual quality and protect scenic resources
- Foster a dynamic and economically prosperous waterfront consisting of water-dependent and water-enhanced uses.

To achieve these goals, the new zoning district would encourage new "wharf-type" development including retail stores and restaurants, as well as residential uses. The new district would limit maximum building heights to 4 stories (3 residential over ground floor retail) between Abendroth Avenue/Brick Oven Road and the shoreline (excluding the existing Costco and Loews Theater buildings, which would remain in compliance), thereby reducing by 4 stories the maximum building height currently allowed under the C2 zone. This dimensional requirement would provide for a harmonious transition from the higher-density Downtown to the waterfront. New residential uses would be targeted at the single, young professional, and empty nester demographic, and therefore would primarily consist of studio and one-bedroom

dwelling units. To ensure continuous public waterfront access, the new district would include a provision requiring a minimum 20-foot building setback along the shoreline.

This sub-area is one of the three sub-areas located within the Higher Intensity Planning Zones targeted for a new municipal parking garage, the exact site of which would be determined independent of the Comprehensive Plan.

Table **4**: Proposed Maximum Allowable Building Height Reductions: Non Residence Districts

| Intent | District | Maximum Building Height Requirement under Existing Zoning | Proposed Maximum Building Height under Proposed Rezoning |
|---|---|---|---|
| COMMERCIAL | C2 | 8 stories, 70 feet | 5 stories, 60 feet |
| | C3 | NS, 120 feet | 5 stories, 60 feet |
| | C4* | 7 stories, 70 feet | 3 stories, 45 feet |
| | PRSP | NS, 235 feet | District proposed for elimination |
| WATERFRONT | DW | 8 stories, 70 feet | 4 stories, 50 feet |

### *2.1.3 Mitigation Measures*

The adoption and implementation of the Proposed Action by the Village of Port Chester will not in and of itself impact land because it does not directly authorize any particular development project. Future land development applications will be required to comply with the Village's zoning code, land use and environmental regulations and SEQRA. The Proposed Action encourages decreasing density in the Neighborhood Protection and Enhancement Zones by amending the zoning code to provide for lowered Floor Area Ratios (FAR) and reduced maximum building heights in all residential zones. The Proposed Action promotes maintaining existing uses while allowing some additional desired uses within the Limited Intensity Planning Zones that will not adversely affect public schools, traffic or infrastructure in the Village.

The Proposed Action proposes the creation of two new zoning districts within the Higher Intensity Planning Zones. The two new zoning districts, the Main Street Business District and the Train Station Mixed Use District, are centralized within the downtown of the Village of Port Chester and establish regulatory controls to guide development in Port Chester's downtown in a favorable and sustainable manner in years to come. The Proposed Action provides for the Main Street Business District to take the place of the C2 Central Business District and reduce building heights from 8 stories (70 feet) to 5 stories (60 feet). The Proposed Action provides for the PRSP zoning district, which currently allows for building heights of up to 22 stories (235 feet) west of the railroad, to be eliminated and be replaced by the C5 Train Station Mixed Use and the C5T Downtown Mixed Use Transitional Districts. Under the Proposed Action, the Train

Station Mixed Use District will allow building heights of up to 8 stories (70 feet) and encourage a limited mix of retail, commercial, office and residential uses to promote Transit Oriented Development in the district. The Proposed Action supports decreasing building heights while promoting development within the Higher Intensity Planning Zones to foster a dynamic and economically prosperous downtown and waterfront. In addition, the Proposed Action is in keeping with other local and regional planning initiatives such as *Westchester 2025*. No mitigation is necessary.

## 2.2 Cultural and Historic Resources

This section evaluates the components of the Proposed Action changes that serve to protect or enhance the existing cultural and historic resources within the Village.

### *2.2.1 Existing Conditions*

Port Chester has several resources that contribute to the Village's historic and cultural fabric. In the face of increased growth and development, preservation and enhancement of these valuable resources are critical.

The Village of Port Chester has four resources listed on the National Register of Historic Places (See Figure 7). These include:

*Bush-Lyon Homestead*
The Bush-Lyon Homestead is located on King Street in John Lyon Park. The building has an architectural/ engineering historic significance and has a domestic historic function. The Homestead was acquired by the Village in 1925, was added to the National Register Sites in 1982 and is currently a museum.

*Capitol Theater*
The Capitol Theater is located at 147-151 Westchester Avenue and has an architectural historic significance. The period of significance of the Capitol Theater is from 1925-1949 when it had a recreation and cultural historic function. The 1,835-seat theater has recently reopened as a live concert venue which, in the past, saw the likes of some of the most influential artists of the 1970s era.

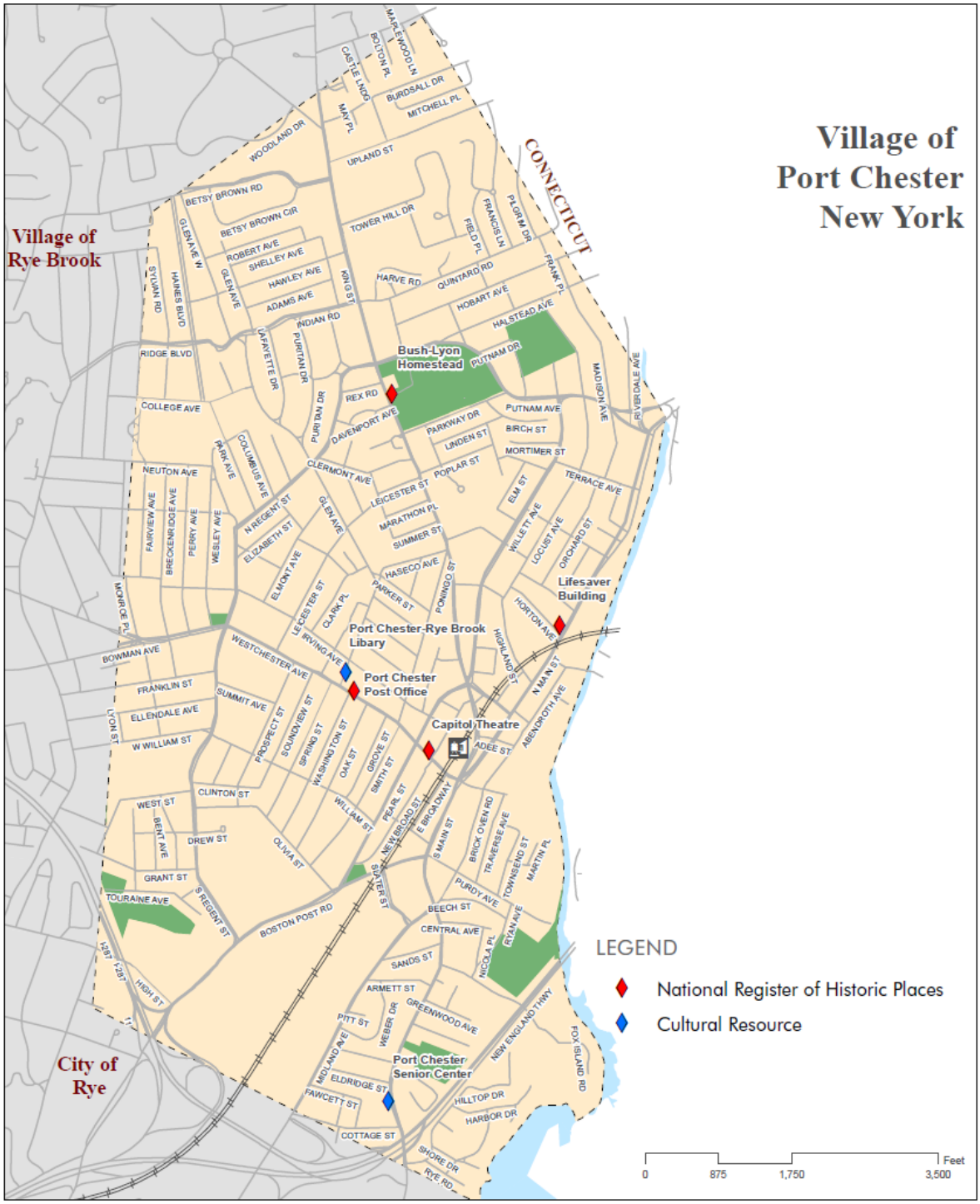
*Port Chester Post Office*

The Port Chester Post Office is located at 245 Westchester Avenue. The building has a colonial revival architectural style and its interior is ornate with murals painted by Dominico Mortellito in the Mexican muralist tradition of Diego Rivera and Jose Clemente Orozco. The period of significance of the Post Office is from 1925-1949 when it had a government historic function. The building was listed on the Register in 1989 and still operates as a post office.

*Life Savers Building*

The Life Savers Building is located on North Main Street and is a symbol of the area's industrial heritage. The period of significance on the Life Savers Building is from 1900-1924 when it had a historic function as a candy factory. Life Savers operations ceased in 1985 and the building was subsequently converted to condominiums.

**Figure 7. Historic and Cultural Resources Map**



Cultural Resources

The Village of Port Chester's cultural resources include (See Figure 7):

*The Port Chester-Rye Brook Public Library*

The Port Chester Library was founded in 1876 and has been in its present location at 1 Haseco Avenue since 1926. Since that time, the building has undergone a 9,000 square foot expansion and recently underwent renovations including the addition of an elevator, a doubling in the size of the children's section, and the addition of two meeting rooms. The library is a member of the Westchester Library System, and currently serves a population of more than 36,000 and is funded by both the Villages of Port Chester and Rye Brook.

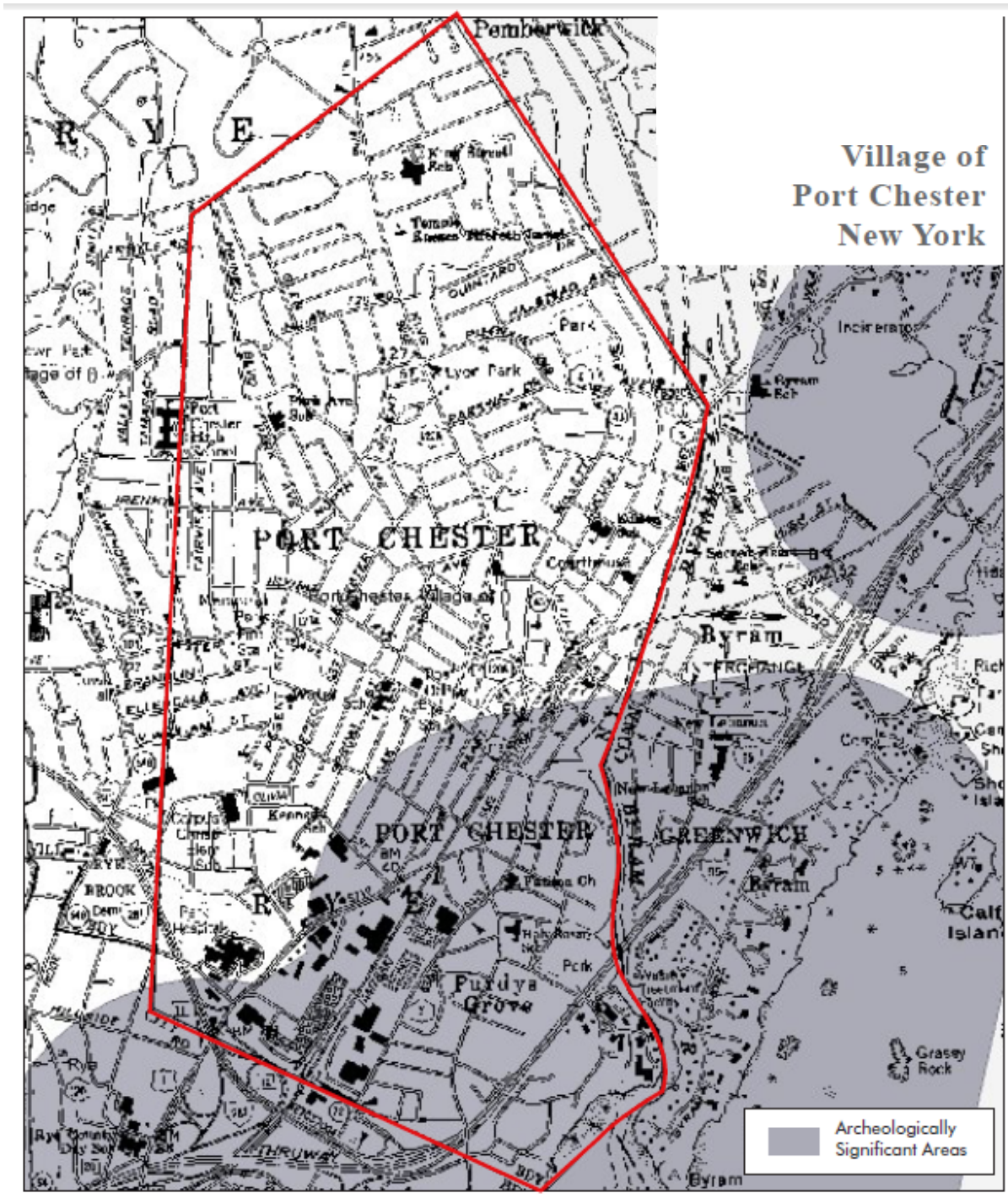
*Port Chester Senior Community Center*

The Senior Community Center, located at 220-222 Grace Church Street, provides free recreational, nutritional and support services to senior citizens. The Center also provides transportation and low cost meals, shopping trips and exercise classes, and occasionally offers events and overnight trips to participants as well.

Archaeologically Significant Areas

Port Chester contains one large archaeologically sensitive area in the southern end of the Village (See Figure 8). Archaeologically sensitive areas are designated when a site of some archaeological significance is discovered, and represents both the site itself and a surrounding buffer zone between approximately one-half and one mile in radius. Tracts of land, bodies of water or some combination of the two can be found in these areas. Significant areas are designated for innumerable reasons related to the preservation of the history and culture in a region, but all are similarly valued for the nonrenewable nature of the site itself and its associated materials. The New York State Historic Preservation Office holds detailed descriptions and locations of specific archaeologically significant sites confidential. Future development in a significant area may require a Phase I archaeological survey.

**Figure 8. Archaeologically Significant Areas**



### *2.2.2 Potential Impacts*

The Comprehensive Plan makes three recommendations to help strengthen and encourage the preservation and enhancement of historic and cultural resources. The first recommendation is to preserve Port Chester's historic resources that contribute positively to the Village's unique character. The Plan also recommends sustaining and strengthening the vibrant arts and cultural community that contributes to the economy, education, employment and quality of life throughout the Village. The third recommendation the Plan makes is to continue to integrate the arts and entertainment into the Village's economic development activities. The adoption of the Proposed Action will support the protection of existing historic resources in the Village; therefore there are no adverse impacts on these resources.

### *2.2.3 Mitigation Measures*

The Comprehensive Plan will result in a positive impact on historic resources in the Village. The recommendations serve to preserve and protect the character of the Village and its historic resources. The Plan recommends educating residents, owners and local real estate firms about incentives and the importance of historic preservation. Other recommended actions of the Proposed Action are designed to have positive impacts on the community. Therefore, no mitigation is necessary.

## 2.3 Natural Resources

This section generically documents existing conditions and describes how recommendations of the Proposed Action may have potential impacts upon natural resources within the Village. The analysis includes the following natural resource categories: geology, soils, topography, surface waters and watersheds, wetlands, floodplains, vegetation and wildlife, and environmental constraints.

### *2.3.1 Existing Conditions*

Surface Geology

The Village of Port Chester is part of the Manhattan Prong, "a geological sub-province of southeastern New York, that encompasses Manhattan, the Bronx, most of Westchester County and a corner of Putnam County." The highest ridges of the sub-province are characterized by hard gneisses material while the shallow valleys have been carved from softer marble layers.

The Village's bedrock consists of layers dating back to the Proterozoic and Paleozoic geological eras. Port Chester's geological composition is similar to all communities east of the Hudson River between New York City in the south to Ossining in the north.

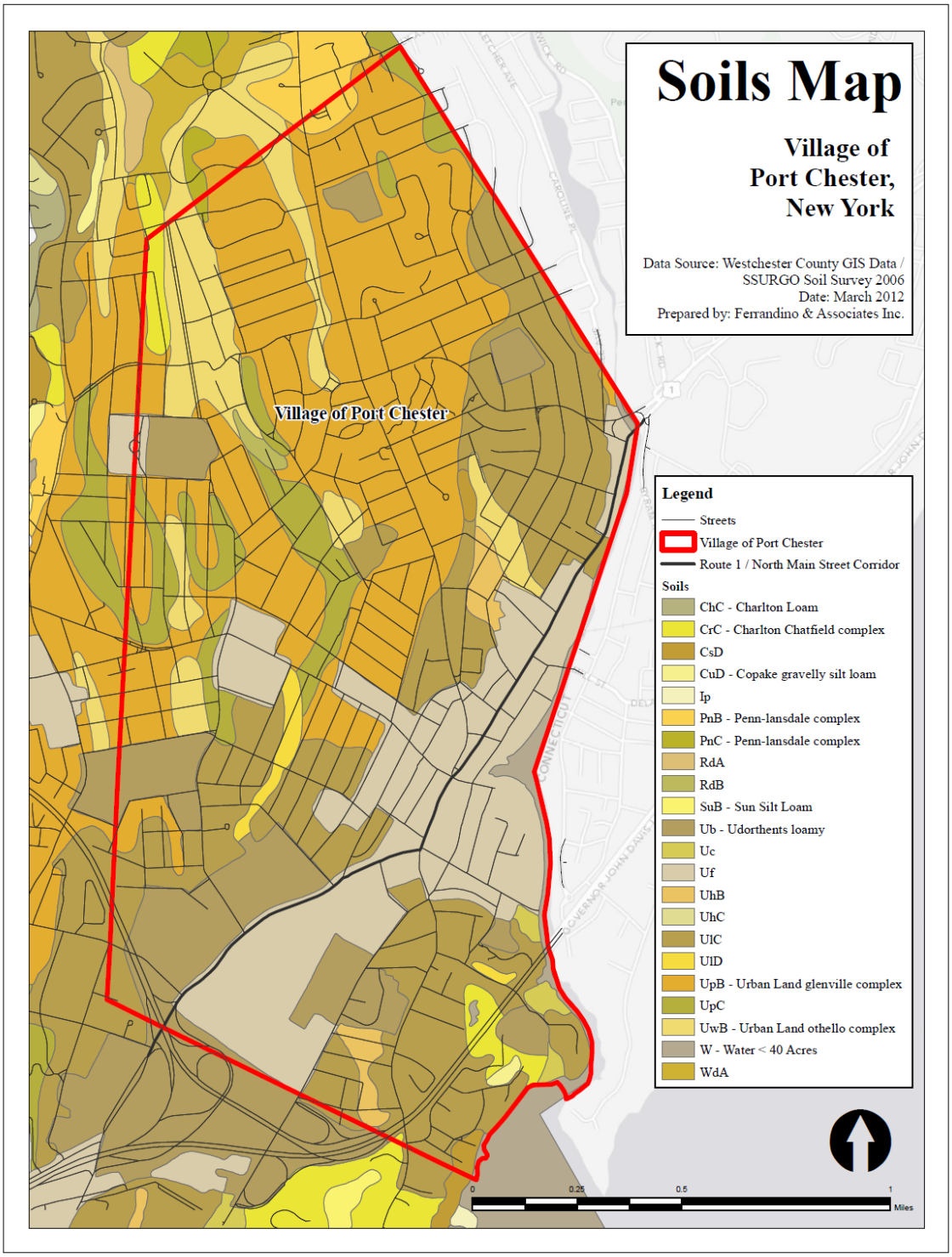
Soils

The predominant soils in Port Chester are urban land-Charlton-Chatfield and urban land-Paxton-Woodbridge (See Figure 9). The former can be found on moderately sloping land and is characterized as having a bedrock depth of 20-60 inches, moderately deep to very deep, and well drained to somewhat excessively drained. The latter can be found on moderately sloping land and is characterized as medium textured and moderately coarse textured, having a bedrock depth of 20-40 inches deep, and well drained to moderately well drained. Along the waterfront in the northern part of the Village, most of the soils represent former flood plains and soil naturally left from this activity. Deposited soils were then mixed with soils specified under the heading of urban land.

Topography

The Village is characterized by low and moderate elevation. The elevations in the northern and northwestern sections of the Village range from 90-220 feet, while elevations in the southern and southeastern sections of the Village range from less than 10 feet to 90 feet.

**Figure 9. Soils Map**



Surface Waters and Watersheds

Port Chester is located in the Lower Long Island Sound, one of the six drainage basins of the Long Island Sound Watershed. Three major water bodies have significant impacts on Port Chester: the Byram River, the Port Chester Harbor and the Long Island Sound.

*Byram River*
The Byram River forms a natural boundary between Port Chester and Greenwich, Connecticut. The New York State Department of Environmental Conservation (NYS DEC) has studied the health of the Byram River and assigned classifications to two segments. The northern segment has been classified as "C" representing water that is suitable for fisheries and non-contact activities. The lower segment is similarly classified as "SC" where the "S" signifies water that is saline, and shell fishing is permitted.

Both segments of the river have "stressed" aquatic life and aesthetics, and the lower segment is also listed to have "stressed" recreational uses. The stress in both segments is attributed to urban runoff and pollution from storm sewers and boats.

*Port Chester Harbor*
The Port Chester Harbor is one of the ten maritime centers on the Long Island Sound. NYS DEC tested the Harbor for pollutants in 2004 and listed floatables and pathogens as high priority issues. As such, the harbor is unfit for swimming most days.

*Long Island Sound*
Water from the Byram River flows through the Port Chester Harbor and into the Long Island Sound. It was designated as a National Estuary in 1987 and provides habitat to a great diversity of plant and animal life. These habitats have suffered greatly as development on the Sound has increased over the years.

*Byram Watershed*
The Byram watershed is part of the Connecticut Southwest Coast Major Basin and includes municipalities of Westchester County. The Byram Watershed Coalition is comprised of local, county, state and federal government agency officials, in addition to environmental nonprofit representatives.

Wetlands
Since much of the land in the Village has been disturbed as a result of development activity, few wetlands are left in the area. A small area of tidal wetlands remains in the vicinity of the Port Chester Yacht Club. Another area of tidal wetlands is located between Purdy Avenue and Interstate 95 (See Figure 10). Proposed development in this area should be carefully considered before proceeding.

Two small federal wetlands (NWI) are located away from the Byram River. A palustrine, unconsolidated bottom, permanently flooded, impounded wetland (PUBHH) is located in the northern side of the Village near Brower Place. A second palustrine, unconsolidated bottom, permanently flooded, excavated wetland (PUBHX) is located in the southern side of the Village near Alto Avenue.

Floodplains

The Federal Emergency Management Agency (FEMA) National Flood Insurance Program has delineated the 100-year floodplains for the Byram River and generally identifies floodplain boundaries based on official FEMA maps.

Wildlife and Habitats

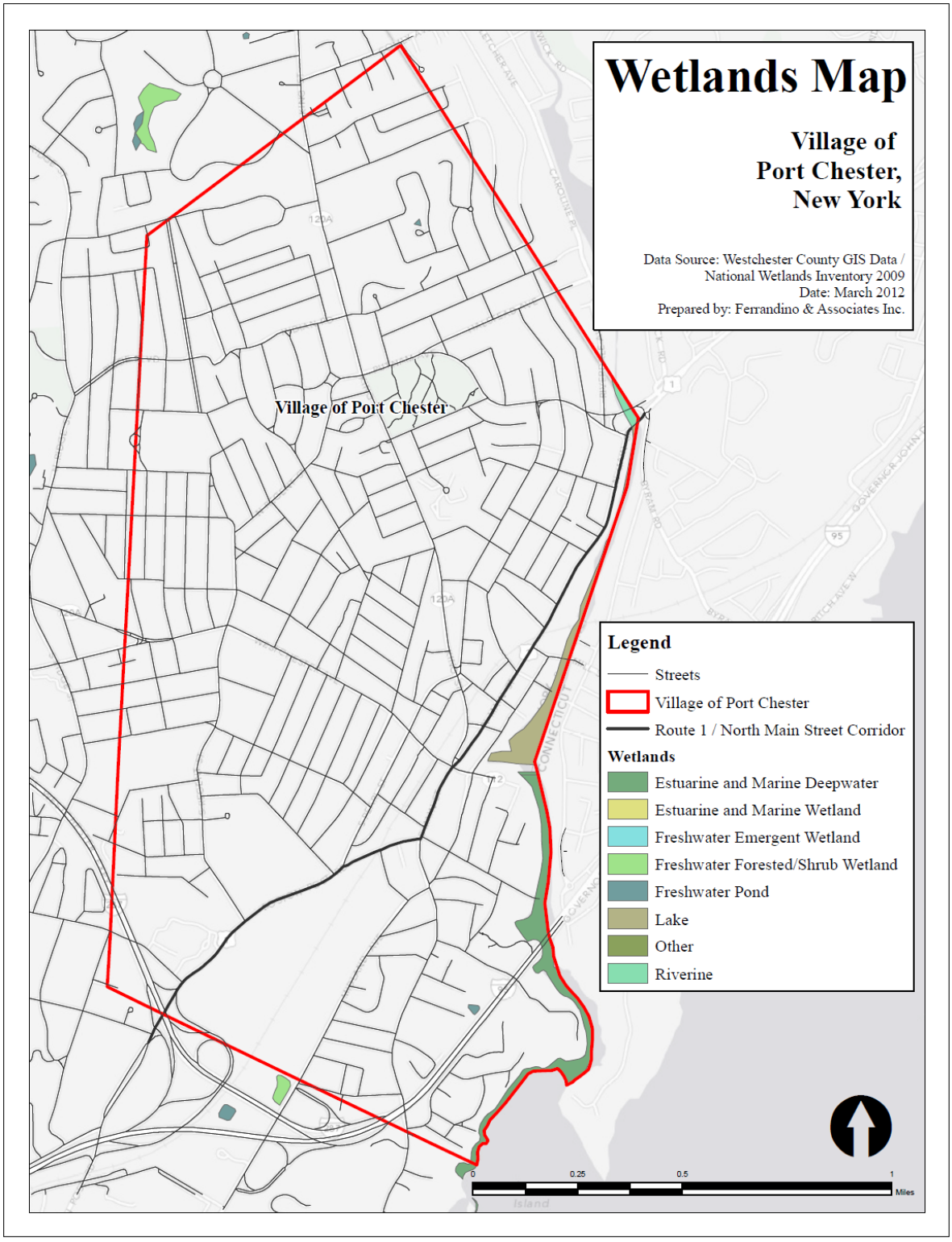
Due to intense development in Port Chester over the past few decades, no natural habitats remain on land and aquatic life is limited by poor water quality. Some species of birds do inhabit vegetated areas in the Village. Aquatic life is limited by the current poor water quality. All of the Byram River and Harbor is developed. Pollution from boats, industry, the sewer system and disturbances from channel dredging have greatly decreased the Byram River's value as a habitat.

The U.S. Fish and Wildlife Service prepared a list of endangered ( E ) and threatened (T) species in addition to candidate ( C ) species found in Westchester County. There is a distinct possibility that some of these species may pass through or inhabit areas within the Village of Port Chester.

NYS DEC has no record of known occurrences of rare state-listed animals of significant natural communities, or other significant habitats, on or in the immediate vicinity of the Village. Although there have been no recorded sightings, it is possible that some State-listed or Federally-listed species of significant status occupy areas of the Village for some period of time.

NYS DEC has documented one rare plant species – yellow flatsedge – that could be located within Port Chester in the vicinity of Port Chester Harbor. However, the lists developed by these agencies are highly generalized, not definitive and should not be considered a substitute for on-site surveys.

**Figure 10. Wetlands Map**



Environmental Constraints

*Hazardous Waste Sites*

Hazardous wastes are unwanted by-products of manufacturing processes generally characterized as being flammable, corrosive, reactive or toxic. More specifically, hazardous waste is defined in New York State's Solid Waste Management Act (Environmental Conservation Law, Article 27) as "waste or combination of wastes, which because of its quantity, concentration, or physical, chemical or infectious characteristics may: (a) cause, or significantly contribute to, an increase in mortality or an increase in serious irreversible or incapacitating reversible illness; or (b) pose a substantial present or potential hazard to human health or the environment when improperly treated, stored, transported, disposed or otherwise managed[20]."

Figure 11 shows the hazardous waste sites in the Village of Port Chester. NYS DEC lists one of these sites, the former Manufactured Gas Plant (MGP), located at Purdy and Traverse Avenues, as an inactive hazardous waste site. An on-site investigation report in 2004 found volatile organic compounds in on-site groundwater, which prompted the decision to remove coal tar, contaminated solid and wastes from the site. Contaminated soil has since been replaced with clean fill and the clean-up project has successfully closed out.

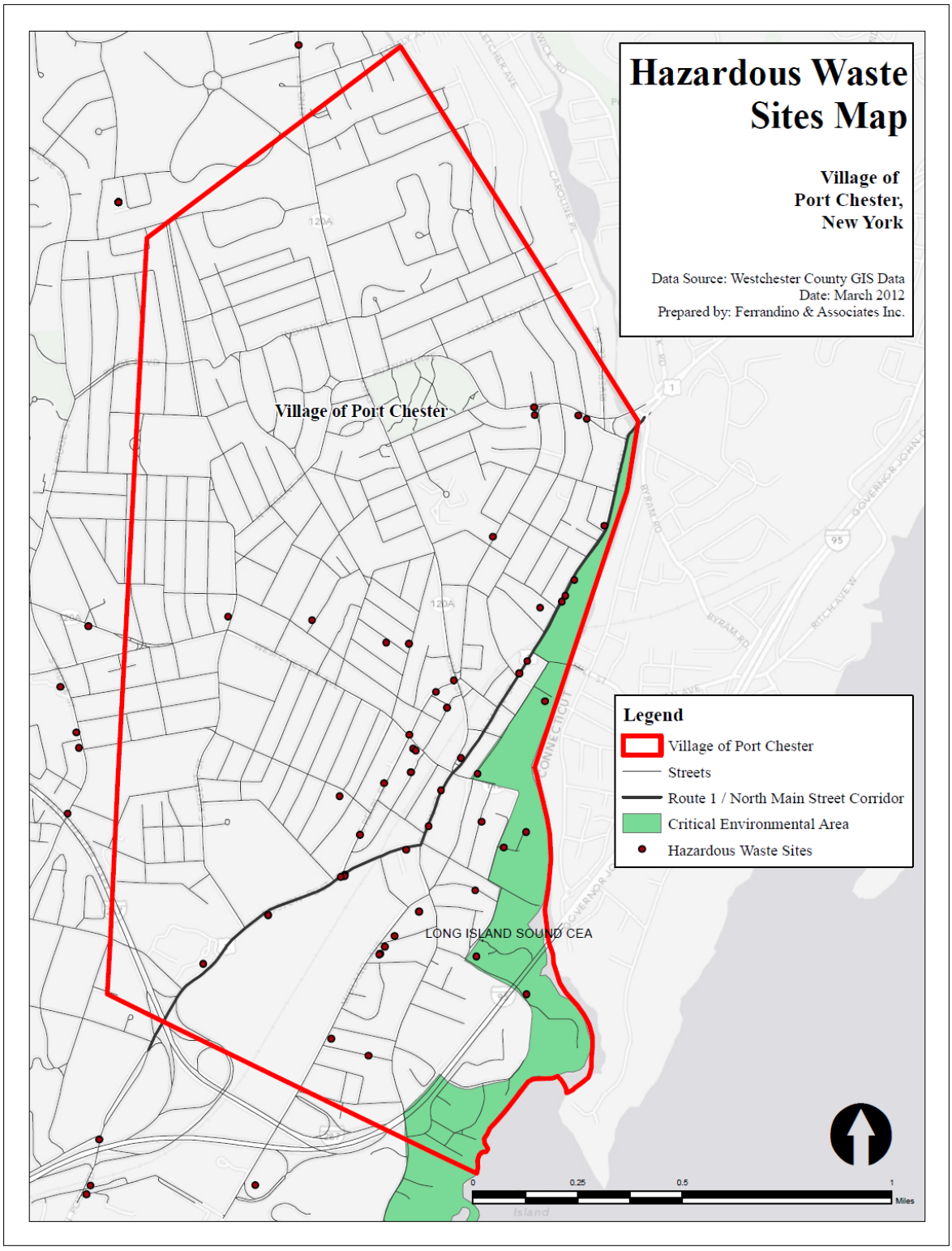
*Chemical and Petroleum Spills*

Port Chester has averaged 44.2 spills per year for the past ten years, with the most recent yearly report recording 49 spills. Annual spill rates have fluctuated greatly over this time period, making it difficult to correlate spill rate with other factors in the Village.

NYS DEC has created a spill response program with staffing to provide expertise on handling a spill situation, investigating the spill and properly documenting it. The NYS DEC will provide additional resources to local agencies during emergency situations and remain involved in any situation if continued cleanup of the environment is required.

[20] Village of Port Chester, Local Waterfront Revitalization Plan, 2012.

**Figure 11. Hazardous Waste Sites Map**



### *2.3.2 Potential Impacts*

The Proposed Action recommends the conservation of resources, including water, energy and materials, by educating and encouraging residents and business owners to adopt environmentally sound practices.

The Proposed Action recommends the environmental sustainability and stewardship of natural resources. Protecting environmentally significant and sensitive areas such as the Byram River is highlighted. The Proposed Action encourages the Village to adopt design standards for tree planting and tree protection for use in both public and private street tree planting efforts to promote environmental sustainability.

The Proposed Action also recommends that the Village promote and implement environmentally sustainable design and development. It encourages improving the quality of development with respect to site planning, runoff, erosion control and stream stabilization, use of environmentally safe materials, energy efficiency, water conservation, use of green roofs and other measures. The Proposed Action also encourages the establishment of an improved process of local development review to strengthen environmental standards for development proposals. Further, the Proposed Action encourages the Village to incorporate green design practices into new developments and retrofit projects.

The Proposed Action recommends that the Village coordinate planning efforts with neighboring communities, the State and the Federal governments to address regional sustainability issues, including: transit, air and water quality, brownfield remediation, protection of floodways and wildlife habitat and provision of recreation areas and bike paths. The Proposed Action encourages support of State and regional efforts to improve Port Chester's sustainability through protection of local and regional resources. Finally, the Proposed Action encourages the Village to coordinate with the State on brownfields assessment and remediation processes. Since the Proposed Action addresses and encourages sustainability through protection of resources, there are no adverse impacts.

### *2.3.3 Mitigation Measures*

To mitigate any potential adverse impacts of development, the Proposed Action recommends that the Village protect environmentally significant and sensitive areas. The Proposed Action also recommends that the Village government promote and implement sustainable design and development for the Village to improve environmental quality. The Proposed Action encourages the Village to identify environmentally compromised or potentially compromised land and establish strategies to mitigate impacts.

## 2.4 Transportation

### 2.4.1 Existing Conditions

The analysis of Port Chester's corridors to accommodate drivers, mass transit users, pedestrians and bicyclists is necessary to sustain the Village's ability to efficiently move people and goods within and through the Village, and also accommodate new physical development, future increases in volumes of movement and shifts from one type of transit to another. The strategies set forth in the Proposed Action will ensure efficient and sustainable mobility patterns throughout the Village.

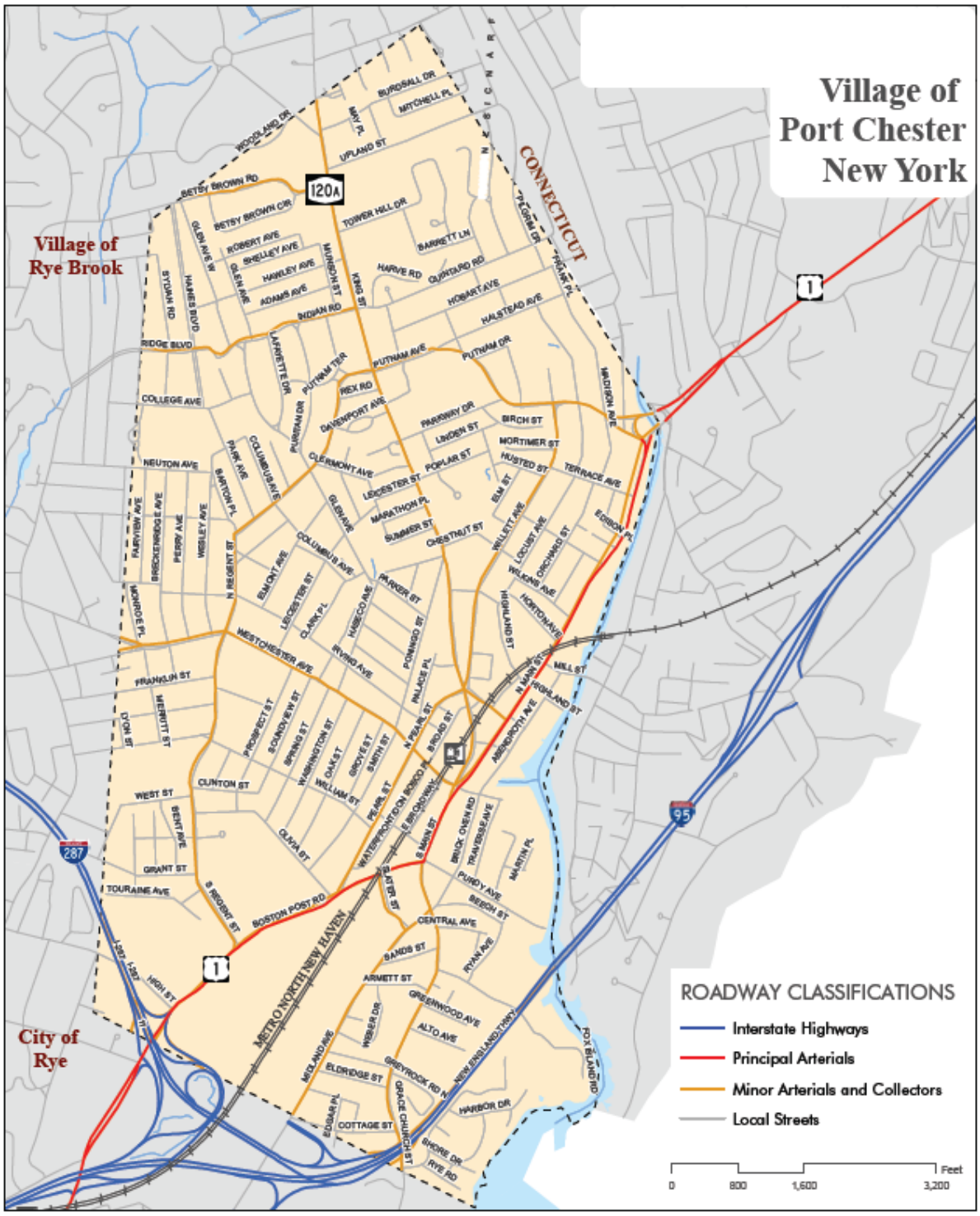
Existing Circulation System

*Road Hierarchy*
The roadway network within the Village of Port Chester is comprised of 5 miles of roads under State jurisdiction, 1.7 miles of roads under County jurisdiction and 39.7 miles of roads under local jurisdiction. As shown on Figure 18, Port Chester contains five (5) functional roadway classifications, as defined by the New York State Department of Transportation (NYS DOT):

- Interstate Highways
- Principal Arterials
- Minor Arterials
- Collectors
- Local Streets

*Interstate Highways*
Interstate highways are defined as limited access roadways designed primarily for through travel. Port Chester is served by two highways of the Interstate Highway System: Interstate 95 (New England Thruway) and Interstate 287 (Cross Westchester Expressway). An approximately half-mile segment of Interstate 95 (I-95) travels through Port Chester, providing two northbound exits (Midland Avenue and U.S. Route 1) and one southbound exit (Midland Avenue). An entrance to I-95 from Port Chester is provided at Midland Avenue. According to NYSDOT, I-95 handles over 110,000 vehicles per day through its Port Chester section. Interstate 287 (I-287) crosses the southwestern corner of the Village, where it interchanges with U.S. Route 1 (Exit 11) Route 1 and Midland Avenue.

**Figure 12. Road Hierarchy Map**



Unlike other municipalities in the region, Port Chester is fortunate in that these interstate highways generally do not travel through the heart of its land area. However, I-95 does create a physical barrier between a portion of the Village's shoreline and its inland areas.

*Principal Arterials*

Principal arterials serve the major centers of activity in an urbanized area and are designed to carry the major portion of trips entering and leaving the area. U.S. Route 1 (Boston Post Road/Main Street) is a principal arterial that travels in a general northeast direction through the heart of Port Chester's commercial center. The Boston Post Road segment is a four-lane configuration (two in each direction), running from the Village's southwest border to the intersection with Grace Church Street. The Main Street segment is a two-lane configuration (one in each direction), running from the intersection with Grace Church Street to the Village's eastern border.

*Minor Arterials and Collectors*

Port Chester is served by several minor arterials and collectors, including Grace Church Street, Midland Avenue, Westchester Avenue, Regent Street, Putnam Avenue, Indian Road and King Street. These roadways radiate from Port Chester's commercial core, interconnecting the principal arterials with the Village's local roadway network.

*Local Streets*

Port Chester's nearly 40 miles of local streets comprise the balance of the Village's roadway network. The layout is generally that of a rectilinear grid of roads and sidewalks. This pattern provides a sufficient degree of connectivity for vehicles and pedestrians throughout the residential areas, and establishes an organized layout of lots, buildings and utility easements. The majority of local streets provide on-street parking; none are adequate for over-sized vehicles.

Commuter Rail

Port Chester is served by the New Haven line of the MTA Metro-North Railroad, which runs from New York City to New Haven, CT. Express trains are scheduled to reach Grand Central Terminal in 38 minutes, while local trains with frequent stops require 48 minutes to reach this final destination. The rail line runs northeast through Port Chester's commercial center, paralleling U.S. Route 1. The Port Chester train station is located in the Village's downtown area, on Broad Street between King Street and Westchester Avenue. The station recently received a number of improvements, including new lighting and canopies, as well as building and platform upgrades. See Figure 13.

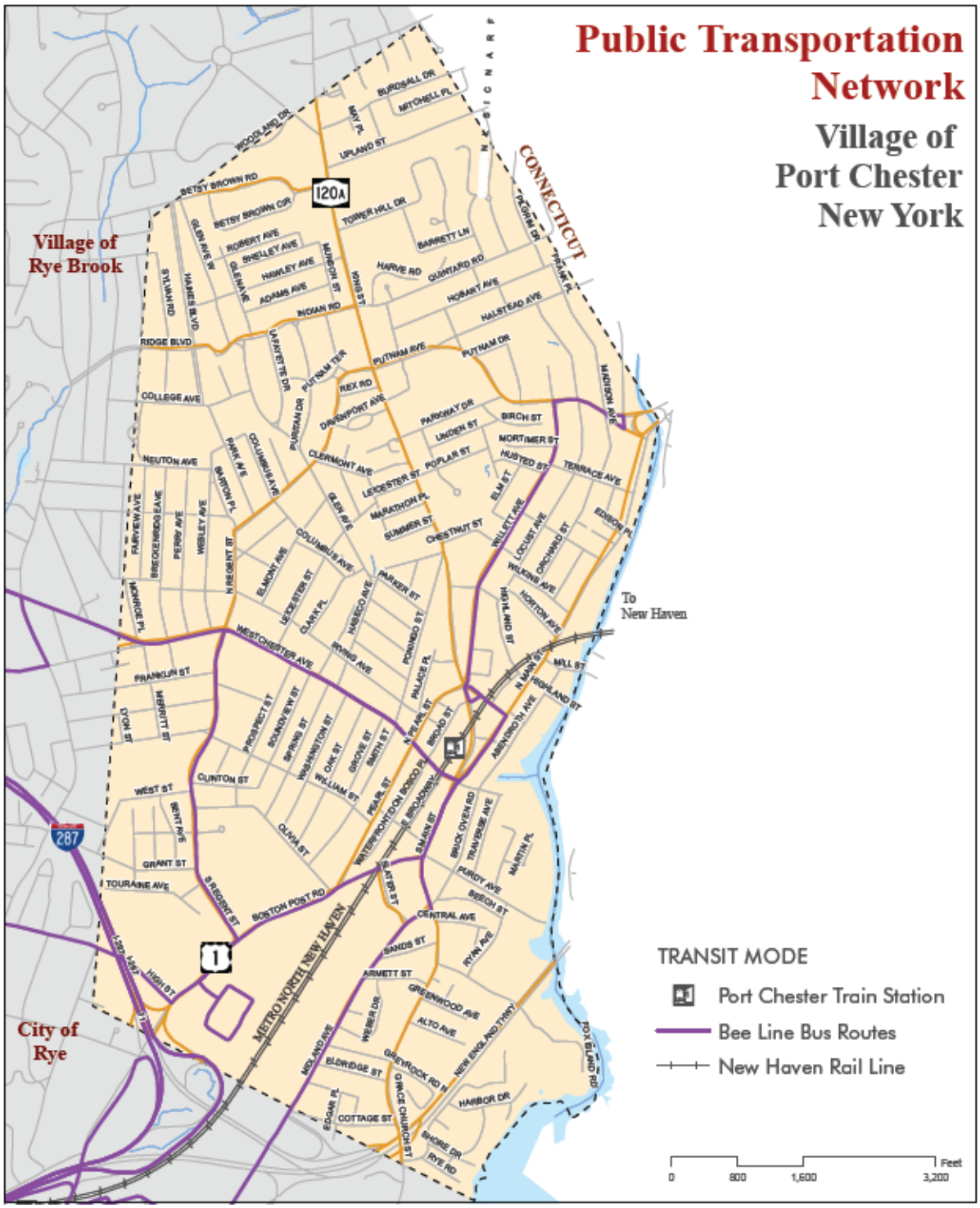
Bus Service

The Westchester County Bee-Line System is a countywide bus network accessible to all Westchester residents. Fares can be paid in cash or by using a Metrocard. Most routes run buses that are handicapped accessible and all buses on routes in Port Chester are able to accommodate disabled passengers. Additionally, the bus line timetable complements train arrival and departure times at both the City of Rye train station and the Port Chester Village train station to ensure efficient travel. See Figure 13.

ParaTransit

Westchester County Department of Transportation offers a curb-to-curb demand-responsive bus service that mirrors the established fixed-route service called the Bee-Line ParaTransit. Its services are available only to people who are not functionally able to utilize the standard fixed-route Bee-Line buses. The service runs Monday-Friday from 6am-7pm and Saturdays from 8am-7pm.

**Figure 13. Public Transportation Network**



Pedestrian and Bicycle Accommodations

*Pedestrian Circulation*

Port Chester is highly walkable, with sidewalks facilitating pedestrian accessibility. This quality is reflected in *Walk Score*'s 2011 walkability index, in which Port Chester is ranked second among New York State's 111 largest municipalities.[21] In a Village as densely populated as Port Chester, sidewalks are essential, providing access to schools, parks, playgrounds, commercial districts and places of employment. Maintenance of sidewalks and crosswalks and filling gaps, therefore, remains a priority for the Village.

*Bicycle Circulation*

Westchester, Rockland and Putnam Counties jointly developed the *Mid-Hudson South Region Bicycle & Pedestrian Master Plan* in 2011. The Plan defines a vision for bicycling and walking in the tri-county region and builds on previous regional and local studies to identify needs, define strategies, and recommend projects that improve conditions for bicyclists and pedestrians. For Port Chester, this Plan proposes to develop a route with on-road bicycle facilities or off-road paths where feasible along US Route 1.

Air Travel

Four airports are accessible from Port Chester: the Westchester County Airport, JFK and LaGuardia Airports in New York City, and Newark Airport in New Jersey. All are accessible by public transportation.

[21] According to the creators of WalkScore.com, "The "Walk Score" algorithm awards points based on the distance to amenities in each category. Amenities within .25 miles receive maximum points and no points are awarded for amenities further than one mile."

### *2.4.2 Potential Impacts*

Potential impacts to the transportation system within the Village of Port Chester under the Proposed Action can be summarized by the recommendations of the Proposed Action. The recommendations of the Proposed Action are as follows:

***Recommendation #1: Manage the effectiveness of Port Chester's roadway network, including its street grid, by investing in operational and reconstruction improvements.***

- Develop and implement a 10-year plan for the maintenance and improvement of roads and sidewalks throughout the Village. Annually review the maintenance plan to ensure the transportation needs of the Village are met.
- Continue to support the Village's Department of Public Works to maintain the Village's road and sidewalk infrastructure. Consider producing a 10-year plan to repair and maintain the sidewalks of Port Chester, to be revised annually.
- Work with State and County transportation officials and neighboring municipalities to enhance local and regional traffic patterns.
- Explore the feasibility reconfiguring Main Street and Abendroth Avenue from two-way streets to one-way streets. In tandem, explore the feasibility of reconfiguring on-street parking on Main and Abendroth from parallel parking to angular parking in order to provide a higher number of parking spaces in the Downtown.
- Continue exploring funding options for conducting a Village-wide traffic study that includes all modes of transportation.
- Conduct a traffic timing study of all major signalized intersections in the Village.
- Improve and maintain the Village's road system with proper lane designations, adequate signs and traffic signal improvements and pedestrian and bicycle safety enhancements.
- Consider implementing features of a "Smart Light" system, including time delays and/or arrows for turning traffic, as well as triggered light changes for streets with less volume in order to help reduce traffic congestion and vehicle idle time.
- Develop an integrated traffic system for the smooth flow of vehicles, transit, pedestrians, and bicyclists throughout Downtown.

***Recommendation #2: Encourage investment in various modes of public transit***

- Encourage mass transit use to reduce congestion caused by automobiles and to alleviate the need for additional parking facilities.
- Continue to collaborate with Westchester County, the Metropolitan Transportation Authority (MTA) and other regional and state agencies to identify areas in need of increased transit ridership and identify areas in the Village for enhanced and/or additional intermodal linkages.
- Encourage the development of an intermodal center that allows the integration of bus, train, bicycle and pedestrian movement.
- Promote context-sensitive transit-oriented development (TOD) around the Port Chester train station.
- Require developers to create appropriate connections within projects to all modes of transportation, including pedestrian and bicycle.

- Explore ridership incentives for low-income workers and the elderly.

***Recommendation #3: Promote walking for commuting, recreation and other trips by creating safe and attractive pedestrian environments throughout the Village***

- Prioritize and improve the overall streetscape by adding landscaping, street furniture, decorative street amenities and by improving curbing and sidewalks. Create design standards to facilitate these initiatives.
- Ensure that sidewalks are continuous and safe along all major roadways to provide pedestrians and transit riders with convenient access to Downtown, transit facilities, recreational facilities and commercial areas.
- Conduct a needs assessment and estimates costs for the repair of replacement of sidewalks.
- Encourage the development of walkways and corridors to improve pedestrian access to and along the waterfront.

***Recommendation #4: Provide infrastructure and facilities to encourage safe and convenient bicycling for commuting, recreation and other trips***

- Consider creating a Citizen's Advisory Group to review the 2011 Mid-Hudson South Region Bicycle and Pedestrian Master Plan" and establish recommendations on optimal strategies and implementation appropriate to the Village of Port Chester.
- Provide bicycle infrastructure and facilities in appropriate locations, including installing bicycle racks at the train station, in the downtown, and at public schools, parks, and municipal buildings.
- Evaluate ways to improve bicycle connections between the Village's neighborhood and commercial areas.
- Create design standards for bicycle parking and other bicycle-oriented facilities.
- Promote bicycle rider and driver education programs emphasizing bicycle safety and sharing the road.

***Recommendation #5: Develop a comprehensive approach to parking that addresses parking needs both in residential neighborhoods and in the Downtown***

- Support the development of a multi-level parking structure in the vicinity of the train station to maximize the efficiency of existing parking and to increase access to Downtown, the waterfront and the train station.
- Explore opportunities for shared parking to decrease the amount of parking needed to accommodate present and future demand.
- Review and update the standards for balancing parking needs of new development against the needs of the Village and its neighborhoods.
- Evaluate the need to increase municipal parking rates to allow convenient access to premium short-term spaces while encouraging longer stays in the off-street lots.
- Update the Village's "Schedule of Parking Fines" for associated parking violations.
- Evaluate the feasibility of replacing existing parking meters/meter boxes with modern parking pay stations.
- Define the role of the Village Parking Authority.
- Designate clear and visible on-street parking areas with space lines that will aid in positioning a vehicle within a marked space.

- Evaluate the need for municipal surface parking facilities in neighborhoods where residential properties lack on-site parking.

### *2.4.3 Mitigation Measures*

To address current and potential transportation system issues, the Plan identifies recommendations for improved traffic management, safety, parking and energy conservation measures. The adoption of the Plan and recommended actions, in collaboration with State and regional entities, will result in system-wide improvements.

## 2.5 Infrastructure

Maintaining and enhancing public infrastructure systems and services are important factors in preserving the quality of life and commerce within the Village. This section focuses on the Village's water supply and wastewater infrastructure. The assessment provides an overview of existing conditions within the Village and an analysis of the infrastructure impacts associated with the Comprehensive Plan.

### *2.5.1 Existing Conditions*

Port Chester's water is supplied by the United Water Company through approximately 31 miles of water main piping via four connections to the United Water of Connecticut and Westchester Joint Water Works. These connections are located at the Putnam Avenue Route 1 Bridge, Comly Avenue, King Street at the Hutchinson River Parkway and North Main Street. The majority of this water is stored in two tanks located at Summit Avenue with a combined capacity of 4.5 million gallons (MG). The downtown area is served by a 20" main in North and South Regent Street, a 16" main in North Main Street and 12" mains on Midland Avenue and Route 1 east of the Metro-North Railroad trestle at Slater Street.

Water main break on South Main Street, October 2010.

The existing water supply pipe network consists of many sub-standard water main sizes (diameters less than 8"), which could be upgraded to increase capacity. Many of the large diameter mains were constructed of cast iron pipe, which is more brittle than modern ductile iron and prone to mechanical failures over time due to stress cracks in combination with excessive internal pressure or external load conditions. Breaks have lately become more common on South and North Main Street due to increased pressure and older pipes. In addition, tuberculation (formation of corrosion) buildup along the inner wall surface of the pipe contributes to lower capacity because the interior pipe diameter is decreased. Corrosion also contributes to the weakening of the pipe by reducing the thickness of the pipe wall and therefore making it more susceptible to breakage.

Currently Port Chester's water demand and maximum day demand is at or near the safe yield of the system. There are plans to build a larger clear well at the Aquarion Water plant in Greenwich, Connecticut, which is the major source of supply, making additional water available. Westchester Joint Water Works has additional water available; however new agreements to purchase more water would be required between the two water companies.

Wastewater Collection

The Port Chester Sanitary Sewer District covers an area of approximately 2.7 square miles and is almost contiguous with the Village boundaries, including small portions of the City of Rye and the Village of Rye Brook. The system is completely owned by the Village without any County owned trunk sewers in the Village.

Emergency repair of old collapsed sanitary sewer manhole in North Main Street, June 2008.

The Sewer District has separate storm and sanitary sewers. There are approximately 52 miles of sanitary sewers, pipe sizes range from 6" to 48" in diameter and are constructed of various materials including asbestos cement, cast iron, ductile iron, reinforced concrete, vitrified clay, PVC and brick. Most of the sewers throughout the Village were constructed prior to the 1930s, and the majority of sewers south of Westchester Avenue were installed prior to 1900. Manholes are constructed of brick with more recent installations being of concrete block of precast concrete. There are two pump stations in the Village; one is on North Main Street at the intersection of Putnam Avenue, serving approximately 75 houses and businesses. The second is located on Comly Avenue near the Connecticut state line, serving approximately 30 houses.

Wastewater Treatment

All sanitary sewage generated in the Port Chester Sanitary Sewer District is treated at the Port Chester Wastewater Treatment Plant located on Fox Island Road in the Village. The Port Chester Wastewater Treatment Plant (WWTP) is owned, operated and maintained by the Westchester County Department of Environmental Facilities.

The treated wastewater is pumped via a force main into the Blind Brook WWTP outfall and then discharged to Long Island Sound in Rye. The plant presently has the capacity to treat an average wastewater influent flow of 6 MGD. Secondary treatment processes have a peak hydraulic capacity of 12.2 MGD including recycled flows.

In 1995 the Westchester County Department of Environmental Facilities identified 734,400 GPD infiltration from defective pipe; 265,840 GPD infiltration from defective manholes and total estimated inflow of 1,609,800 GPD (for a 3" rainfall) from both public and private direct connections of storm sewers into the sanitary sewer system.

The 1995 survey revealed no significant surcharging of sewers during dry weather or small rain events; however, the study did identify significant surcharging (eleven manholes) during a significant rain event coinciding with tidal inflows. Hydraulic modeling shows that pipe capacities are exceeding 80 percent of their steady open

channel flow capacity along Beech Street and Don Bosco Place during times of dry weather. The report qualifies this by stating that surcharging is dependent primarily on the degree to which diurnal peaks, high tide and storm inflow peaks coincide on any given day.

The Village has been actively investigating and addressing the identified Inflow and Infiltration (I/I) sources. A fraction of the identified sources have been rehabilitated with a combination of techniques including:

- Pipe point repair or manhole replacement
- Trenchless technology (cured in place pipe liners)
- Sealing techniques (manhole sealing)

In April 2007 the Village had flow monitors installed in eight locations covering the entire Village. The findings from the flow monitoring were used to start field inspections and dye tests. Based on these findings a rehabilitation program is being prepared to remove the identified inflow sources.

Stormwater Collection

The Village is served by separate storm and sanitary sewers. The stormwater system consists of approximately 35 miles of storm sewers ranging in size from 8" to 36". The system generally discharges to the Byram River via seven main outfalls:

- 9' x 6' Bulkley Drain
- 7' x 4.5' Purdy Avenue Drain
- 24" Highland Avenue Drain
- 20" Adee Street Drain
- 20" Willett Avenue Drain
- 24" Wilkins Avenue Drain
- 12" Fox Island Road Drain

The stormwater infrastructure is aging and in need of upgrading and/or replacement.

The Village is subject to EPA regulation for operation, maintenance and discharge of its stormwater collection system. Oversight of the Federal regulation has been delegated to New York State DEC that has extended permit coverage to the Village by way of the MS4 storm water management program. The Village has prepared and filed with DEC a five year program to address six minimum measures for insuring that storm water quality discharged to waters of the United States meets Federal requirements.

As part of the five year program, the Village is inspecting outfalls from the stormwater system for indications of illicit discharges and inspecting the system for

possible sources of pollutants. This involves locating cross-connections of the sanitary sewer system and stormwater system and eliminating them. Much of the downtown area is being inspected for locations where pollutants can be entering the system and consequently discharged to the Byram River.

### *2.5.2 Potential Impacts*

The Comprehensive Plan recommends that the Village sustain a high quality of life by providing efficient and cost-effective Village infrastructure and services. This includes ensuring financial and budgetary management policies and practices to support the Village's infrastructure priorities, and producing a 10-year plan to repair and maintain the stormwater and sewer lines.

The Plan recommends ensuring a safe and adequate water distribution system that is able to serve residential, commercial and industrial users throughout the Village. This includes that the Village coordinate the maintenance and/or replacement of existing pipes, as necessary, to ensure an efficient, cost-effective and safe distribution of water. Also, that the Village conduct a study of water quality, system demand, safe yields and facilities needed to ensure that future needs for water are met.

The Plan also recommends that the Village provide an efficient and sanitary wastewater treatment system that adequately services the entire Village. This would include working with the Westchester County Department of Environmental Facilities to update the 1995 Sewer System Evaluation Survey to verify and quantify Inflow and Infiltration (I/I) problems with wastewater system. Also, to continue maintenance and replacement of defective pipe(s) to reduce infiltration problems and replace insufficient pipes to handle the surcharging that occurs during significant rain events.

The Plan further recommends that the Village provide an efficient and effective stormwater collection system that adequately services the entire Village. This includes upgrades and replacements, as necessary, to the aging stormwater infrastructure. It also entails updating the stormwater management policies, as well as parking and impervious surface requirements to conform with MS4 regulations to ensure adequate runoff control and flood prevention. The Plan suggests the Village also consider Best Management Practices (BMPs) for stormwater and to consider innovative ways in managing stormwater runoff.

The Plan recommends that the Village provide an efficient and cost effective solid waste disposal system that adequately services the entire Village. This includes evaluating the feasibility of the privatization of solid waste removal in the Village, working to reduce the amount of waste disposed in landfills, and encouraging volunteers to help reduce litter and dumping in the Village's neighborhoods and schools and promote proper disposal of solid waste.

The Plan recommends that the Village provide the energy needs for residents by supporting the necessary expansion and/or replacement of appropriate utilities in a way that reduces impact on the environment. This includes the Village encouraging and promoting alternative energy sources, and fostering conservation of existing energy resources through education programs. Also, it encourages the Village to consider conducting a Village-wide energy assessment, or audit, for all utilities used by the Village to determine areas in which reductions might be targeted for energy and cost savings.

Finally, the Proposed Action recommends that the Village maintain and enhance public infrastructure and services to meet current and future demands of residents and businesses. The Village can maintain and enhance essential public works, utilities and other Village infrastructure. And also, explore providing a Wi-Fi network in the Central Business District, and provide adequate public parking facilities to support current and future development.

### *2.5.3 Mitigation Measures*

The recommendations of the Proposed Action to provide efficient and cost-effective Village infrastructure and services will help mitigate adverse impacts of development on the Village's infrastructure.

## 2.6 Municipal Services

This section describes community services that are available to Village residents, including police, fire and emergency services and education facilities and services (See Figure 14).

### *2.6.1 Existing Conditions*

Department of Public Works

The Village of Port Chester Department of Public Works is comprised of three divisions, including Highway, Sanitation and Automotive Garage which share many responsibilities related to the streets, sanitary sewer pipes and pump stations, sanitation and recycling programs, and maintenance of all Village owned vehicles, equipment, the parks and the marina.

Police

The Port Chester Police Department is currently staffed with 64 sworn police officers. The department is comprised of five divisions, including the Uniform Patrol Division, the Detective Division, the Staff Services Division, the Traffic Division and the Operations Division. The Chief of Police oversees the Department and works to ensure departmental and public cooperation in order to preserve the peace in Port Chester. Other functions coming out of the Police Department include the D.A.R.E. program, the police youth initiative for disadvantaged youth, disaster preparedness and traffic management services.

Fire

The Port Chester Fire Department was established in 1823 to protect the lives and properties of its community. Since that time the Department has grown to serve the Village of Port Chester and, during night time hours, the Village of Rye Brook. Today, the force consists of approximately 300 firefighters. The staff is divided among engine companies, a ladder company and a heavy rescue company.

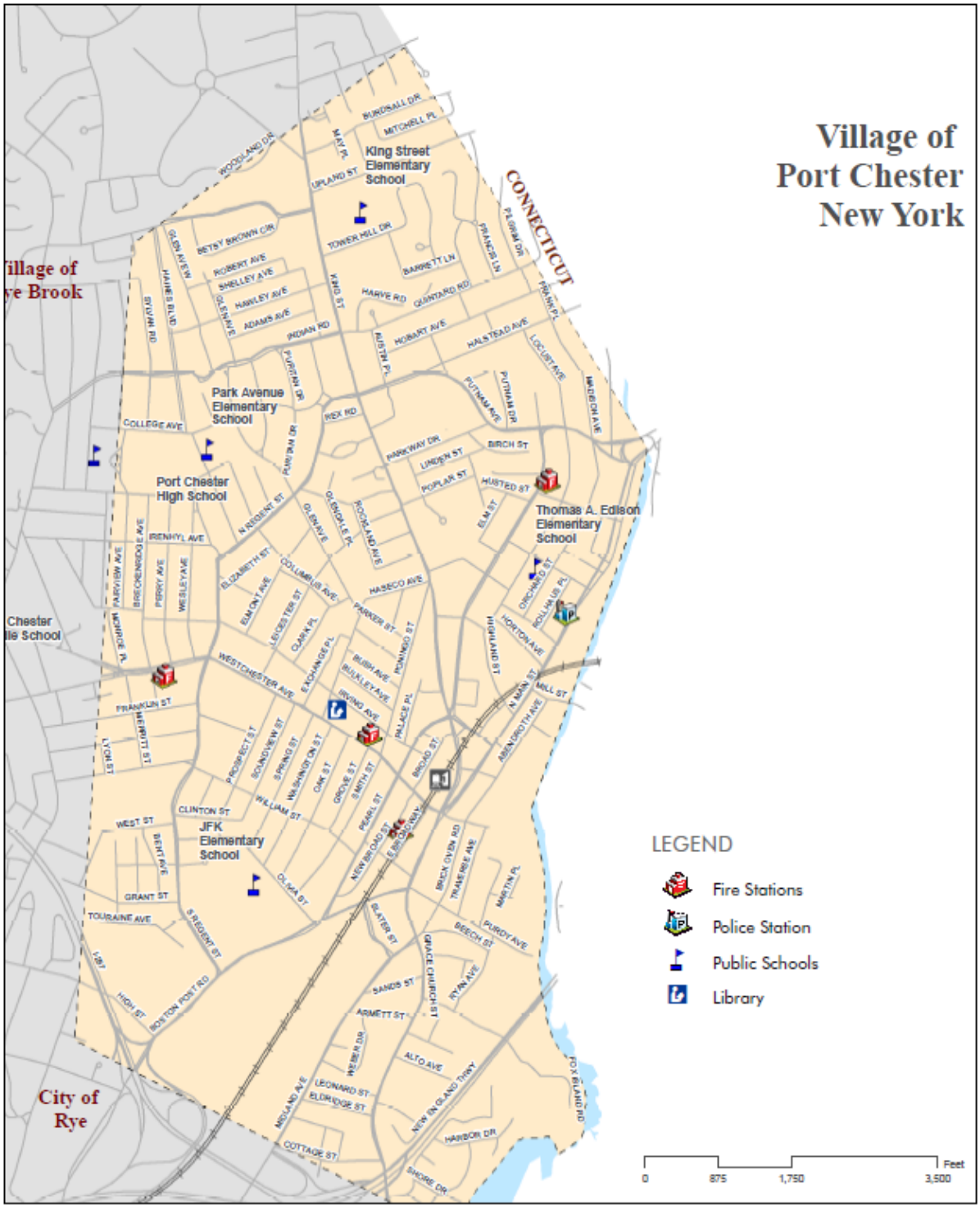
The department operates out of four firehouses with locations throughout the Village. The department is a combination department consisting of a staff of twelve paid firefighters, seven volunteer companies with a large roster of volunteer firefighters, and is commanded by a volunteer chief and two assistants.

Emergency Services

The Port Chester-Rye Brook Volunteer Ambulance Corps has been in existence for more than 35 years and maintains a reputation as one of the best emergency medical services organizations in Westchester County. Approximately 4,800 emergency calls are handled annually, and the Corps requires additional assistance from neighboring EMS services only an average of 15 times each year.

Through an intermunicipal agreement, the organization serves the Villages of Port Chester and Rye Brook and the City of Rye and is comprised of 45 staff members, including 15 volunteers. Paid staff members include 17 paramedics and 13 EMTs and two ambulances are in operation 24 hours a day. A paramedic and an emergency medical technician staff both ambulances.

**Figure 14. Municipal Facilities and Public Schools**




Educational Resources

The Village of Port Chester is located within the Port Chester-Rye Union Free School District, which includes four elementary schools, one middle school serving students in grades 6-8, and one high school serving students in grades 9-12.

Port Chester High School

The Port Chester-Rye Union Free School District employs about 325 teachers. To be qualified, a teacher must have at least a Bachelor's Degree, be certified to teach in the subject area, and show subject matter competency. Ninety-five (95) percent of the District's teachers have received training beyond the standard qualification, including either a Master's Degree plus thirty hours or holding a Doctoral Degree.

Kennedy Magnet School

In terms of the student population, the Port Chester-Rye School District has been steadily growing over the past two decades , reaching a total enrollment of 4,231 students for the 2011-2012 school year—just over a 4 percent increase from the 2009-2010 school year. See Table 5. However, average class size (24) has generally remained steady over the past 5 years; it was 22 in 2005.

**Table 5. Student Enrollment, Port Chester-Rye School District, 1980-Present**

| Year | # of Students | % Change |
|---|---|---|
| 1980 | 3,074 | -- |
| 1990 | 2,683 | (-12.71) |
| 2000 | 3,360 | (+25.23) |
| 2010 | 4,183 | (+24.49) |
| 2012 | 4,231 | (+1.14) |

Source: Port Chester-Rye Free School District

For the 2009-2010 school year, Hispanics made up 74 percent of the population. See Table 6. While the Hispanic population makes up a large percentage of the total population in Port Chester (approximately 53 percent in 2009), it is less than the population represented in public schools.

**Table 6. Student Racial/Ethnic Origin, 2009-2010**

| Race/Ethnicity | # of Students | % of Enrollment |
|---|---|---|

| | | |
|---|---|---|
| American Indian or Alaska Native | 0 | 0% |
| Black or African American | 292 | 7% |
| Hispanic or Latino | 2,985 | 74% |
| Asian or Native Hawaiian/Other Pacific Islander | 44 | 1% |
| White | 728 | 18% |
| Multiracial | 12 | 0% |
| **Total** | **4061** | **100%** |

Source: NYS District Report Card 2009-2010 Comprehensive Information Report

Many students in the Port Chester-Rye School District also come from low-income families and are eligible for the Free Lunch Program. During the 2010-2011 school year, Seventy-five (75) percent of students participated in the program in October 2011, which is significantly higher than the State average of 51.7 percent.

Corresponding to the growing Hispanic population, the percentage of students demonstrating limited English proficiency is increasing as well, presenting a considerable challenge to local schools. According to the NYS District Report Card, students showing this limitation increased from 24 percent in the 2004-2005 school year to 26 percent in the 2009-2010 school year.

*Elementary Schools*

Port Chester children attend one of four elementary schools, including the John F. Kennedy Magnet School, King Street School, Thomas A. Edison School and Park Avenue School. The elementary schools are located within a relatively small radius of one another, with the JFK Magnet School at 40 Olivia Street off of Rt.1, the King Street School at 697 King Street north of Lyon Park, the Thomas A. Edison School at 132 Rectory Street and the Park Avenue School located on Park Avenue.

Park Avenue School

A reported 2,038 students were enrolled in Port Chester-Rye elementary schools during the 2009-2010 school year, showing a 30 percent increase (549 students) from the 2003-2004 school year. See Table 7 on the next page.

**Table 7. Elementary School Regular Student Enrollment**

| School | 2007-2008 | 2009-2010 | % Change |
|---|---|---|---|
| JFK Magnet | 555 | 725 | 31% |
| King Street | 408 | 417 | 2% |
| Park Avenue | 492 | 466 | -5% |
| Thomas A. Edison | 442 | 430 | -3% |
| **Total** | **1,897** | **2,038** | **7.4%** |

Source: NYS District Report Card Comprehensive Information Report

*School Performance*

In 2001, Congress passed the No Child Left Behind (NCLB) Act. The Act's intent is to bring all students up to a proficient level on state tests by the 2013-2014 school year, and to hold states and schools more accountable for results. NCLB requires all districts and schools receiving Title I funds to meet state adequate yearly progress goals for their total student populations and for specified demographic subgroups, including major ethnic/racial groups, economically disadvantaged students, limited English proficient (LEP) students, and students with disabilities.

According to the NYS Education Department, Port Chester-Rye Union Free School District represents a "District in Good Standing," meaning the district has made adequate yearly progress (AYP) to the goal of proficiency for all students. Testing in the subject areas of English Language Arts, Mathematics and Science and the high school's graduation rate are used to determine AYP. Also worth noting is that John F. Kennedy Magnet School and the Port Chester Middle School are nationally recognized blue ribbon schools.

### *2.6.2 Potential Impacts*

The Proposed Action supports the Village's existing resources and recommends ensuring the health, safety and welfare of residents and business owners through implementation of vital services such as police, fire, EMS and code enforcement. The Proposed Action also recommends that the Village promote and encourage a high quality of public services for the safety, comfort and pleasure of residents and business owners.

The Proposed Action encourages inter and intra-municipal cooperation and coordination to provide quality services efficiently and in a cost-effective manner. The Proposed Action encourages the Village to seek and strengthen public and private partnerships, grant assistance, strong leadership and cost beneficial resources. It also recommends coordinating with community centers and service providers to share services and facilities.

The Proposed Action suggests the Village maintain and, as necessary, construct government buildings and offices to ensure that the administration of the Village operates effectively and efficiently. This includes providing adequate space and

facilities for Village departments and agencies to efficiently function, and also produce a 10-year plan for municipal building maintenance and repair.

The Proposed Action recommends that the Village support professional and educational development for both elected and appointed government officials to better serve the community. It also recommends that the Village develop and promote effective communication and management structure among the Village's elected and appointed government officials, boards and commissions, as well as with residents and business representatives. The Proposed Action encourages the Village to support the Port Chester School District in its effort to ensure that it has adequate facilities, equipment and staff to meet the needs of the increasing student population.

The Proposed Action contains several recommendations for its municipal services, which shows the support for its existing resources and recommends maintaining and supporting them. Therefore, there are no adverse impacts.

### *2.6.3 Mitigation Measures*

The Proposed Action will result in a positive impact on the municipal services of the Village. The recommendations serve to support and encourage better services for the residents of the Village. Therefore, no mitigation measures are necessary.

## 2.7 Economic Development

This section examines the socioeconomic impacts of the recommendations of the 2012 Comprehensive Plan.

### 2.7.1 Existing Conditions

Industrial Development Agency

The Village of Port Chester Industrial Development Agency (IDA) is a public benefit corporation established to promote, develop and assist in acquiring, constructing, reconstructing, improving, maintaining, equipping and furnishing industrial, manufacturing, warehousing, commercial, research and recreation facilities in order to advance the overall-standard of living, including job opportunities, economic welfare and recreation opportunities. The Agency's seven member board is appointed by the Village Board of Trustees.

The Village Board of Trustees approved the formation of a Local Development Corporation (LDC) on September 4, 2012. The LDC is an economic development tool to provide assistance to civic facilities and to finances key Village projects.

Employment

According to the available information, there are nearly 1,300 business establishments with 8,600 jobs in Port Chester. Table 8 presents 2007 estimates of businesses and employment by industry in Port Chester. The Village's approximately 400 retail trade and personal and repair services businesses comprise nearly one-third of all establishments as well as one-third of the employment in Port Chester. (The personal and repair services category includes hair and nail salons, automotive repair, and dry cleaners, among others.) Construction, which includes contractors, carpenters, bricklayers, plumbers, electricians, also serves as a significant source of employment.

**Table 8. Business Summary, Village of Port Chester**

| Industry | Share of Businesses (%) | Share of Employment (%) |
|---|---|---|
| Retail Trade | 17.3 | 25.5 |
| Personal and Repair Services | 13.8 | 6.9 |
| Construction | 11.1 | 9.5 |
| Professional, Scientific, and Technical Services | 9.1 | 4.4 |
| Food Services and Drinking Places | 8.8 | 7.1 |
| Finance, Insurance, Real Estate, Rental and Leasing | 7.0 | 3.6 |
| Wholesale Trade | 5.9 | 6.6 |

| | | |
|---|---|---|
| Health Care and Social Assistance | 5.5 | 8.0 |
| Manufacturing | 4.1 | 12.3 |
| Administrative Support and Waste Management | 3.9 | 2.5 |
| Educational Services | 2.2 | 2.7 |
| All Other Industries | 11.2 | 11.0 |

Source: ESRI and E.N. Pemrick and Company. Business data provided by InfoUSA; ESRI forecasts for 2007.

Although industrial activity has declined dramatically in the last 50 years or so, manufacturing continues to play a key role in the local economy. There are an estimated 65 establishments and more than 850 jobs in manufacturing facilities in Port Chester, according to the *2008-2010 American Community Survey*.

Information compiled by the Westchester County Department of Planning in 2004 indicated that the largest private-sector employers in Port Chester included J.J. Cassone Bakery, Inc., a commercial bakery (280 employees); general merchandiser Costco; Port Chester Nursing and Rehabilitation Center (180 each); Home Depot (168); and Graphic Management Partners, an office equipment, printing and fulfillment company (150). The Port Chester-Rye Union Free school District was listed as the largest overall employer, with 600 employees.

Commercial and Industrial Real Estate Market

Although Port Chester is well-situated with respect to consumer markets and accessibility to the interstate transportation network, it faces numerous challenges that have weakened its commercial real estate market, especially downtown. These challenges include the following:

- *Reduced demand for retail space*. Port Chester's downtown remains an area in transition; outside the waterfront retail complex, the Village has lost its identity as a shopping destination. Although commercial realtors continue to field inquiries from food-related businesses and the occasional "dollar store"-type establishment, they report limited interest in Port Chester retailers, including the specialty shops that often seek out a downtown location.
- *An oversupply of first-floor retail space*. Based upon an inventory of vacant commercial space along Route 1/ North Main Street conducted in January 2012 as part of a Corridor Study for the Route 1 area, there were 37 vacancies (ranging from 1,000 sf to 10,000 sf) available for lease/sale – including 23 first floor vacancies.
- *Competition for parking*. There is some demand for second-floor space for use as professional offices by attorneys, architects and accountants as well as medical practitioners. However, downtown space is harder to lease because off-street parking is either not available or is located some distance away. Buildings on Westchester Avenue and beyond can often charge higher rents because they have parking close by.

- *Building conditions.* Third-floor space in downtown Port Chester is virtually impossible to lease for commercial uses, according to one broker; old buildings lack elevators and the third floors are generally in the poorest condition. There is no question that there is stronger demand for professional office space, including loft-style units, in buildings that have been renovated. If matching incentives could be provided to buildings owners to make renovations or to potential tenants to make leasehold improvements, the demand for upper-floor space in Port Chester could be significantly increased. (There is also the potential for create loft apartments on the second and third floors for young professionals who commute by train and would not require parking.)

On the industrial side of the market, the demand in Port Chester is for lease rather than for purchase; as a result there may be an oversupply of industrial buildings for acquisition. These properties are outside the downtown business district, in some cases on narrow streets not suited for heavy truck traffic. Although most of the industrial facilities lack the higher ceilings found in modern buildings, vacancy rates are generally low. There is still a market for industrial space in Westchester County. To assist in meeting the ongoing demand and diversifying the tax base, consideration should be given to the development of additional light industrial space to accommodate small businesses, including contractors, manufacturers and other companies that do not generate high traffic volumes.

Residential Employment

Table 9 illustrates the employment of Port Chester residents based on the *2008-2010 American Community Survey*. More than 50 percent of the Village's working population, age 16 and over, was employed in the service sector. This included about 15 percent in professional, scientific, and management and administrative and waste management services, 17 percent in Educational services and Health care and social assistance, and about 12 percent in arts, entertainment, and recreation, and accommodation and food services.

More than 11 percent of employed residents in Port Chester have jobs in the retail industry, while nearly 12 percent work in construction and nearly 6 percent manufacturing.

**Table 9. Civilian Employed Population 16 Years and Over by Industry, 2009**

| | Village of Port Chester | |
|---|---|---|
| **Industry** | **Number** | **Percent (%)** |
| Agriculture, Forestry, Fishing, and Mining | 105 | 0.73 |
| Construction | 1,883 | 11.8 |
| Manufacturing | 860 | 5.53 |
| Wholesale Trade | 531 | 3.41 |
| Retail Trade | 1,732 | 11.13 |
| Transportation, warehousing, and utilities | 541 | 3.48 |
| Information | 319 | 2.05 |
| Finance, insurance, real estate, and rental and leasing | 837 | 5.40 |
| Professional, scientific, and management, and administrative and waste management services | 2,352 | 15.12 |
| Educational services and Health care and social assistance | 2,676 | 17.20 |
| Arts, entertainment, and recreation, and accommodation and food services | 1,882 | 12.09 |
| Other services (except public administration) | 1,477 | 9.62 |
| Public administration | 304 | 2.44 |
| **Total Civilian Employed Population** | **15,559** | **100%** |

Source: *2008-2010 American Community Survey 3-Year Estimates.*

Retail Market Analysis

Trade Area Definition

The trade area is generally defined as the geographic area from which local retailers draw the majority of their customers. For the purpose of this analysis, Port Chester's trade area is defined as the area comprised within a 10-minute driving time of the downtown. The trade area includes the Village of Port Chester itself and all or portions of neighboring communities including Rye, Harrison, White Plains, Mamaroneck, New York and Greenwich, Connecticut.

Businesses in Port Chester may provide goods and services to people outside the trade area, such as visitors or tourists passing through the Village and shoppers who live further away, but households within a 10-minute driving time are more likely to

gravitate to Port Chester for purchases due to proximity and convenience, as long as the desired items are available, of sufficient quality, and are competitively priced.

*Market Demographics*

One of the major trends in retailing today is the continued emphasis on consumer information. In an effort to identify potential retail market opportunities in the Village of Port Chester, this section examines the demographic, socioeconomic and lifestyle characteristics of trade area residents. The statistical data presented is derived from two sources: the U.S Census Bureau and ESRI Business Information Solutions, a leading national provider of market information.

Table 10 below summarizes population trends in the 10-minute drive-time zone, the defined trade area, from 2000 projected to 2012. Figures on the Village of Port Chester and Westchester County are provided for comparison purposes. The 2007 population of the trade area is estimated at 208,657, an increase of 9,459 persons (or nearly 5 percent) since 2000. With an estimated 29,155 residents, the Village of Port Chester accounts for about 15 percent of the trade population.

**Table 10. Market Area Population**

| | Year | | | % Change | |
|---|---|---|---|---|---|
| **Market Area** | **2000** | **2007 (est.)** | **2012 (proj.)** | **2000-07** | **2007-12** |
| Village of Port Chester | 27,867 | 29,155 | 29,917 | 4.6 | 2.6 |
| Trade area – 10 min drive time zone | 199,198 | 208,657 | 215,106 | 4.7 | 3.1 |
| Westchester County | 923,459 | 956,514 | 977,840 | 3.6 | 2.2 |

Source: ESRI and E.M. Pemrick and Company.

Projections from ESRI indicate that the trade area will continue to grow through 2012: the population is expected to increase at a rate of roughly 1 percent per year to 215,000. Both the Village of Port Chester and Westchester County are projected to add population as well, albeit at lower rates.

Among the demographic characteristics of the trade area is its racial and ethnic diversity. Ten percent of the population is African-American, 6 percent is Asian and over 20 percent of (more than one in five) trade area residents are of Hispanic origin (of any nationality). Nationally, one in seven residents is of Hispanic origin, according to the Census Bureau, but the proportion is projected to increase to one in five by 2030. The Selig Center for Economic Growth at the University of Georgia reports that the consumer spending power (disposable personal income) of the U.S. Hispanic population will reach $863 billion this year, some 300 percent higher than it was in 1990.

The Census Bureau defines a household as all persons who occupy a housing unit. The occupants may be a single family, one person living alone, two or more persons

living together, or any other group of related or unrelated individuals who share living arrangements outside of an institution.

As shown in Table 11, there are nearly 78,000 households currently residing in the trade area and ESRI projects an increase in about 3 percent by 2012. Once again, the number of households is increasing more rapidly in the trade area than in the comparison areas. From 2000 to 2007, for example, the rate of growth in the trade area was 3.3 percent as opposed to 2.4 percent in Port Chester and 2.3 percent in Westchester County.

**Table 11. Market Area Households**

| | Year | | | % Change | |
|---|---|---|---|---|---|
| **Market Area** | **2000** | **2007 (est.)** | **2012 (proj.)** | **2000-07** | **2007-12** |
| Village of Port Chester | 9,531 | 9,756 | 9,961 | 2.4 | 2.1 |
| Trade area – 10 min drive time zone | 75,283 | 77,735 | 79,997 | 3.3 | 2.9 |
| Westchester County | 337,142 | 344,819 | 351,735 | 2.3 | 2.0 |

Source: ESRI and E.M. Pemrick and Company

Over the last several decades, household sizes in the U.S. decreased due to lower birth rates, an increase in single parent families and a greater number of people living alone; the rate of decline, however, seems to have leveled off. This trend is reflected by the data in Table 12 below. The average household size in the trade area actually increased marginally. This may be due to the influx of persons of Hispanic origin, who, on average, have larger families than the general populations. From a retailing standpoint, this represents an opportunity, as Hispanics have lower median age and are more likely to be in a "household-forming" stage of life than the general population.

**Table 12. Market Area Average Household Size**

| | Year | | | % Change | |
|---|---|---|---|---|---|
| **Market Area** | **2000** | **2007 (est.)** | **2012 (proj.)** | **2000-07** | **2007-12** |
| Village of Port Chester | 2.89 | 2.96 | 2.97 | 2.4 | 0.3 |
| Trade area – 10 min drive time zone | 2.60 | 2.63 | 2.64 | 1.2 | 0.4 |
| Westchester County | 2.67 | 2.70 | 2.71 | 1.1 | 0.4 |

Source: ESRI and E.M. Pemrick and Company

The 2000 Census figures show that 51.2 percent of the households in the trade area were married-couple families, 14.7 percent were other family households and 34.1 percent were nonfamily households, most of which were householders living alone. One-third of the households had related children under age 18 present.

Householder income is a good indicator of the spending potential of the trade area, since it often correlates with retail expenditures. Median income levels have been consistently higher in the trade area relative to the Village of Port Chester. In 2007, the trade area had an estimated median household income (MHI_ of $85,305; in comparison, the MHI in Port Chester was $60,421, about 70 percent of the MHI of the trade area. In other words, consumers within a ten-minute driving time of downtown Port Chester are considerably more affluent than those residing within Village boundaries.

The data further indicates an increasing number of households in the higher income brackets. While the total number of households in the trade area is project to increase 3 percent between 2007 and 2012, those earning at least $200,000 per year will increase 29 percent, with the addition of more than 4,000 households. By 2012, nearly 46 percent of all households in the trade area will have annual incomes above $150,000.

One of the most important factors impacting consumer spending is age. During the 1990s, the aging of the baby-boom generation resulted in a significant increase in the number of households headed by individuals between the ages of 45 and 54, the peak earning years for Americans. According to the annual Consumer Expenditure Survey conducted by the Bureau of Labor Statistics, the typical household headed by a person aged 45-54 spends more, on average, than other households. Nationally, growth in the 45-54 age cohort is expected to continue at least through the next 10-15 years, as the last of the Baby Boomers reach their mid-40s.

**Table 13. Population by Age – 10-Minute Drive-time Zone**

| | 2000 | | 2007 (est.) | | 2012 (est.) | | % Change | |
|---|---|---|---|---|---|---|---|---|
| Age | Number | Percent | Number | Percent | Number | Percent | 2000-07 | 2007-12 |
| Under 20 | 51,393 | 25.8 | 58,215 | 27.9 | 56,789 | 26.4 | 13.3 | -2.5 |
| 20-24 | 10,159 | 5.1 | 10,642 | 5.1 | 13,337 | 6.2 | 4.7 | 25.3 |
| 25-34 | 29,282 | 14.7 | 23,787 | 11.4 | 23,232 | 10.8 | -18.8 | -2.3 |
| 35-44 | 34,461 | 17.3 | 35,472 | 17.0 | 31,406 | 14.6 | 2.9 | -11.5 |
| 45-54 | 26,493 | 13.3 | 30,464 | 14.6 | 35,063 | 16.3 | 15.0 | 15.1 |
| 55-64 | 18,127 | 9.1 | 21,909 | 10.5 | 25,383 | 11.8 | 20.9 | 15.9 |
| 65-74 | 14,741 | 7.4 | 12,937 | 6.2 | 13,982 | 6.5 | -12.2 | 8.1 |
| 75-84 | 10,358 | 5.2 | 10,224 | 4.9 | 10,110 | 4.7 | -1.3 | -1.1 |
| 85 and over | 4,183 | 2.1 | 5,008 | 2.4 | 5,808 | 2.7 | 19.7 | 16.0 |

Source: ESRI and E.M. Pemrick and Company, 2008.

Consistent with this trend, the trade area population is becoming more concentrated in the 45-54 age range. As shown in Table 13, persons aged 45-54 accounted for 13.3 percent of the population in 2000 and are projected to increase to 16.3 percent by 2012. Almost as dramatic is the growth projected in the number of persons aged 55-64; they represented 9.1 percent of the trade area population in 2000, and are expected to comprise 11.8 percent by 2012.

Retail Sales Profile

Table 14 profiles the retail industry including eating and drinking places in the Village of Port Chester based on estimates from ESRI. According to this information, retail stores and dining establishments in Port Chester generate an estimated $522.5 million in annual sales. This represents approximately 9 percent of all retail sales in the defined trade area.

**Table 14. Retail Sales Profile, 2008**

| Retail Classification | Store Count | Estimated Total Sales | Sales Distribution (%) |
|---|---|---|---|
| **Food Services & Drinking Places** | **112** | **41,081,867** | **7.9** |
| Full-Service Restaurants | 0 | - | 0.0 |
| Limited-Service Eating Places | 102 | 32,556,443 | 6.2 |
| Special Food Services | 8 | 7,465,203 | 1.4 |
| Drinking Places | 2 | 1,060,221 | 0.2 |
| **Convenience Retail** | **78** | **261,875,923** | **50.1** |
| Building Materials & Supplies Dealers | 16 | 47,319,544 | 9.1 |
| Lawn and Garden Equipment Stores | 4 | 1,410,990 | 0.3 |
| Grocery Stores | 23 | 108,583,146 | 20.8 |
| Specialty Food Stores | 4 | 1,155,092 | 0.2 |
| Health & Personal Care Stores | 7 | 6,995,951 | 1.3 |
| Gasoline Stations | 8 | 28,166,512 | 5.4 |
| Automotive Dealers | 7 | 64,492,783 | 12.3 |
| Auto Parts, Accessories, and Tire Stores | 9 | 3,751,905 | 0.7 |
| **Shopping Goods Retail** | **139** | **219,571,010** | **42.0** |
| General Merchandise | 7 | 33,945,211 | 6.5 |
| Furniture & Home Furnishings Stores | 8 | 74,516,993 | 14.3 |
| Electronics & Appliance Stores | 11 | 13,113,015 | 2.5 |
| Beer, Wine, & Liquor Stores | 4 | 10,538,929 | 2.0 |
| Clothing & Shoe Stores | 37 | 30,266,162 | 5.8 |
| Jewelry, Luggage, Leather Goods Stores | 17 | 7,088,263 | 1.4 |
| Used Merchandise Stores | 5 | 813,909 | 0.2 |
| Sporting Goods/Hobby/Musical Instruments Stores | 10 | 7,543,507 | 1.4 |
| Book, Periodical, and Music Stores | 6 | 26,575,841 | 5.1 |
| Office Supplies, Stationary, & Gift Stores | 18 | 2,878,223 | 0.6 |
| Florists | 6 | 430,207 | 0.1 |
| Other Miscellaneous Store Retailers | 10 | 11,860,750 | 2.3 |
| **Total Retail Sales** | **329** | **522,528,800** | **100.0** |

Source: ESRI, infoUSA, and E.M. Pemrick and Company 2008.

Overall retail activity in Port Chester with respect to sales is dominated by three types of establishments: grocery stores, with annual sales of $108.6 million; furniture and home furnishings stores, $74.5 million; and automotive dealers, $64.5 million. The high level of grocery store sales is typical of most communities, since groceries are a basic commodity purchased regardless of household income (although per-household spending may vary). Port Chester's influx of Hispanic residents has also resulted in a rapid increase of "bodega-type" stores. The automotive category is often a sales leader because cars and trucks are a "big ticket" item. Generating an estimated $41 million in annual sales, eating and drinking establishments represent just 8 percent of retail sales but fully one0third of the retail businesses in the Village. Opportunities for growth may exist through enhanced marketing of Port Chester restaurants and other strategies to increase sales.

*Trade Area*

Retailers in the trade area, located within a 10-minute driving time of Port Chester, comprise an estimated 2,827 establishments generating nearly $6 billion in annual sales. The store types with the highest level of sales in the trade area are automotive dealers ($1.2 billion), general merchandise ($1.1 billion), grocery stores ($657.8 million), and clothing and shoe stores ($557.5 million).

*Sales Leakage Analysis*

In this section, estimated household expenditures by store type are compared with actual sales to identify gaps between the supply and demand for goods and services that is not being met locally – in other words, consumers are going outside the area for purchases in a given retail sector.

Residential communities typically experience high levels of sales leakage because retail stores may be limited in number; conversely, a sales surplus often exists in large cities and metropolitan areas because their retail diversity and opportunities to draw shoppers from other areas. In downtown commercial districts, the extent of sales leakage can vary, depending on the strengths and weaknesses of the local retail sector, the competition that exists in the neighboring communities, as well as the impact of Internet and catalog shopping in certain retail categories.

As indicated in Table 15, the net sales leakage across all retail establishments in Port Chester is estimated at $437.6 million. The sales leakage is by far the highest for eating and drinking places ($228.1 million). Although the market for "limited-service" restaurants (casual dining and fast-food) appears to be saturated, there is sales leakage in the "full-service" restaurant category, as consumers travel outside Port Chester for fine dining experiences. There is also sales leakage in gasoline stations; auto parts, accessories, and tire stores; and grocery stores. Recapturing a

portion of the sales leakage represents a potential opportunity for additional establishments and/or increased sales in Port Chester.

**Table 15. Sales Leakage Analysis and 10-Minute Drive-time Zone**

| Retail Classification | Est. Sales Leakage or Surplus (millions) Port Chester | Trade Area | Distribution of Sales Leakage – Trade Area (%) |
|---|---|---|---|
| **Food Services & Drinking Places** | **112** | **$(228.1)** | **7.9** |
| Full-Service Restaurants | 0 | $(107.8) | 0.0 |
| Limited-Service Eating Places | 102 | $(7.6) | 6.2 |
| Special Food Services | 8 | $(87.3) | 1.4 |
| Drinking Places | 2 | $(25.5) | 0.2 |
| **Convenience Retail** | **78** | **$400.6** | **50.1** |
| Building Materials & Supplies Dealers | 16 | $(4.4) | 9.1 |
| Lawn and Garden Equipment Stores | 4 | $(1.7) | 0.3 |
| Grocery Stores | 23 | $(33.8) | 20.8 |
| Specialty Food Stores | 4 | $(16.1) | 0.2 |
| Health & Personal Care Stores | 7 | $235.5 | 1.3 |
| Gasoline Stations | 8 | $(109.1) | 5.4 |
| Automotive Dealers | 7 | $365.1 | 12.3 |
| Auto Parts, Accessories, and Tire Stores | 9 | $(34.9) | 0.7 |
| **Shopping Goods Retail** | **139** | **$1,721.1** | **42.0** |
| General Merchandise | 7 | $741.8 | 6.5 |
| Furniture & Home Furnishings Stores | 8 | $66.9 | 14.3 |
| Electronics & Appliance Stores | 11 | $363.4 | 2.5 |
| Beer, Wine, & Liquor Stores | 4 | $11.0 | 2.0 |
| Clothing & Shoe Stores | 37 | $278.1 | 5.8 |
| Jewelry, Luggage, and Leather Goods Stores | 17 | $73.5 | 1.4 |
| Used Merchandise Stores | 5 | $10.6 | 0.2 |
| Sporting Goods/Hobby/Musical Instruments Stores | 10 | $58.0 | 1.4 |
| Book, Periodical, and Music Stores | 6 | $32.5 | 5.1 |
| Office Supplies, Stationary, & Gift Stores | 18 | $(8.8) | 0.6 |
| Florists | 6 | $(0.6) | 0.1 |
| Other Miscellaneous Store Retailers | 10 | $94.8 | 2.3 |

Source: ESRI, infoUSA, and E.M. Pemrick and Company.

Typically, the extent of sales leakage from a large trade area is not as extensive (relative to total sales) as for a city or a downtown retail district because they exhibit more retail diversity and thus consumer choice. The value of the sales leakage from the area within a 10-minute driving time of Port Chester, however, is a high $437.6

million. This may be because some of the communities in the trade area have relatively limited commercial development.

The Growing Hispanic Consumer Market

Port Chester has experienced a steady and significant increase in its Hispanic population, which has nearly doubled since 1990. Individuals of Hispanic origin represent one of the fastest growing segments of Port Chester's population. In little more than two decades, the number of Latinos has increased from less than one-third to nearly 60 percent of all residents in the Village.

Data from the 2010 Census suggests that the Hispanic community in Port Chester is extremely diverse, comprising both native and foreign-born individuals. Approximately 20 percent are of South American origin, chiefly from Ecuador, Peru and Colombia; 17 percent are Mexican; and 12 percent are Central American, with the greatest number from Guatemala and El Salvador. In contrast to Westchester County overall, Port Chester ha a relatively small Puerto Rican population, and Dominicans and Cubans are few in number, at least compared with other groups.

As the Hispanic population has increased in Port Chester, it has also grown in adjacent communities. According to ESRI, there are currently more than 45,488 persons of Hispanic origin within a 10-minute drive of Port Chester. This figure is projected to increase by 1 percent to 50,980, in just five years. By 2012, almost one in four residents within this defined trade area will be Hispanic – and if one extends this area to the neighborhoods and communities within a 15-minute drive of Port Chester, the number of Hispanic residents rises to 116,537 in 2012.

Hispanic Owned Businesses

Entrepreneurship among Hispanics is also increasing. According to the Census Bureau, between 2002 and 2007, the number of Hispanic-owned businesses increased at twice the national rate of 18 percent. Locally, the 2007 U.S. Economic Census survey of minority and women owned businesses documented 12,126 Hispanic-owned firms in Westchester County, with sales and receipts of more than $1.5 billion. The majority of these businesses are sole proprietorships or family-operated businesses with no paid employees. In 2007, these 10,646 micro businesses had over $303 million in sales and receipts; another $1.28 billion in sales was reported by 1,479 Hispanic-owned businesses providing jobs for 8,938 employees.

More than half of the Hispanic-owned businesses in Westchester County are located in Yonkers, White Plains, New Rochelle and Port Chester. The economic Census documented 844 Hispanic-owned firms in Port Chester with sales and receipts of over $164 million in 2007. This included $52 million in sales reported by 42 Hispanic-owned businesses providing jobs for 380 employees.

### *2.7.2 Potential Impacts*

The Proposed Action recommends that the Village strengthen and expand economic opportunity and the Village's tax base by focusing efforts on retaining and expanding existing businesses and attracting new businesses. The Village can help do this by maintaining an inventory of existing businesses and identifying and quantifying the existing job base.

The Proposed Action also recommends that the Village improve the condition and appearance of Port Chester's commercial areas, including the Downtown Business District, to encourage new investment and create more attractive locations for visitors and businesses. There are several ways for the Village to do this such as through updating the Village's Main Street Revitalization Strategy and by encouraging the rehabilitation of commercial buildings throughout the Village.

The Proposed Action recommends that the Village increase Port Chester's retail capture rate by improving the profitability of commercial businesses and recruiting new establishments based on market demand. The Village can develop a multi-faceted marketing program to promote Port Chester's resources recruitment package to attract new businesses, and recruit businesses and services to complement the business sectors growing in the Village.

The Proposed Action recommends that the Village establish appropriate organizational structures to facilitate economic development and downtown revitalization and promote effective communication between Village leaders and Port Chester business and property owners. To help establish this, the Village could explore the feasibility of creating an Economic Development Coordinator and collaborate with local and regional chambers, the Industrial Development Agency and Westchester County to build economic development initiatives. The Economic Development Coordinator could also be the Executive Administrator of the Industrial Development Agency/Local Development Corporation.

The Proposed Action also recommends the Village encourage development of a skilled workforce that matches the employment opportunities in the Village by focusing on workforce needs for advancement. There are a few ways the Village could do this such as promote Port Chester's reputation as a business location with a highly educated workforce and encourage businesses to play a positive role in introducing career concepts to students.

The Proposed Action recommends that the Village actively promote a sense of civic identity including "branding" of the Village to facilitate economic development and promote tourism in the Village. To do this, the Village could develop an identifiable and unique theme of "branding" that embraces the Village's culture, character and history, as well as enhances community identity and connection. The Village could also improve and coordinate local and regional marketing efforts with the Westchester County Office of Tourism.

The Proposed Action also recommends that the Village promote the waterfront area as a commercial, recreational and cultural destination. The Village could encourage and promote the development of water-dependent and water-enhanced uses reflected in the Local Waterfront Revitalization Plan. The Village also should maximize use of the waterfront through the establishment of new context-sensitive retail, housing and public spaces to economically position the Village.

### *2.7.3 Mitigation Measures*

The Proposed Action will result in a positive impact on the economic development of the Village. The recommendations serve to strengthen and expand economic development and the Village's tax base by focusing efforts on retaining and expanding businesses and attracting new businesses. It also encourages enhancing the appearance of commercial areas in the Village. Therefore, no mitigation measures are necessary.

# 3.0 BUILD-OUT AND ASSOCIATED IMPACT ANALYSES

## 3.1 Build-Out Analysis

### *3.1.1 Overview*

The purpose of conducting a build-out analysis for the Village of Port Chester regarding the Proposed Action is to assess the impacts associated with the proposed Zoning Map and Text Amendments (henceforth referred to as Build-Out Analysis). Generally speaking, a build-out analysis allows a community to test existing and proposed zoning regulations in an attempt to help shape desirable development patterns.

In order to conduct the Build-Out Analysis for the Village of Port Chester, a few assumptions were adopted. First, the Build-Out Analysis considers a 'clean slate' approach, whereby zoning conditions applied to both the No Action/existing zoning and Proposed Action/proposed zoning disregarded existing physical structures, e.g. on-the-ground conditions, in order to better determine maximum build-out capacities. Second, the Build-Out Analysis does not reconcile or consider nonconforming or grandfathered uses. Incorporating such information would have required additional data collection outside of the Build-Out Analysis scope, resulting in the likelihood of additional projects completed prior to the Build-Out Analysis. Third, acquiring a Special Exception (SE) permit for the 20,000 square foot minimum lot size requirement for multifamily development in the downtown area was accepted among all build-out scenarios for a few reasons. Primarily, approximately less than 15 percent of proposed C5 and C5T Zone parcels met the 20,000 square foot requirement. In order to ameliorate this development hurdle, the Build-Out Analysis assumed the SE permit was granted so that proposed development schemes could occur. Additionally, the inclusion of SE permits granted in both the Focus Area and Village-wide Assessment helped to reduce inconsistencies in methodology and approach.

The Build-Out Analysis specifically assessed the Village of Port Chester in two capacities: determining the maximum build-out capacity of all proposed rezoned areas as well as in the three Focus Areas studied in greater detail (See Appendix B, Tables 1 and 2). The Village-wide assessment can be broken down into two categories: 'upzoned' areas that reduce development potential relative to existing zoning regulations, and conversely 'downzoned' areas that increase development potential relative to existing zoning regulations. Determining the Village-wide impacts associated with the Proposed Action from this perspective demonstrates the 'trade-off' in maximum build-out potential, i.e. dwelling units and non-residential space, resulting between the comparison of the 'upzoned' and 'downzoned' areas.

The specific 'upzoned' areas assessed include[22]:

- Riverdale Avenue – R2F → RA5
- Mortimer Street – R2F → RA5
- Poningo Street – RA3 → R2F
- Irving Avenue – RA4 → RA2; *and*
- Drew Street – RA3 → R2F

The 'upzoned' areas are those specific regions under the Proposed Action that would reduce potential density. For example, a zone might transition from its existing zone of RA3 Multi-Family Residential to R2F Two-Family Residential. Conversely, the 'downzoned' areas are those specific zones under the Proposed Action that are recommended to increase potential density, transitioning from C2 Central Business to C5 Train Station Mixed Use. Ultimately, the net result between the 'upzoned' and 'downzoned' areas portrays the generalized effects resulting from the Proposed Action. The specific 'downzoned' areas assessed include[23]:

- Boston Post Road – C4 → C2
- Proposed PMU Planned Mixed Use Zone – R2F→ PMU
- Bush and Bulkley Avenues – M1 → R2F
- Proposed C5 Train Station Mixed Use Zone – C2 → C5; *and*
- Proposed C5T Downtown Mixed Use Transitional Zone – C2 → C5T

In addition to the Village-wide Assessment, this Build-Out Analysis assessed the maximum build-out potential for three unique areas recommended for rezoning (Focus Areas). These areas, designated as Intensity Planning Zones as explained in the draft *Comprehensive Plan,* include the proposed C5 Train Station Mixed Use Zone, the proposed C5T Downtown Mixed Use Transitional Zone and the proposed PMU Planned Mixed Use Zone (also known as the former United Hospital site) (see Figure 15). For each of the eight scenarios associated with the three Focus Areas, maximum build-out potential conditions were posited under a No Action and a Proposed Action setting. The No Action alternative describes maximum build-out conditions under existing zoning regulations (versus existing built conditions), not tied to any proposed zoning changes for the Village. On the other hand, the Proposed Action involves maximum build-out conditions under the proposed Zoning Map and Text Amendments.

[22] Names represent generalized geographic areas recommended for rezoning – not entire zones. For complete zone name, please refer to Appendix B.

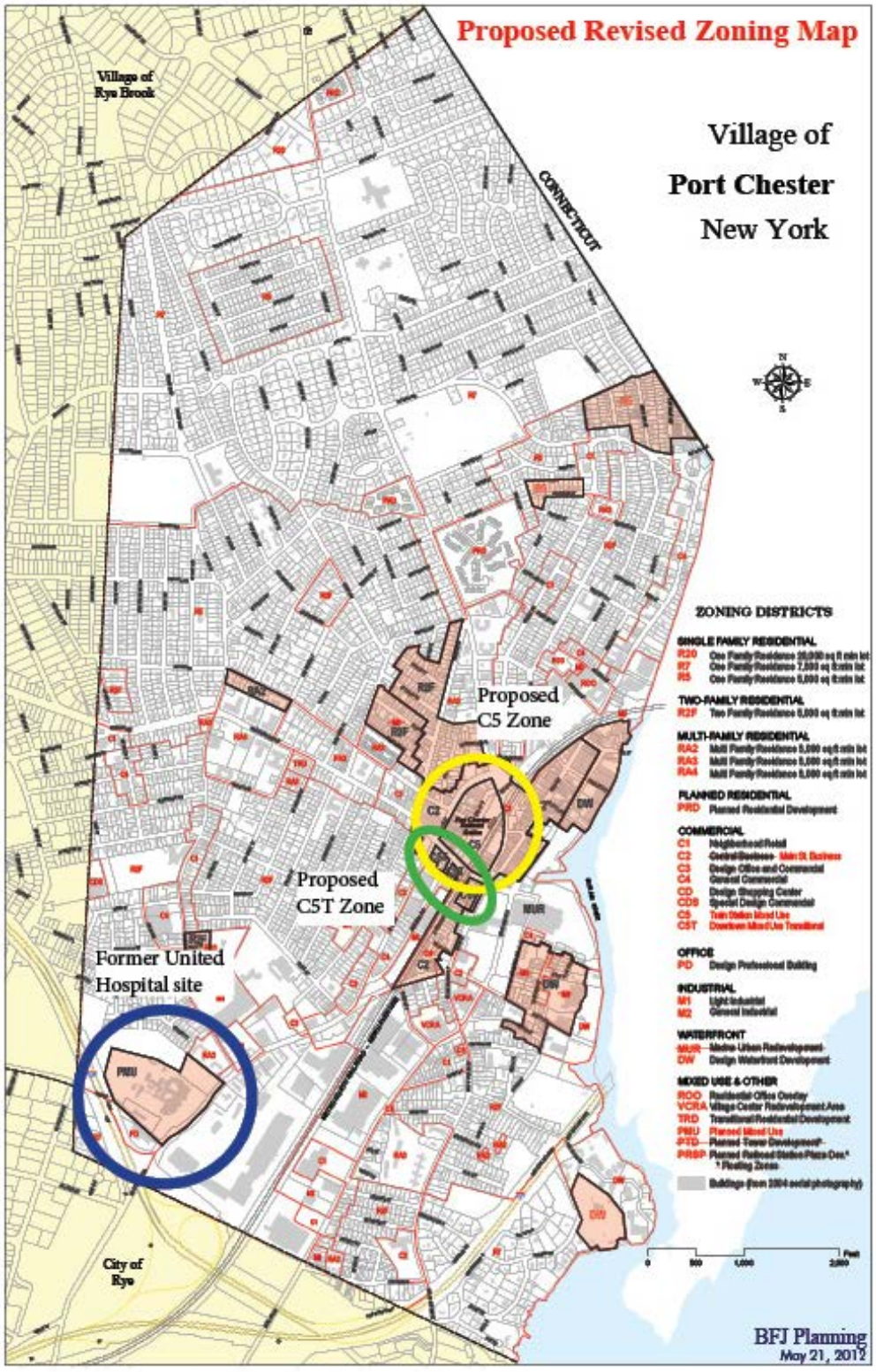
[23] Ibid

### *3.1.2 Focus Area Assessment*

Methodology Overview

The main goal of the Focus Wide Assessment is to determine the net number of residential units resulting from the Proposed Action in the three Focus Areas. The three Focus Areas assessed stem from the draft *Comprehensive Plan* as areas of focused intensity planning. Analyzing these zones at a small-scale resolution will help to qualitatively and quantitatively explore the impacts resulting from the Proposed Action. See Figure 15 on the next page to see where the three Focus Areas are located.

**Figure 15. Proposed Zoning Map with the Three Focus Areas**



PMU Planned Mixed Use Zone

**Figure 16: PMU Planned Mixed Use Zone (former United Hospital site)**

The PMU Planned Mixed Use Zone (PMU) includes four separate scenarios, including the No Action setting - the maximum build-out potential under existing zoning regulations (R2F Two-Family Residential), two scenarios under the Proposed Action - the PMU scenario and the PMU– Maximum Residential scenario, and finally the PMU – Increased Overall Density scenario.

*No Action – Existing R2F Zoning*
Currently, the proposed PMU Zone is occupied by the former United Hospital[24]. To note, this scenario presumes development as if the site were vacant. Additionally, this scenario does not feature any non-residential space in keeping with existing zoning regulations.

*Build-Out Results - Existing R2F Zoning*
Under the No Action setting, the maximum build-out potential results in 240 dwelling units. Per existing zoning regulations, these units are generally two and three-bedroom units or homes, representative of a two-family residential unit in the Village of Port Chester (See Appendix B, Table 3).

*Proposed Action - PMU Scenario*
The proposed zoning for all of the PMU Scenarios includes a mix of residential (senior restricted and unrestricted) and non-residential uses. As recommended in the proposed draft Zoning Code, the maximum floor-area-ratio (FAR) for the proposed PMU Zone is 0.8[25] (bonusable to 1.0) that can be achieved through a mix of uses, each with a specific

[24] Using the site as a hospital involved approval for a special exception permit.
[25] A 0.2 FAR increase is allowable via special exception granted by the Village of Port Chester Board of Trustees.

maximum FAR allocation. Table 16 illustrates one potential PMU scenario with a selection of permitted uses and their associated density values within the permitted range of the proposed zoning.

**Table 16. Floor Area Ratio Distribution - PMU Scenario**

| Maximum Build-Out Potential – Dwelling Units | Unrestricted Residential FAR | Senior Housing FAR | Hotel & Convention Center | Commercial | Community Facility |
|---|---|---|---|---|---|
| 260 | 0.2 | 0.1 | 0.4 | 0.1 | - |

*Build-Out Results - PMU Scenario*

Under this scenario of the Proposed Action, the maximum build-out potential yields 260 housing units and 336,000 square feet of non-residential space. Out of these 260 housing units, a reasonable dwelling unit mix would entail 78 studios, 130 one-bedroom units, and 52 two-bedroom units based on similar type mixed use developments in the region[26] (See Appendix B, Tables 3 and 6). In total, there are 173 unrestricted units, while the remaining 87 units are senior housing. Additionally, the 336,000 square feet of non-residential space is designed to be a mix of uses, comprising a combination of a commercial, hotel/convention center, residential uses and community facilities. Redeveloping the former United Hospital Site into a vibrant, mixed use space will provide Port Chester with additional residential units that are designed for studios, one-bedroom units, and two-bedroom units; new commercial opportunities located in close proximity to existing shopping options; and senior housing amidst community facilities.

*Proposed Action - PMU – Maximum Residential Scenario*

Under the proposed PMU – Maximum Residential Scenario in Table 17 below, the mix of selected land uses maximizes potential residential build-out (both senior and unrestricted) and the density bonus provision under the proposed zoning.

**Table 17. Floor Area Ratio Distribution - PMU - Maximum Residential Scenario**

| Maximum Build-Out Potential – Dwelling Units | Unrestricted Residential FAR | Senior Housing FAR | Hotel & Convention Center | Commercial | Community Facility |
|---|---|---|---|---|---|
| 432 | 0.2 | 0.3 | 0.2 | 0.2 | 0.1 |

[26] The breakdown of bedroom units is based on 30% studios, 50% one-bedrooms and 20% two-bedrooms.

*Build-Out Results - PMU – Maximum Residential Scenario*
This scenario features an emphasis on senior housing and unrestricted housing units while also providing ample opportunities for commercial activities, community facilities and a hotel/convention center. Using the same unit breakdown as above, the maximum build-out potential for this scenario results in a total of 432 dwelling units, broken out into 173 unrestricted housing units and 259 senior housing units (See Appendix B, Tables 3 and 6). Compared with the previous scenario, an emphasis on senior housing helps to reduce impacts resulting from a smaller floorplate size and level of activity. This scenario also generates a total of 336,263 square feet of non-residential space. Recommended uses for the non-residential space reflect the previous scenario, including community facilities, commercial opportunities and a hotel/convention center. Again, the mix of uses is recommended by the Village of Port Chester to provide ample opportunities to live, work and play.

*Proposed Action - PMU – Increased Overall Density Scenario*
Under the PMU – Increased Overall Density Scenario, a specific mix of residential and commercial uses was analyzed to demonstrate a residential build-out setting beyond the residential density permitted under the proposed zoning amendments.

**Table 18. Land Use Distribution - PMU - Increased Overall Density Scenario**

| Maximum Build-Out Potential – Dwelling Units | Unrestricted Residential FAR | Senior Housing FAR | Hotel & Convention Center | Commercial | Community Facility |
|---|---|---|---|---|---|
| 820 | - | - | - | 20,000 (sqft) | - |

*Build-Out Results - PMU – Increased Overall Density Scenario*
The bedroom units for this scenario include 41 studios, 394 one bedroom units, and 385 two-bedroom units in addition to 20,000 square feet of non-residential space (See Appendigx B, Tables 3 and 6). This increase in residential units will have a greater impact on localized traffic patterns and water and sewer line capacities, and costs accrued by the Port Chester-Rye Union Free School District (School District).

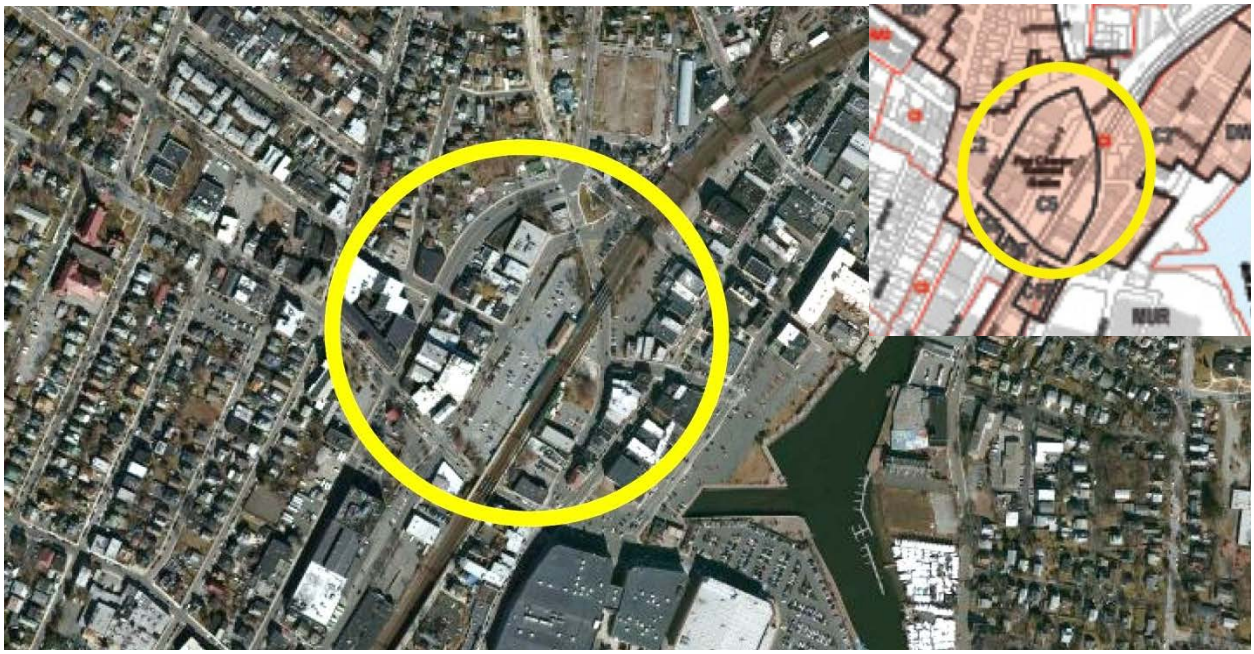
*Conclusion*
The results of the four scenarios evaluated for the proposed PMU Zone include a variety of maximum build-out potential options for the Village of Port Chester to consider. Under a No Action setting, the existing zoning regulations allow a maximum build-out potential of 240 dwelling units. Conversely, the PMU – Maximum Residential Density Scenario under the Proposed Action provides a maximum residential build-out potential of 432 units, likely causing greater impact upon the water and sewer systems, the transportation system and the School District. Of the remaining two studies one is

similar to maximum residential scenario but with different uses and the other is Increased Overall Residential Scenario, featuring similar mixed use configurations except for the senior housing component. Generally speaking, as the median age of the Village increases, the more apt it will be to provide senior housing accommodations.

In addition to the proposed PMU Zone were two additional Focus Areas, the proposed C5 Train Station Mixed Use Zone and the C5T Downtown Mixed Use Transitional Zone.

C5 Train Station Mixed Use Zone

**Figure 17. C5 Train Station Mixed Use Zone**



The proposed C5 Train Station Mixed Use Zone (C5) is recommended to replace the existing PRD Planned Railroad Station Development District Zone. It is also designated as a higher intensity planning zone, helping to focus development in the downtown as stated in the Village's draft *Comprehensive Plan.* The new C5 Zone will help encourage a thriving transit oriented landscape due to its close proximity to the Port Chester Metro North Railroad Station. The C5 Zone will also provide ample opportunities to create a mixed use landscape, allowing residential development and a variety of non-residential uses. Generally speaking, the residential units will be smaller in floorplate size, mostly studios and one-bedrooms. This type of residential development will feature apartment-style living, accepted by double-income-no-kid (DINK) unit types and residents looking for a pedestrian-friendly/walkable environment with easy access to local and regional destinations provided by transit.

Because this zone is likely to improve the conditions surrounding the train station, assessing both the No Action and the Proposed Action were important to demonstrate the difference in maximum build-out potential.

*No Action – Existing C2 Central Business Zone*
Currently, the proposed C5 Zone includes the area directly surrounding and incorporating the Port Chester Metro North Railroad Station. The C5 Zone currently exists as C2 Central Business zoning. The existing C2 Zone has an FAR of 3.2.

*Build-Out Results - Existing C2 Central Business Zone*
Applying the existing zoning regulations as the No Action setting results in a maximum residential build-out potential (above existing dwelling units) of 126 dwelling units. Using the aforementioned residential unit breakdown methodology, the 126 dwelling units would likely be broken down into 38 studios, 63 one-bedroom units and 25 two-bedroom units. In addition to a maximum total of 126 dwelling units, approximately 827,491 square feet of non-residential space is possible under the existing regulations (See Appendix B, Tables 4 and 7).

*Proposed Action – C5 Train Station Mixed Use Zone*
The proposed C5 Zone includes the area directly surrounding and incorporating the Port Chester Metro North Railroad Station. The C5 Zone allows by right an FAR of 4.0 (bonusable to 4.5) to help induce transit-oriented development.

*Build-Out Results - C5 Train Station Mixed Use Zone*
Under the Proposed Action, applying the proposed C5 zoning regulations to the area allow for a maximum build-out potential of 236 units. These units follow a similar configuration to the No Action scenario. The bedroom unit breakdown for the Proposed Action includes 71 studios, 118 one-bedroom units, and 47 two-bedroom units (See Appendix B, Tables 4 and 7). These units will cater to clientele looking for featured apartment-style living in an area that is walkable and accessible to transit options. Additionally, a maximum build-out of 849,880 square feet of non-residential space is possible. The types of uses fitted for this space will help promote a lively activity space, encouraging economic and pedestrian activity throughout the day.

*Conclusion*
Between the No Action and the Proposed Action settings, a maximum increase of 110 residential dwelling units is possible. The increase in non-residential space is approximately 22,000 square feet. Both scenarios generate fewer dwelling units than all of the scenarios listed under the proposed PMU Zone. By and large, the Proposed Action for the C5 Zone will likely generate fewer transportation, infrastructure, and school district impacts than those associated with the Proposed Action for the PMU Zone. Lastly, the C5T Downtown Mixed Use Transitional Zone was assessed to understand the maximum build-out potential of this new, proposed zone.

C5T Downtown Mixed Use Transitional Zone

**Figure 18. C5T Downtown Mixed Use Transitional Zone**

The Proposed Action for the C5T Downtown Mixed Use Transitional Zone (C5T) includes zoning regulations permitting supportive regulations to the adjacent C5 Zone[27]. The C5T Zone is similar in character to the proposed C5 Zone, allowing a mix of uses and accessibility to the Port Chester Metro North Railroad Station. Anticipated residential units will reflect those conditions outlined in the C5 Zone: more compact, commuter-friendly apartment units.

*No Action – C2 Central Business Zone*
The No Action setting for this scenario includes the existing zoning regulations for the C2 Central Business Zone (C2). The FAR regulation for the C2 Zone is 3.2, and the zoning does not amply provide residential opportunities.

*Build-Out Results - C2 Central Business Zone*
Assessing the maximum build-out potential for residential and non-residential space for the existing C2 zoning results in 31 residential units and approximately 207,305 square feet of non-residential space. These 31 residential units were assessed to reflect existing C2 Zone characteristics. As such, the bedroom breakout for the No Action scenario includes 9 studios, 16 one-bedroom units, and 6 two-bedroom units. Even under a No Action setting, the overall impact of 31 residential units and about 200,000

[27] For additional commentary, referrer to the Visual Impacts section of this DGEIS.

square feet of non-residential space would not pose adverse impacts to the School District or the infrastructure and transportation systems (See Appendix B, Tables 5 and 7).

*Proposed Action – C5T Downtown Mixed Use Transitional Zone*
Comparing the existing C2 zoning characteristics with the proposed C5 zoning characteristics demonstrates the purpose of this recommended higher intensity planning zone as outlined in the draft *Comprehensive Plan*. Focusing development in the general downtown vicinity will help spark activity and economic development throughout the area.

*Build-Out Results - C5T Downtown Mixed Use Transitional Zone*
The build-out results for the proposed C5T Downtown Mixed Use Transitional Zone (C5T) include a maximum of 41 dwelling units and a maximum of approximately 254,226 square feet of non-residential space. The types of non-residential uses will reflect similar conditions as the proposed C5 Zone, including restaurants and retail opportunities (See Appendix B, Tables 5 and 7).

*Conclusion*
The proposed C5T Zone will provide complementary zoning to the adjacent C5 Zone in an attempt to revitalize downtown uses and provide a pedestrian-friendly landscape. The difference in maximum build-out potential for both residential and non-residential uses does not vary significantly between the No Action and the Proposed Action scenarios. In total, the number of dwelling units increased by 10 and the non-residential space increased by approximately 50,000 square feet. Overall, the C5T Zone, in conjunction with the C5 Zone, will provide focused residential development and economic opportunities for the Village of Port Chester.

### *3.1.3 Village-Wide Assessment*

Methodology
The Build-Out Analysis demonstrates the maximum build-out potential of both No Action and Proposed Action settings. Comparing the results of a No Action setting to a Proposed Action setting for both the Village-wide Assessment and the Focus Areas Assessment portrays the overall development impacts associated with the Proposed Action.

To begin, a handful of assumptions were factored into the Build-Out Analysis. Determining the maximum build-out potential throughout the various assessments keeps the methodology congruent. Furthermore, applying the *maximum* build-out potential showcases the highest amount of development possible under existing and

proposed zoning regulations[28]. Other built-in assumptions include using an average dwelling unit size of 700 square feet for all residential scenarios, including both unrestricted residential units and senior housing units. These unit sizes reflect typical square footages of low-impact, mixed-use development profiles. Additionally, a 90 percent efficiency factor was applied to all dwelling unit calculations[29].

Results

The main goal of the Village-wide Assessment is to determine the net number of units resulting from the Proposed Action compared between the 'upzoned' and 'downzoned' areas. First, it was necessary to determine the maximum number of dwelling units possible under a No Action setting (existing zoning regulations) for both the 'upzoned' and 'downzoned' areas. Once complete, the Build-Out Analysis determined the maximum number of dwelling units possible under the Proposed Action (proposed zoning regulations) for both 'upzoned' and 'downzoned' areas. Once complete, the result was the maximum net potential change between a No Action and Proposed Action setting for both 'upzoned' and 'downzoned' areas. Table 19 below reveals the net potential decrease in dwelling units as a result of the Proposed Action for the 'upzoned' areas.

**Table 19. Upzoned Areas - Total Net Potential Decrease in Dwelling Units**

| Rezoned Area | Existing Zone – Dwelling Units Yielded | Proposed Zone – Dwelling Units Yielded | Maximum Net Potential Dwelling Unit Decrease |
|---|---|---|---|
| Riverdale Ave. | 193 | 96 | 96 |
| Mortimer St. | 37 | 19 | 18 |
| Poningo St. | 798 | 239 | 559 |
| Irving Ave. | 105 | 53 | 52 |
| Drew St. | 95 | 28 | 65 |
| | | *Total Dwelling Units* | 791 |
| | | ***Dwelling Units at 90% Efficiency*** | **712** |

[28] For all intents and purposes of this Build-Out Analysis, special exceptions, non-conforming uses and variances were not incorporated among the scenarios assessed due to the uncertainty to which they would be granted. Also, a large number of non-conforming uses exists in the Village but were not accounted for, nor included in this Build-Out Analysis.

[29] The 90% efficiency factor demonstrates that 10% of the land was attributed to other uses, such as common space, streets and utilities.

In total, a net reduction of 712 dwelling units is the result of the Proposed Action compared with a No Action setting. This reduction in dwelling units will help minimize the adverse impacts associated with traffic and infrastructure.

Assessing the 'downzoned' areas concluded in Table 20 below.

**Table 20. Downzoned Areas - Total Net Potential Increase in Dwelling Units**

| Rezoned Area | Existing Zone – Dwelling Units Yielded | Proposed Zone – Dwelling Units Yielded | Maximum Net Potential Dwelling Unit Increase |
|---|---|---|---|
| Boston Post Road | 0 | 67 | 67 |
| Proposed PMU Zone | 267 | 480 | 213 |
| Bush & Bulkley Avenues | 0 | 88 | 88 |
| Proposed C5 Zone | 164 | 307 | 143 |
| Proposed C5T Zone | 41 | 53 | 12 |
| | | *Total Dwelling Units* | 523 |
| | | ***Dwelling Units at 90% Efficiency*** | **470** |

In total, a net increase of 470 dwellings units is possible under maximum build-out conditions when assessed at 90 percent efficiency. Comparing the 'upzoned' dwelling unit net reduction with the 'downzoned' dwelling unit net increase, 242 *fewer* dwelling units are generated under the Proposed Action on a Village-wide basis. This reduction in dwelling units bears positive impacts to the school district, with less children to accommodate; traffic congestion will likely be less by way of fewer dwelling units; and impacts to the sewer and water systems will be less. For a complete review of impacts associated with the Proposed Action, refer to Section 3.2.

## 3.2 Impact Analysis

### *3.2.1 Impact Analysis Overview*

For the build-out analysis, there were five impact analysis that were conducted to analyze how the No Action and Proposed Action would impact the Village of Port Chester. The five different impacts that were analyzed for the Village were infrastructure impacts, traffic impacts, visual impacts, fiscal impacts and natural resources impacts.

### *3.2.2 Infrastructure Impact Analysis*

In order to fully understand the impacts of future development and to evaluate the viability of the Proposed Action, it is important to analyze critical infrastructure such as water supply and wastewater systems. Although the zoning changes proposed in the Village's draft *Comprehensive Plan* may potentially result in an overall decrease in density in Port Chester, these changes will redistribute densities to specific higher intensity planning zones as outlined by the Village in the draft *Comprehensive Plan*. As a result, zones of increased densities will put a greater demand on the infrastructure in these specific, localized areas. Conversely, areas designated as lower intensity planning zones will help to decrease localized density and will not adversely impact the capacities of the infrastructure in these areas.

This Infrastructure Analysis will focus on three zones in particular where densities have the potential of being increased: 1. United Hospital Site/ Proposed Mixed Use Zone (PMU) , 2. Train Station Mixed Use Zone (C5) and 3.Downtown Mixed Use Transitional Zone (C5T)[30].

#### 1. Proposed Mixed Use Zone (PMU) (former United Hospital site)

The former United Hospital site is currently zoned as R2FTwo-Family, allowing both single and two-family homes. This area, as previously occupied as a hospital, according to Aquarion Water Company records, consumed an average of 115,700 gallons per day

[30] For the purposes of this analysis, "0BR" (studio) will represent one person, "1BR" will represent two people, "2BR" will represent three people and "3BR" will represent five people. Residential water consumption and wastewater contribution is calculated by estimating 100 gallons/person/day of consumption/contribution. Generalized Commercial water consumption and wastewater contribution is calculated by estimating 0.10 gallons/square foot/day, not including food service establishments. The water consumption estimate factor is based on a 1984 New York State Department of Environmental Conservation set of guidelines (co-authored by Dolph Rotfeld, PE, BCEE) of design Standards Waste Treatment Works for Industrial and Commercial Sewage Facilities. These values are currently used by the Westchester County Department of Health.

of water in 2004 while contributing close to the same to the wastewater system. Peak flow rate at that time is estimated at 214 gallons/minute (308,000 gallons/day).

*Existing R2F Zoning*
The maximum build-out potential under existing R2F zoning for the proposed PMU Zone results in a total of 240 dwelling units broken down into 120 two-bedroom units and 120 three-bedroom units. This breakdown corresponds to 960 total people. At 100 gallons per person per day and no commercial space, this build-out scenario yields the consumption of 96,000 gallons of water per day while contributing close to the same amount to the wastewater system. Peak flow rate would be about 355 gallons/minute (512,000 gallons/day).

*PMU Scenario*
Under the PMU Scenario, the maximum build-out potential results in 260 dwelling units, comprised of 78 studios, 130 one-bedroom units and 52 two-bedroom units. This breakdown corresponds to 494 total people with a resulting flow of 49,400 gallons/day. In the PMU Scenario, the 336,263 square feet of generalized commercial space added to this area would consume a total of 83,026 gallons of water per day while generating close to the same to the wastewater system. The estimated peak flow rate would be from the residential use and be about 180 gallons/minute (263,000 gallons/day).

*PMU– Maximum Residential Scenario*
Under the PMU - Maximum Residential scenario, the maximum build-out potential results in 432 total dwelling units, consisting of 130 studios, 216 one-bedroom units and 86 two-bedroom units. This breakdown corresponds to 820 total people; with a resulting flow of 82,000 gallons/day. In the PMU - Maximum Residential scenario, the 336,263 square feet of generalized commercial space added would generate a total of 115,626 gallons of water per day while generating close to the same to the wastewater system. The estimated peak flow rate would be from the residential use and be about 430 gallons/minute (620,000 gallons/day).

*PMU– Increased Overall Density Scenario*
Under the PMU - Increased Overall Density scenario, the maximum build-out potential results in820 total dwelling units, consisting of 41 studios, 394 one-bedroom units and 385 two-bedroom units. This breakdown corresponds to 1,984 total people with a resulting flow of 198,400 gallons/day. With 20,000 square feet of generalized commercial space added to this scenario, this area would consume a total of 200,400 gallons of water per day while generating close to the same to the wastewater system. The estimated peak flow rate would be from the residential use and be about 740 gallons/minute (1,070,000 gallons/day).

Proposed PMU Planned Mixed Use Zone Impacts

Wastewater from the entire proposed PMU Zone will be conveyed to the County-owned Port Chester Wastewater Treatment Plant via the existing sanitary sewer main on Boston Post Road (Route 1). This sanitary sewer main is primarily clay pipe, varying in diameter from 8" to 15" until it reaches Slater Street where it increases to an 18" diameter pipe. This stretch of main is generally in poor condition, and several sections have had to be repaired in the past two years in addition to a major section of main replacement which was completed eight years ago. This section of sanitary sewer main is continuously subject to frequent clogging as a result of its age and the poor condition of joints between pipe sections. Any increase in development over the existing load that the PMU scenarios contribute to the sanitary sewer main in Boston Post Road will have an adverse impact on the existing main. Logically, the greater the increase in dwelling units, the greater the impact will be on the main.

Table 21 below demonstrates the water flow rate, the wastewater flow rate and the estimated peak flow rate for each of the four scenarios assessed for the Proposed PMU Planned Mixed Use Zone.

**Table 21. Infrastructure Impacts - Proposed PMU Planned Mixed Use Zone**

| | Scenario | Water Flow (gallons/day) | Wastewater Flow (gallons/day) | Estimated Peak Flow Rate (gallons/minute) |
|---|---|---|---|---|
| **Proposed PMU Zone (former United Hospital site)** | *No Action (Existing R2F Zoning)* | 96,000 (residential) | ~ 96,000 (residential) | 355 (residential) |
| | *PMU* | 49,400 (residential)<br>83,026 (non-residential) | ~ 49,400 (residential)<br>~ 83,026 (non-residential) | 180 (residential) |
| | *PMU – Max. Residential* | 82,000 (residential)<br>115,626 (non-residential) | ~ 82,000 (residential)<br>~ 115,626 (non-residential) | 430 (residential) |
| | *PMU – Increased Overall Density* | 198,400 (residential)<br>200,400 (non-residential) | ~ 198,400 (residential)<br>~ 200,400 (non-residential) | 740 (residential) |

Proposed PMU Planned Mixed Use Zone Mitigation Measures

*Sanitary Sewer*

Due to the aforementioned impacts described above, replacement of the sanitary sewer main with a newer, larger diameter pipe would offset these impacts as a feasible mitigation measure. Specifically, reconstruction of 2,900 lineal feet of sanitary sewer main from High Street to Slater Street would be required. The precise increase in main

diameter would depend on the number of new units that would be planned for this zone.

*Water Supply*

Regarding water supply, the reinforcement of the existing system would be required to accommodate any of the increased density scenarios. Specifically, the water distribution system would need to be supported with a new loop from South Regent Street, Touraine Avenue and Grandview Avenue through the site to Boston Post Road (US Route 1). The possibility exists that storage and pumping may be required at the site.

*Stormwater*

Development of the site will require a Stormwater Water Pollution Prevention Plan (SWPPP) as dictated by the U.S. Environmental Protection Agency. A SWPPP ensures the minimization of negative impacts caused by offsite stormwater discharges to the environment. Onsite stormwater detention and water quality treatment systems will have to be constructed, and improvements to the current off-site piping system may also be required. The SWPPP will have to provide the details for all improvements.

*Solid Waste*

With regard to solid waste, all of the described PMU scenarios will require municipal garbage pick-up twice a week for the residential components. At a rate of one (1) ton per person per year in all scenarios, the Village will need at least one (1) additional new 31-cubic yard packer truck or possibly two trucks. In the PMU Increased Overall Density scenario, at least two (2) additional 31 cubic yard packer trucks will be needed. Depending on the manufacturer, this type of truck would cost from $225,000 to $250,000.

## 2. Proposed Train Station Mixed Use Zone (C5)

The proposed C5 Zone is currently zoned as C2 Central Business Zone. This area, as currently developed, has not caused any problems with water supply or sanitary sewage disposal. Its density, as currently constituted, is likely considerably less than either of the two following options.

*Existing C2 Central Business Zoning Scenario*

The maximum build-out potential under the existing C2 Zoning scenario results in126 dwelling units broken down into 38 studios, 63 one-bedroom units and 25 two-bedroom units. This breakdown corresponds to 239 total people, resulting in a flow of 23,900 gallons/day at 100 gallons per person per day in addition to 827,491 square feet of generalized commercial space. The maximum build-out potential of this area under the existing C2 Zoning scenario would consume 106,649 gallons of water per day while generating close to the same to the wastewater system. Peak flow rate at that time is estimated at 89 gallons/minute (128,160 gallons/day).

*Proposed C5 Zoning*
Under the Proposed C5 Zoning scenario, there would be a maximum build-out potential of 236 total dwelling units, consisting of 71 studios, 118 one-bedroom units and 47 two-bedroom units. This breakdown corresponds to 448 total people with a resulting flow of 44,800 gallons/day. With a total of 849,880 square feet of generalized commercial space in this scenario, this area would consume 129,788 gallons of water per day while generating close to the same to the wastewater system. Peak flow rate at that time is estimated at 166 gallons/minute (239,040 gallons/day).

C5 Train Station Mixed Use Zone Impacts

Outlined in Table 22 below is a breakdown of the two scenarios assessed for the proposed C5 zone in terms of water flow, wastewater flow and the estimated peak flow.

**Table 22. Infrastructure Impacts - Proposed C5 Train Station Mixed Use Zone**

| | **Scenario** | **Water Flow (gallons/day)** | **Wastewater Flow (gallons/day)** | **Estimated Peak Flow Rate (gallons/minute)** |
|---|---|---|---|---|
| **Proposed C5 Train Station Mixed Use Zone** | *No Action (Existing C2 Zoning)* | 23,900 (residential)<br>82,749 (non-residential) | ~ 23,900 (residential)<br>~ 82,749 (non-residential) | 89 (residential)<br>229 (non-residential) |
| | *Proposed Action (Proposed C5 Zoning)* | 44,800 (residential)<br>129,788 (non-residential) | ~ 44,800 (residential)<br>~ 129,788 (non-residential) | 166 (residential)<br>360 (non-residential) |

Table 22 above indicates that there will be an increase in both water and wastewater flow rates for the Proposed Action/proposed zoning scenario compared with the No Action/existing zoning scenario.

Overall, the wastewater system in the vicinity of the proposed C5 Zone is among the oldest in the Village of Port Chester and is in relatively poor condition. Much of this area is served by the sanitary sewer main on King Street and the system immediately downstream of King Street. The ongoing detailed investigation of Inflow and Infiltration of stormwater into the sanitary system by Dolph Rotfeld Engineering has resulted in the increased capacity and integrity of the existing sanitary sewer system in this area.

C5 Train Station Mixed Use Zone Mitigation Measures

However, development from either a No Action/existing zoning or a Proposed Action/proposed zoning would require the reconstruction of the existing sanitary sewer main on King Street, as this is the main line that collects and conveys wastewater from this area and is undersized for this degree of density. Reconstruction of the sanitary sewer main would cost approximately between $200,000 and $225,000.

*Water Supply*
The existing water supply system in this area would not be adversely impacted, as it is adequate to accommodate this level of increased development. No mitigation measures are necessary.

*Stormwater System*
The only mitigation measure associated with the proposed C5 Zoning scenario includes the upgrading of the stormwater system on Broad Street and King Street to accommodate future development.

### 3. Proposed Downtown Mixed Use Transitional Zone (C5T)

The proposed C5T Zone lies within the existing C2 Central Business Zone and the C4 General Commercial Zone. This area, as currently developed and occupied, has not caused any problem to the water distribution or sanitary sewer collection system.

*Existing C2 Central Business Scenario*
The maximum build-out potential under existing C2 zoning results in 31 dwelling units broken down into 9 studios, 16 one-bedroom units and 6 two-bedroom units. This breakdown corresponds to 59 total people with a flow of 5,900 gallons/day at 100 gallons per person per day. With 207,305 square feet of generalized commercial space, the maximum build-out potential of this area under the existing zoning would consume 26,631 gallons of water per day while generating close to the same to the wastewater system. Peak flow rate at that time is estimated at 21 gallons/minute (30,240 gallons/day).

*Proposed C5T Downtown Mixed Use Transitional Zone*
Under the proposed C5T Zoning, there would be a maximum build-out potential of 41 total dwelling units, consisting of 12 studios, 21 one-bedroom units and 8 two-bedroom units. This breakdown corresponds to 78 total people with a flow of 7,800 gallons/day at 100 gal per person per day. The Proposed Action also includes the addition of 254,226 square feet of generalized commercial space, resulting in the consumption of a total of 33,223 gallons of water per day while generating close to the same to the wastewater system. Peak flow rate at that time is estimated at 28 gallons/minute (40,320 gallons/day).

<u>Proposed C5T Zone Impacts</u>

Based on the relatively slight increase in density proposed for the C5T Zoning scenario, the wastewater and water supply systems in this area would not be adversely impacted, as they are adequate to accommodate this level of increased development (see Table 23 below).

**Table 23. Infrastructure Impacts - Proposed C5T Downtown Mixed Use Transitional Zone**

| | Scenario | Water Flow (gallons/day) | Wastewater Flow (gallons/day) | Estimated Peak Flow Rate (gallons/minute) |
|---|---|---|---|---|
| **Proposed C5T Train Station Mixed Use Zone** | *No Action (Existing C2 Zoning)* | 5,900 (residential)<br>26,631 (non-residential) | ~ 5,900 (residential)<br>~ 26,631 (non-residential) | 21 (residential)<br>74 (non-residential) |
| | *Proposed Action (Proposed C5T Zoning)* | 7,800 (residential)<br>33,223 (non-residential) | ~ 7,800 (residential)<br>~ 33,223 (non-residential) | 28 (residential)<br>92 (non-residential) |

Proposed C5T Zone Mitigation Measures

In either of the two scenarios assessed for the C5T Zone, a stormwater collection system will have to be installed as the mitigation measure in South Main Street for any new construction. There currently is no stormwater piping in South Main Street near Westchester Avenue. To install some piping and catch basins would approximately cost between $120,000 and $130,000.

### *3.2.3 Traffic Impact Analysis*

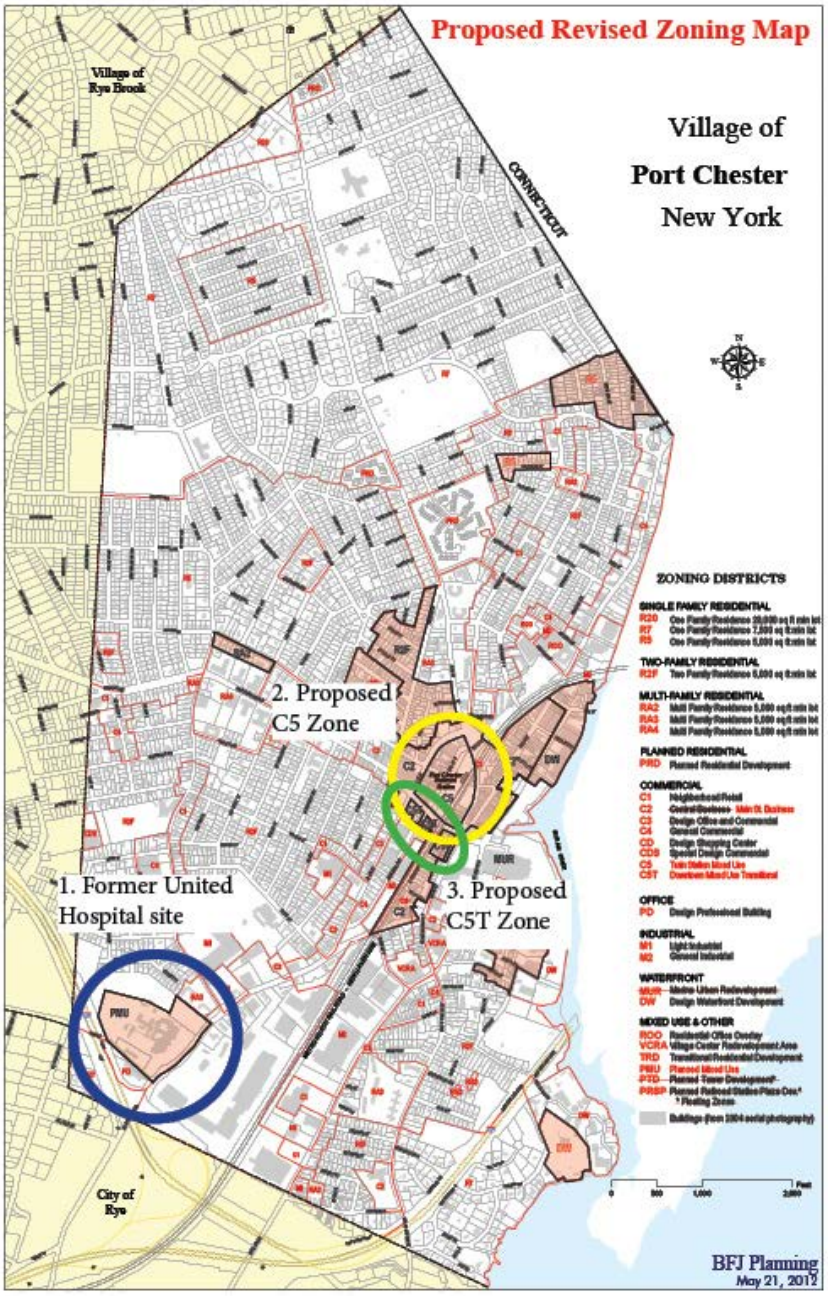
The Village of Port Chester has designated specific areas as higher intensity planning zones in its draft *Comprehensive Plan.* These planning zone areas consist of redefining some of the existing zoning district boundaries and adding new zoning districts. The proposed zones are described as follows:

- A new Planned Mixed Use (PMU) Zone at the former United Hospital site.
- Redefining the C2 Business District Zone into two new zones:
    - C5 Train Station Mixed Use Zone (C5 Zone)
    - C5T Downtown Mixed Use Transitional Zone (C5T Zone)

Specific zoning scenarios have been developed for the proposed PMU Zone, the C5 Zone, and the C5T Zone (as shown in Figure 19). Collectively, these zones are designated as the three Focus Areas. In total, eight zoning scenarios were assessed and include a mix of residential and non-residential (commercial) uses.

The future assessment conducted evaluates the No Action and Proposed Action condition. A comparison of the No Action with Proposed Action conditions reveals the impacts directly related to the proposed zoning and helps define where mitigation is necessary. The No Action condition describes the maximum build-out potential for the proposed zones under the existing zoning regulations. The Proposed Action condition describes the maximum build-out potential for the proposed zones applying the proposed zoning regulations.

**Figure 19. Proposed Revised Rezoning Map**




To understand the traffic impacts resulting from the proposed eight scenarios, it is important to compare the estimated vehicle trips that would be generated by the No Action (existing zoning) condition with the Proposed Action (proposed zoning) condition. The standard method used to estimate the volume of traffic to be generated by a particular development is to use data provided by the Institute of Transportation Engineers in a publication titled, *Trip Generation, 8th Edition*. This method was applied to estimate trips during the morning (7 AM – 9 AM) and afternoon (4 PM – 6 PM) peak

hours during a typical weekday. The resulting difference will determine the net new trips that will be generated by the proposed zoning (net new trips = Proposed Action trips – No Action trips).

The Focus Areas consist of residential and non-residential (commercial) uses. For purposes of this evaluation, we make the following assumptions:

- Unrestricted housing units are mid-rise apartments.
- Restricted housing units are senior housing.
- The non-residential uses are primarily retail.
- Internal, pass-by, and transit trips were not considered.

### 1. Proposed Mixed Use Zone (PMU) (former United Hospital site)

The PMU Zone is a newly created zone under the Proposed Action. Four separate scenarios were assessed for this zone and are described below:

- **Existing R2F Zoning** - the maximum build-out potential under existing zoning regulations (R2F Two-Family Residential)
- **PMU Scenario** - proposed mix of residential (restricted and unrestricted) and non-residential uses
- **PMU– Maximum Residential Scenario** – proposed mix of residential (restricted and unrestricted) and non-residential use with the maximum potential for residential use
- **PMU – Increased Overall Density Scenario -** proposed mix of unrestricted residential and non-residential uses with limited potential for non-residential use.

A summary of the analysis and impacts for the proposed PMU Zone is provided below; Table 25 summarizes the estimated trips for each scenario.

*Existing R2F Zoning*
Currently, the proposed PMU Zone is occupied by the former United Hospital[31], and is currently zoned as R2F Two-Family residential.
Existing R2F Zoning Impacts
Under the No Action condition, the maximum build-out potential of residential use is 240 housing units (mid-rise apartments). It is estimated that under the existing R2F zoning, approximately 72 vehicle trips (22 entering, 50 exiting) will be generated during the morning peak hour and 93 vehicle trips (55 entering, 38 exiting) will be generated during the afternoon peak hour.

[31] Using the site as a hospital involved approval of a special exception permit.

*PMU Scenario*
The proposed zoning for the PMU Scenario includes a mix of residential (restricted and unrestricted) and non-residential uses. Under this scenario, there is a maximum build-out potential of 259 housing units and 336,000 square feet of non-residential space.

Planned Mix Use Zone (PMU) Impacts
It is estimated that the proposed PMU scenario will generate approximately 399 vehicle trips (225 entering, 174 exiting) during the morning peak hour and 1,335 vehicle trips (664 entering, 671 exiting) during the afternoon peak hour. This scenario will generate a net addition of 327 vehicle trips (203 entering, 124 exiting) during the morning peak hour and 1,242 vehicle trips (609 entering, 633 exiting) during the afternoon peak hour.

*PMU – Maximum Residential Scenario*
The PMU – Maximum Residential scenario under the Proposed Action includes a mix of residential (restricted and unrestricted) and non-residential uses. Under this scenario, there is a maximum build-out potential of 432 housing units and 336,000 square feet of non-residential space.

PMU – Maximum Residential Scenario Impacts
It is estimated that approximately 422 vehicle trips (234 entering, 188 exiting) during the morning peak hour and 1,363 vehicle trips (681 entering, 682 exiting) during the afternoon peak hour will be generated. This scenario will generate a net addition of 350 vehicle trips (212 entering, 138 exiting) during the morning peak hour and 1,270 vehicle trips (626 entering, 644 exiting) during the afternoon peak hour.

*PMU – Increased Overall Density Scenario*
The PMU – Increased Overall Density scenario under the Proposed Action includes a mix of residential (restricted and unrestricted) and non-residential uses. Under this scenario, the maximum build-out potential is 820 housing units and 20,000 square feet of non-residential space.

PMU – Increased Overall Density Scenario Impacts
It is estimated that approximately 280 vehicle trips (87 entering, 193 exiting) during the morning peak hour and 362 vehicle trips (215 entering, 147 exiting) during the afternoon peak hour will be generated. This scenario will generate a net addition of 208 vehicle trips (65 entering, 143 exiting) during the morning peak hour and 269 vehicle trips (160 entering, 109 exiting) during the afternoon peak hour.

**Table 24. Planned Mixed Use (PMU) Zone Trip Generation Summary**

| | | | AM Peak Hour | | PM Peak Hour | |
|---|---|---|---|---|---|---|
| | Land Use | | Entering | Exiting | Entering | Exiting |
| **No Action** | | | | | | |
| | Housing - Unrestricted | 240 units | 22 | 50 | 55 | 38 |
| ***Total*** | | | ***22*** | ***50*** | ***55*** | ***38*** |
| **PMU Scenario** | | | | | | |
| | Housing - Unrestricted | 173 units | 16 | 36 | 40 | 28 |
| | Housing - Restricted | 86 units | 4 | 7 | 9 | 5 |
| | Non-residential | 336,000 sqft | 205 | 131 | 615 | 638 |
| ***Total*** | | | ***225*** | ***174*** | ***664*** | ***671*** |
| **Net New Trips** | | | **203** | **124** | **609** | **633** |
| **PMU Scenario - Maximum Residential** | | | | | | |
| | Housing - Unrestricted | 173 units | 16 | 36 | 40 | 28 |
| | Housing - Restricted | 259 units | 13 | 21 | 26 | 16 |
| | Non-residential | 336,000 sqft | 205 | 131 | 615 | 638 |
| ***Total*** | | | ***234*** | ***188*** | ***681*** | ***682*** |
| **Net New Trips** | | | **212** | **138** | **626** | **644** |
| **Increased Overall Density** | | | | | | |
| | Housing - Unrestricted | 820 units | 13 | 21 | 26 | 16 |
| | Non-residential | 20,000 sqft | 74 | 172 | 189 | 131 |
| ***Total*** | | | ***87*** | ***193*** | ***215*** | ***147*** |
| **Net New Trips** | | | **65** | **143** | **160** | **109** |

| | | | AM Peak Hour | | PM Peak Hour | |
|---|---|---|---|---|---|---|
| | Land Use | Units | Entering | Exiting | Entering | Exiting |
| **Existing Zoning** | | | | | | |
| | Housing - Unrestricted | 240 | 22 | 50 | 55 | 38 |
| ***Total*** | | | ***22*** | ***50*** | ***55*** | ***38*** |
| **PMU Scenario** | | | | | | |
| | Housing - Unrestricted | 173 | 16 | 36 | 40 | 28 |
| | Housing - Restricted | 86 | 4 | 7 | 9 | 5 |
| | Non-residential | 336,000 | 205 | 131 | 615 | 638 |
| ***Total*** | | | ***225*** | ***174*** | ***664*** | ***671*** |
| **Net New Trips** | | | **203** | **124** | **609** | **633** |
| **PMU Scenario - Maximum Residential** | | | | | | |
| | Housing - Unrestricted | 173 | 16 | 36 | 40 | 28 |
| | Housing - Restricted | 259 | 13 | 21 | 26 | 16 |
| | Non-residential | 336,000 | 205 | 131 | 615 | 638 |
| ***Total*** | | | ***234*** | ***188*** | ***681*** | ***682*** |
| **Net New Trips** | | | **212** | **138** | **626** | **644** |
| **Increased Overall Density** | | | | | | |
| | Housing - Unrestricted | 820 | 13 | 21 | 26 | 16 |
| | Non-residential | 20,000 | 74 | 172 | 189 | 131 |
| ***Total*** | | | ***87*** | ***193*** | ***215*** | ***147*** |
| **Net New Trips** | | | **65** | **143** | **160** | **109** |

Note: sqft - square feet

## 2. Proposed Train Station Mixed Use Zone (C5)

A summary of the analysis and impacts for the proposed C5 Zone is provided below; Table 25 summarizes the estimated trips for each scenario.

*No Action*
The proposed C5 Train Station Mixed Use Zone is in an area currently zoned as C2 Central Business Zoning (C2). Under the No Action condition, a maximum build-out potential of 126 housing units (mid-rise apartments) and approximately 827,000 square feet of non-residential is possible. It is estimated that under existing zoning approximately 863 vehicle trips (515 entering, 348 exiting) will be generated during the morning peak hour and 3,130 vehicle trips (1,541 entering, 1,589 exiting) during the afternoon peak hour.

*Proposed Action - Mixed Use Zoning*
The proposed mixed-use zoning for the C5 Zone allows a maximum build-out potential of 236 unrestricted residential units mixed with approximately 850,000 square feet of non-residential space.

C5 Train Station Mixed Use Zone (C5) Impacts
The Proposed Action will generate approximately 922 vehicle trips (540 entering, 382 exiting) during the morning peak hour and 3,263 vehicle trips (1,610 entering, 1,653 exiting) during the afternoon peak hour. This scenario will generate a net addition of 59 vehicle trips (25 entering, 34 exiting) during the morning peak hour and 133 vehicle trips (69 entering, 64 exiting) during the afternoon peak hour.

**Table 25. C5 Train Station Mixed Use Zone Trip Generation Summary**

| | | | AM Peak Hour | | PM Peak Hour | |
|---|---|---|---|---|---|---|
| | Land Use | Units | Entering | Exiting | Entering | Exiting |
| **Existing Zoning** | | | | | | |
| | Housing - Unrestricted | 126 | 11 | 26 | 29 | 20 |
| | Non-residential | 827,000 | 504 | 322 | 1,512 | 1,569 |
| ***Total*** | | | ***515*** | ***348*** | ***1,541*** | ***1,589*** |
| **Proposed Zoning** | | | | | | |
| | Housing - Unrestricted | 236 | 21 | 50 | 54 | 38 |
| | Non-residential | 850,000 | 519 | 332 | 1,556 | 1,615 |
| ***Total*** | | | ***540*** | ***382*** | ***1,610*** | ***1,653*** |
| **Net New Trips** | | | **25** | **34** | **69** | **64** |

| | | | AM Peak Hour | | PM Peak Hour | |
|---|---|---|---|---|---|---|
| | Land Use | | Entering | Exiting | Entering | Exiting |
| **No Action** | | | | | | |
| | Housing - Unrestricted | 126 units | 11 | 26 | 29 | 20 |
| | Non-residential | 827,000 sqft | 504 | 322 | 1,512 | 1,569 |
| ***Total*** | | | ***515*** | ***348*** | ***1,541*** | ***1,589*** |
| **Proposed Action** | | | | | | |
| | Housing - Unrestricted | 236 units | 21 | 50 | 54 | 38 |
| | Non-residential | 850,000 sqft | 519 | 332 | 1,556 | 1,615 |
| ***Total*** | | | ***540*** | ***382*** | ***1,610*** | ***1,653*** |
| **Net New Trips** | | | **25** | **34** | **69** | **64** |

Note: sqft - square feet

## 3. Proposed Downtown Mixed Use Transitional Zone (C5T)

A summary of the analysis and impacts for the proposed C5T Zone is provided below; Table 26 summarizes the estimated trips for each scenario.

*No Action*
Under the existing C2 Central Business Zoning applied to the proposed C5T Zone, a maximum build-out potential of 31 housing units (mid-rise apartments) and approximately 207,000 square feet of non-residential space is possible. It is estimated that existing zoning in the proposed C5T Zone will generate approximately 217 vehicle trips (129 entering, 88 exiting) during the morning peak hour and 784 vehicle trips (386 entering, 398 exiting) during the afternoon peak hour.

*Proposed Action – Transitional Zoning*
The proposed zoning for the C5T zone results in a maximum build-out potential of 41 unrestricted residential units and approximately 254,000 square feet of non-residential uses.

C5T Downtown Mixed Use Transitional Zone (C5T) Impacts

The Proposed Action will generate approximately 267 vehicle trips (159 entering, 108 exiting) during the morning peak hour and 964 vehicle trips (474 entering, 490 exiting) during the afternoon peak hour. The Proposed Action will also generate a net addition of 50 vehicle trips (30 entering, 20 exiting) during the morning peak hour and 180 vehicle trips (88 entering, 92 exiting) during the afternoon peak hour.

**Table 26. C5T Downtown Mixed Use Transitional Zone Trip Generation Summary**

| | | | AM Peak Hour | | PM Peak Hour | |
|---|---|---|---|---|---|---|
| | Land Use | | Entering | Exiting | Entering | Exiting |
| **No Action** | | | | | | |
| | Housing - Unrestricted | 31 units | 3 | 7 | 7 | 5 |
| | Non-residential | 207,000 sqft | 126 | 81 | 379 | 393 |
| ***Total*** | | | ***129*** | ***88*** | ***386*** | ***398*** |
| **Proposed Action** | | | | | | |
| | Housing - Unrestricted | 41 units | 4 | 9 | 9 | 7 |
| | Non-residential | 254,000 sqft | 155 | 99 | 465 | 483 |
| ***Total*** | | | ***159*** | ***108*** | ***474*** | ***490*** |
| **Net New Trips** | | | **30** | **20** | **88** | **92** |
| | | | AM Peak Hour | | PM Peak Hour | |
| | Land Use | Units | Entering | Exiting | Entering | Exiting |
| **Existing Zoning** | | | | | | |
| | Housing - Unrestricted | 31 | 3 | 7 | 7 | 5 |
| | Non-residential | 207,000 | 126 | 81 | 379 | 393 |
| ***Total*** | | | ***129*** | ***88*** | ***386*** | ***398*** |
| **Proposed Zoning** | | | | | | |
| | Housing - Unrestricted | 41 | 4 | 9 | 9 | 7 |
| | Non-residential | 254,000 | 155 | 99 | 465 | 483 |
| ***Total*** | | | ***159*** | ***108*** | ***474*** | ***490*** |
| **Net New Trips** | | | **30** | **20** | **88** | **92** |

Note: sqft - square feet

## Village-Wide Assessment

The Village-wide Assessment evaluates the maximum build-out changes between the existing and proposed zoning regulations in the 'upzoned' areas. Similarly, the Village-wide Assessment considers the maximum build-out changes between the existing and proposed zoning regulations in the 'downzoned' areas. The net results from the 'upzoned' and 'downzoned' areas are described below, respectively and are summarized in Table 28.

*Proposed Action - Upzoned Areas*

In assessing the proposed zoning changes as they relate to the Village as a whole, there will be an overall reduction of 712 residential units for the proposed 'upzoned' areas.

*Impacts*
The Proposed Action for the 'upzoned' areas will reduce the travel demand in the Village by approximately 214 vehicle trips (64 entering, 150 exiting) during the morning peak hour and by approximately 278 vehicle trips (164 entering, 114 exiting) during the afternoon peak hour.

*Proposed Action - Downzoned Areas*
The Proposed Action for the 'downzoned' areas results in an increase of 470 unrestricted residential units and 554,000 square feet of non-residential use.

Village-Wide Assessment Impacts
The Proposed Action for the 'downzoned areas' will result in an increase of approximately 695 vehicle trips (380 entering, 315 exiting) during the morning peak hour and 2,249 vehicle trips (1,122 entering, 1,127 exiting) during the afternoon peak hour.

**Table 27. Village Wide Trip Generation Summary**

| | | | AM Peak Hour | | PM Peak Hour | |
|---|---|---|---|---|---|---|
| | Land Use | | Entering | Exiting | Entering | Exiting |
| **'Upzoned Areas'** | | | | | | |
| | Housing - Unrestricted | -712 units | -64 | -150 | -164 | -114 |
| ***Total*** | | | ***-64*** | ***-150*** | ***-164*** | ***-114*** |
| **'Downzoned Areas'** | | | | | | |
| | Housing - Unrestricted | 470 | 42 | 99 | 108 | 75 |
| | Non-residential | 554,000 sqft | 338 | 216 | 1,014 | 1,052 |
| ***Total*** | | | ***380*** | ***315*** | ***1,122*** | ***1,127*** |

Note: sqft: square feet

Conclusions & Mitigation Measures
Based on knowledge of the study area, review of previous studies and data, and anticipated trip generation, findings from this evaluation are as follows:

*PMU Planned Mix Use Site (former United Hospital site)*
The Proposed Action affecting the PMU Zone will generate the most new trips under the PMU - Maximum Residential scenario with an estimated 350 additional vehicles to the during the morning peak hour and 1,270 more vehicles during the afternoon peak hour. Mitigation measures necessary to accommodate the increase in vehicular trips on the existing surrounding roadway network include intersection and traffic operational improvements along US Route 1 (Boston Post Road). Roadway geometry

improvements (widening) at the intersections of US Route 1 with High Street, Kohl's Shopping Center Driveway, and South Regent Drive are also needed to support the Proposed Action, along with signal timing improvements and coordination along US Route 1 from the I-287 interchange to Pearl Street. Additionally, use of the existing site access driveways would need to be improved to accommodate the additional travel demand. The PMU Scenario would generate a similar amount of new trips compared with the PMU -Maximum Residential scenario and would require similar intersection and traffic operational improvements as necessary mitigation measures. Under the PMU – Increased Overall Density scenario, it is anticipated that some signal timing improvements and coordination along the US Route 1 corridor would be required as mitigation measures.

*C5 Zone and C5T Zone*

The Proposed Action for the C5 and C5T Zones will generate less than 60 new trips during the weekday morning peak hour and less than 200 new vehicles trips during the weekday peak hours. Although the increase in travel demand on the roadway network is moderate with the Proposed Action, it is anticipated that the additional demand will further strain an already highly developed and constrained roadway system and environment. The existing physical constraints limit the type of improvements that can be implemented to improve traffic operations, such as widening for additional travel and turn lanes in these zones. Travel demand management strategies for commute and non-commute travel should be considered as mitigation measures to better accommodate the additional travel demand.

*Village-Wide Assessment*

In assessing the mix of uses in the Village as a whole, allowing more residential units and fewer square feet of non-residential uses will help minimize the increase in travel demand. A decrease in non-residential uses will decrease the amount of vehicular activity during the peak periods, particularly the afternoon peak hour, which will have a positive impact on the existing transportation system.

As a result of the zones proposed to be 'upzoned,' it is anticipated that the Proposed Action will decrease the travel demand by approximately 500 vehicular trips (200 trips during the morning peak hour and 300 trips during the afternoon peak hour) and the 'downzoned' areas will increase the travel demand by approximately 2,950 trips (700 trips during the morning peak hour and 2,250 during the afternoon peak hour) throughout the Village.

The existing roadway system in the Village has some capacity to accommodate relatively small amounts of new travel demand but is in need of geometrical and traffic operational improvements along the primary routes to support moderate to significant increases in traffic. In addition to these aforementioned mitigation measures, travel demand management strategies are also needed to support new travel demand in

focused areas where physical constraints limit the ability to add capacity to the roadway system.

### *3.2.4 Visual Impact Analysis*

A visual impact analysis was conducted in order to assess the changes in zone character, concentrating on potential, overall building height changes. This section discusses the visual impacts associated with both the No Action and Proposed Action setting for the three focus areas described previously. Overall, the Proposed Action reduces permitted building heights/stories, indicative of a finding of no significant impact. The Visual Impact results align with the goals and objectives set forth in the draft *Comprehensive Plan.*

#### 1. Proposed Mixed Use Zone (PMU) / Former United Hospital Site

*No Action*
The existing zoning for the former United Hospital site is R2F Two-Family Residential. The visual impacts associated with the No Action setting include buildings that may not exceed two and a half (2.5) stories or thirty-five (35) feet in height. However, the site in its current context contains the former United Hospital buildings with story heights ranging on average from four to six stories. Additionally, there is a twelve (12) story residential building off of High Street that formerly housed United Hospital employees. Under current zoning/No Action setting, a building height of 2.5 stories poses a conflict with the existing physical footprint on the site.

*Proposed Action*
The Proposed Action includes three sub-alternative settings for the former United Hospital site, but the visual impacts can be viewed through the scenario described as 'PMU Scenario'. The PMU Scenario is designed to allow mixed use development patterns that incorporate a variety of commercial, office, community facility and residential land uses. The Proposed Action allows for a maximum building height for hotel uses to be eight (8) stories or eighty-five (85) feet. For mixed use buildings, the maximum height is five (5) stories or fifty-five (55) feet[32].

Comparing the visual impacts of the No Action and the Proposed Action demonstrates an increase in permitted building height - a potential addition of five and a half (5.5) stories at maximum. Compared with the existing R2F Two-Family Residential zoning, the Proposed Action would drastically alter the visual impact on the site. Compared

[32] A maximum building height of eight (8) stories, or eighty-five (85) feet shall be allowable via the Building Height and Floor Area Program (§345-16), subject to approval by the Village Board of Trustees.

with the site's existing context, however, the visual impact would not overburden the site. Increases of two to three stories would not significantly alter the landscape. Overall, the increase in visual and building density aligns with the site's designation as a Higher Intensity Planning Zone in the draft *Comprehensive Plan* in an attempt to preserve Village character in residential areas while strategically permitting density in this location.

## 2. Proposed Train Station Mixed Use Zone (C5)

*No Action*
The Proposed C5 Zone is purposed to redefine the train station into a mixed use and transit-oriented development site to help absorb future residential development pressures. The existing zoning for the Proposed C5 Zone is C2 Central Business. Under existing zoning regulations, the C2 Central Business zone allows a maximum building height of eight (8) stories or seventy (70) feet. The visual impacts associated with the No Action setting are generally consistent with the existing built environment near the Port Chester Metro North Railroad Station. Most buildings near the train station do not exceed five (5) stories. Under current zoning/No Action setting, an increase in building height by a maximum of three (3) stories would not drastically alter the physical landscape.

To note, under existing zoning regulations in the PRSP Planned Railroad Station Plaza Development District floating zone, a building height of two hundred and thirty-five (235) feet on the west side of the train tracks is allowable via special exception. Although this district is marked for removal, the visual impacts associated with a building of this height would certainly prohibit sightlines throughout the train station vicinity. Due to removal of this zone under the Proposed Action, the visual impacts associated with the area would improve visual lines and allow for a more 'open' vertical landscape.

*Proposed Action*
The Proposed Action for the C5 Zone includes adoption of the proposed C5 Train Station Mixed Use zoning. The C5 Train Station Mixed Use regulations include a maximum building height of eight (8) stories or ninety (90) feet[33]. Based on a building height increase of twenty (20) feet (C2 Central Business compared to proposed C5 Train Station Mixed Use), a zone-wide increase in visual and building density for the C5 focus area is negligible. The additional story heights complement the zone's designations as a Higher Intensity Planning Zone in the draft *Comprehensive Plan.* Visually, new development under the proposed C5 zoning will be in concert with typical downtown, mixed use fabrics that enable pedestrian-scaled sight lines.

[33] An additional two (2) stories or thirty (30) feet is possible via the Building Height and Floor Area Program (§345-16) special exception, subject to approval by the Village Board of Trustees.

### 3. Proposed Downtown Mixed Use Transitional Zone (C5T)

*No Action*
The existing zoning for the Proposed C5T Zone is C2 Central Business. Under existing regulations, the C2 Central Business zone allows a maximum building height of eight (8) stories or seventy (70) feet. The proposed C5T Zone is purposed to provide supportive zoning to the area proximate to the train station as the area develops in the future.

The existing physical landscape in the C5T Zone predominantly displays three to four story adjoining building patterns. Under existing zoning/No Action setting, an additional four to five stories are possible in the area. Based on existing zoning regulations, the visual impacts generated by an increase of four to five stories would not greatly affect the area and would remain consistent with the existing physical landscape.

*Proposed Action*
The Proposed Action for the C5T Zone includes zoning regulations permitting supportive regulations to the adjacent C5 Zone. The C5T Zone regulations permit a maximum building height of five (5) stories or sixty (60) feet[34]. Compared to the existing C2 Central Business zoning, the proposed C5T Zone reduces building heights by three stories. This reduction in building height regulations help to provide a 'smooth' transition from the C5 Zone and C5T Zone to the surrounding less dense zones, i.e. C1, C2 and RA3. The downward transition from an eight (8) story building in the C5 Zone to a five (5) story building in the C5T Zone to a three (3) story building in a C4 zone helps retain view sheds and vantage points to the Bryan River waterfront – as opposed to a more undulating, vertical landscape. The visual impacts of the Proposed Action will help retain village-like characteristics desired by the Village of Port Chester and its residents.

[34] An additional one (1) story or ten (10) feet is available via the Building Height and Floor Area Program (§345-16), subject to approval by the Village Board of Trustees.

### *3.2.5 Fiscal Impact Analysis*

An exhaustive assessment of potential economic impacts is neither practical nor required for this GEIS. In-depth financial analyses involving each individual property, which would necessitate numerous assumptions and potentially yield far ranging results, are beyond the scope of analysis required by SEQRA and the content standards of generic environment impact statements. The level of economic discussion for this GEIS is based on the regulatory framework and content requirements of SEQR. Nonetheless, the No Action/existing zoning and the Proposed Action/proposed zoning setting indisputably make recommendations that will have implications for local taxes and spending for both the Village and the Port Chester-Rye Union Free School District.

The Village of Port Chester is contained within the Port Chester-Rye Union Free School District. Similarly, the Village of Port Chester is covered by the Port Chester Police Department and Port Chester Volunteer Fire Department. In addition to covering the Village of Port Chester, the Port Chester Volunteer Fire Department also serves the neighboring Village of Rye Brook.

Because this GEIS assesses both impacts of the Proposed Action for the aforementioned Focus Areas and on a Village-wide basis, it is reasonable to consider those implications in this document at a generic, qualitative level of review. The purpose of this section is solely to assist the Village in making an informed decision with regard to the Proposed Action and the alternatives.

The fiscal impacts analyzed in this GEIS include:

- Tax base
- School district costs
- Municipal services

This GEIS will not examine special district taxes or privately funded municipal services.

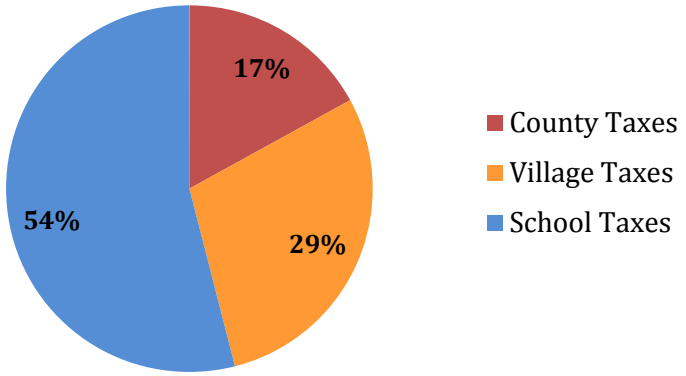
Also, while this analysis notes County taxes, it does not go into detail with respect to the total amount of tax revenues generated, as this analysis is more focused on the tax revenues generated for the Village and the School District.

**Tax Base**

As part of this fiscal impact analysis, total tax revenues were generated for residential and non-residential properties in the three Focus Areas and for a Village-wide Assessment. The tax revenues were broken down by County, Village and school taxes. Of the total tax revenues generated, 54 percent are for school taxes, 29 percent are for Village taxes and 17 percent are for County taxes[35].

[35] Town of Rye, Office of the Tax Receiver, 2012.

**Figure 20. Breakdown of Tax Revenue in the Village of Port Chester**




The total assessed value of all lands and improvements in the Village of Port Chester in 2012 was $8,455,071,775[36]. It should be noted that the assessed value of each property in the Village of Port Chester is equivalent to the market value and, as such, the property tax is assessed on this total value.

This section will discuss school taxes, Village taxes and County taxes generated by residential and non-residential properties.

1. Port Chester-Rye Union Free School District

The largest recipient of property tax revenues in the Village of Port Chester is the Port Chester-Rye Union Free School District. All of the Village of Port Chester is included within the Port Chester-Rye Union Free School District, which also includes a portion of the Village of Rye Brook.

In total, 2011 real property tax revenues sent to the school district were $46,780,143[37]. The property tax rate (homestead rate) for the school district in 2012 is 14.466469 or $14.466469 per $1,000 of assessed property value.

2. Village Government

[36] Village of Port Chester, Assessor and Tax Office website, http://www.portchesterny.com/Pages/Port Chester NY Assessor Tax/index.

[37] Port Chester-Rye Union Free School District, Statement of Revenues, Expenditures and Changes in Fund Balances – Governmental Funds, 2011.

The Village itself is the second largest recipient of property tax revenue, receiving $21,896,467[38], or 29 percent of the total taxes received. The property tax rate for the Village was $7.692493 per $1,000 of assessed value in 2012[39].

3. County Government

Lastly, Westchester County receives the least amount of property tax revenue, which is 17 percent of the total taxes received. The 2012 County homestead tax rate is 44.630494 per $1,000 assessed real property value[40].

Methodology

The amount of tax revenues was generated by obtaining the average assessed value for each scenario observed in the three Focus Areas and in the Village-wide Assessment. Then for the residential properties, this value was divided by 1,000 and multiplied by the tax rate for the County, Village and school district. These numbers were then multiplied by the number of dwelling units generated in each scenario to determine the total tax revenues generated by the residential properties for each. The sum of the County, Village and school tax revenues determined the total taxes generated. For additional explanation, see Appendix B.

## 1. Proposed Mixed Use Zone (PMU) (former United Hospital site)

For the No Action/existing R2F zoning on the former United Hospital Site, the average assessed value for a residential property is $622,435. Using this value, tax revenues were generated and multiplied by the number of dwelling units. This gave an estimate of $3,703,920 total taxes that would be generated by residential properties in the No Action/existing R2F zoning. The estimated total taxes for the three scenarios for the Proposed Action/proposed zoning in this Focus Area were not able to be determined due to the fact that the PMU is a proposed district, and there are no existing residential PMU tax assessments available to help estimate tax revenues. See Table 28 on the next page.

**Table 28. Breakdown of Tax Revenues Generated on Proposed PMU Zone (former United Hospital Site) (Residential Properties Only)**

[38] Village of Port Chester, Treasurer's Office, Village of Port Chester Adopted Budget Fiscal Year June 1, 2012 to May 31, 2013. http://www.portchesterny.com/Pages/PortChesterNY_Treasurer/20122013AdoptedBudget.pdf.

[39] Town of Rye, Office of the Tax Receiver, 2012.

[40] Town of Rye, Office of the Tax Receiver, 2012.

| Scenarios | Dwelling Units | Average Assessed Value | County Taxes* | Village Taxes* | School Taxes* | Total Taxes |
|---|---|---|---|---|---|---|
| **No Action/Existing R2F Zoning** | 240 | $622,435 | $691,680 | $1,149,120 | $1,862,880 | $3,703,920 |
| **PMU Scenario** | 259 | N/A | N/A | N/A | N/A | N/A |
| **PMU Scenario - Max Residential** | 432 | N/A | N/A | N/A | N/A | N/A |
| **Increased Overall Density** | 820 | N/A | N/A | N/A | N/A | N/A |

*Tax Rates-Homestead: County tax rate 4.63, Village tax rate 7.69, School tax rate 14.47.
N/A: Because the PMU is a proposed district, there are no existing residential PMU tax assessments available for this zone.
Source: Town of Rye, Office of the Tax Receiver, 2012, Village of Port Chester, 2012.

For the non-residential properties on the former United Hospital Site, the total assessed value for both No Action/existing R2F zoning and Proposed Action/proposed PMU

zoning for non-residential properties is $23,686,500. Therefore, the tax revenues generated would be the same and there would be no increase or decrease for non-residential properties. See Table 29 below.

**Table 29. Breakdown of Tax Revenues Generated on Proposed PMU Zone (former United Hospital Site) (Non-Residential Properties Only)**

| Scenarios | Total Assessed Value | County Taxes* | Village Taxes* | School Taxes* | Total Taxes |
|---|---|---|---|---|---|
| **No Action/Existing R2F Zoning**** | $23,686,500 | $110,172 | $233,507 | $463,582 | $807,261 |
| **Proposed Action/ Proposed PMU Zoning** | $23,686,500 | $110,172 | $233,507 | $463,582 | $807,261 |
| | | | | **Difference in Total Tax Revenues** | **$ 0** |

*Tax Rates-Non-Homestead: County tax rate 4.65, Village tax rate 9.86, School tax rate 19.57.
**Note: Because the PMU is a proposed district, there are no existing residential PMU tax assessments available for this zone. Since the PMU district is increasing density for residential uses, the non-residential square footage remains the same for No Action and Proposed Action.
Source: Town of Rye, Office of the Tax Receiver, 2012, Village of Port Chester, 2012.

## 2. Proposed Train Station Mixed Use Zone (C5)

For the No Action/existing C2 zoning in the proposed C5 zone, the average assessed value for a residential property is $1,969,533. Using this value, tax revenues were generated and multiplied by the number of dwelling units. This gave an estimate of $6,491,520 in total taxes that would be generated by residential properties in the No Action/Existing C2 zoning. For the Proposed Action/proposed C5 zoning, the average assessed value for a residential property is $370,200. Using this value, tax revenues were generated and estimated to be $2,047,069. See Table 30 below.

**Table 30. Breakdown of Tax Revenues Generated for Proposed C5 Zone (Residential Properties Only)**

| Scenarios | Dwelling Units | Average Assessed Value | County Taxes* | Village Taxes* | School Taxes* | Total Taxes |
|---|---|---|---|---|---|---|
| **No Action/ Existing C2 Zoning** | 126 | $1,969,533 | $1,149,120 | $1,908,900 | $3,433,500 | $6,491,520 |
| **Proposed C5 Zoning** | 236 | $370,200 | $404,504 | $671,897 | $970,668 | $2,047,069 |

*Tax Rates-Homestead: County tax rate 4.63, Village tax rate 7.69, School tax rate 14.47.
Source: Town of Rye, Office of the Tax Receiver, 2012, Village of Port Chester, 2012.

For the non-residential properties for the Proposed C5 zone, the total assessed value for both No Action/existing C2 zoning is $9,968,382. This would generate total tax revenues of $339,733. For the Proposed Action/proposed C5 zoning for non-residential properties the total assessed value is $12,460,480. Therefore, the taxes revenue generated would be $424,666. This would result in a net increase of $84,933 in tax revenues generated.

**Table 31. Breakdown of Tax Revenues Generated for Proposed C5 Zone (Non-Residential Properties Only)**

| Scenarios | Total Assessed Value | County Taxes* | Village Taxes* | School Taxes* | Total Taxes |
|---|---|---|---|---|---|
| **No Action/Existing C2 Zoning** | $9,968,382 | $46,366 | $98,271 | $195,097 | $339,733 |
| **Proposed C5 Zoning** | $12,460,480 | $57,957 | $122,838 | $243,871 | $424,666 |
| | | | | **Difference in Total Tax Revenues** | **$84,933** |

*Tax Rates- Non-Homestead: County tax rate 4.65, Village tax rate 9.86, School tax rate 19.57.
Source: Town of Rye, Office of the Tax Receiver, 2012, Village of Port Chester, 2012.

## 3. Proposed Downtown Mixed Use Transitional Zone (C5T)

For the No Action/existing C2 zoning in the proposed C5T zone, the average assessed value for a residential property is $1,969,533. Using this value, tax revenues were generated and multiplied by the number of dwelling units. This gave an estimate of $1,597,120 in total taxes that would be generated by residential properties in the No Action/Existing C2 zoning. For the Proposed Action/proposed C5 zoning, the average assessed value for a residential property is $258,350. Using this value, tax revenues were generated and estimated to be $232,798.

**Table 32. Breakdown of Tax Revenues Generated for Proposed C5T Zone (Residential Properties Only)**

| Scenarios | Dwelling Units | Average Assessed Value | County Taxes* | Village Taxes* | School Taxes* | Total Taxes |
|---|---|---|---|---|---|---|
| **No Action/Existing C2 Zoning** | 31 | $1,969,533 | $282,720 | $469,650 | $844,750 | $1,597,120 |
| **Proposed C5T Zoning** | 41 | $258,350 | $49,036 | $81,467 | $102,295 | $232,798 |

*Tax Rates-Homestead: County tax rate 4.63, Village tax rate 7.69, School tax rate 14.47.
Source: Town of Rye, Office of the Tax Receiver, 2012, Village of Port Chester, 2012.

For the non-residential properties for the Proposed C5T zone, the total assessed value for both No Action/existing C2 zoning is $9,968,382. This would generate total tax revenues of $339,733. For the Proposed Action/proposed C5T zoning for non-residential properties the total assessed value is $12,460,480. Therefore, the taxes revenue generated would be $424,666. This would result in a net increase of $84,933 in tax revenues generated. See Table 33 below.

**Table 33. Breakdown of Tax Revenues Generated for Proposed C5T Zone (Non-Residential Properties Only)**

| Scenarios | Total Assessed Value | County Taxes* | Village Taxes* | School Taxes* | Total Taxes |
|---|---|---|---|---|---|
| **No Action/Existing C2 Zoning** | $9,968,382 | $46,366 | $98,271 | $195,097 | $339,733 |
| **Proposed C5T Zoning** | $12,460,480 | $57,957 | $122,838 | $243,871 | $424,666 |
| | | | | **Difference in Total Tax Revenues** | **$84,933** |

*Tax Rates- Non-Homestead: County tax rate 4.65, Village tax rate 9.86, School tax rate 19.57.
Source: Town of Rye, Office of the Tax Receiver, 2012, Village of Port Chester, 2012.

## Village-Wide Assessment

Based on the Proposed Action/proposed zoning, the Village-wide Assessment analyzes the areas affecting the Village as a whole that will be 'upzoned' and the areas that will be 'downzoned.' Since the 'upzoned' areas will decrease density, there will be less total tax revenues generated due to the reduction in dwelling units. The average assessed value in the 'upzoned' areas for residential properties is $446,541. The total number of dwelling units in the 'upzoned' areas under the No Action/existing zoning is 1,113. The total taxes generated from these units are $11,933,008. Under the Proposed Action/proposed zoning in the 'upzoned' areas, the total number of dwelling units is much less at 395. Therefore, the total tax revenues are less at $4,235,129. Overall for the 'upzoned' areas, this shows a reduction in total tax revenues of $7,697,879. See Table 34 on the next page.

**Table 34. Breakdown of Tax Revenues Generated for 'Upzoned' Areas (Residential Properties Only)**

| Scenarios | Dwelling Units | Average Assessed Value | County Taxes* | Village Taxes* | School Taxes* | Total Taxes |
|---|---|---|---|---|---|---|
| **No Action/ Existing Zoning** | 1113 | $446,541 | $2,301,547 | $3,823,488 | $5,807,973 | $11,933,008 |
| **Proposed Action/ Proposed Zoning** | 395 | $446,541 | $816,839 | $1,356,989 | $2,061,300 | $4,235,129 |
| | | | | | **Difference in Total Tax Revenues** | **(-)$7,697,879** |

*Tax Rates-Homestead: County tax rate 4.63, Village tax rate 7.69, School tax rate 14.47.
Source: Town of Rye, Office of the Tax Receiver, 2012, Village of Port Chester, 2012.

The second part of the Village-wide Assessment focuses on the 'downzoned' areas based on the Proposed Action/proposed zoning. These areas will encourage mixed use (residential and non-residential uses) and an increase in density which will increase the number of dwelling units and tax revenues. The existing C2 Zone primarily reflects commercial uses. Because this zone and some of the surrounding C3 and C4 parcels are recommended to become the proposed C5 Zone, a commercial-to-residential change results as opposed to the 'No Action/existing zoning' scenario where changes generally reflect a residential-to-residential setting. Overall, the dwelling unit count and assessed values are lower in the 'Proposed Action/proposed zoning' scenario than in the 'No Action/existing zoning' scenario. For additional explanation, see Appendix B.

The average assessed value for residential properties in the 'downzoned' areas is $355,450. For the No Action/existing zoning, the total number of dwelling units is 44, which shows that the total tax revenues for residential properties is $364,334. For the Proposed Action/proposed zoning Village-wide, the total tax revenues are $985,357. Due to the increase in dwelling units for residential properties in the 'downzoned' area, the total revenues would increase by approximately $621,023. See Table 35 on next page.

**Table 35. Breakdown of Tax Revenues Generated for 'Downzoned' Areas (Residential Properties Only)**

| Scenarios | Dwelling Units | Average Assessed Value | County Taxes* | Village Taxes* | School Taxes* | Total Taxes |
|---|---|---|---|---|---|---|
| **No Action/Existing Zoning** | 44** | $355,450 | $72,420 | $120,309 | $171,605 | $364,334 |
| **Proposed Action/Proposed Zoning** | 119 | $355,450 | $195,863 | $325,381 | $464,113 | $985,357 |
| | | | | | **Difference in Total Tax Revenues** | **$621,023** |

*Tax Rates-Homestead: County tax rate 4.63, Village tax rate 7.69, School tax rate 14.47.
**Excludes existing dwelling units in existing M1 zone.
Source: Town of Rye, Office of the Tax Receiver, 2012, Village of Port Chester, 2012.

The table below shows the tax revenues generated for the non-residential properties. The total assessed value for all non-residential properties under the No Action/existing zoning Village-wide Assessment is $9,968,382. This would generate an estimated $339,733 in total tax revenues. For the Proposed Action/proposed zoning Village-wide, the total assessed value for the non-residential properties is $13,083,502. This would generate an estimated $445,900 in tax revenues. The total tax revenues generated would increase by $106,167 in the non-residential 'downzoned' areas. Overall, for the 'downzoned' area for both residential and non-residential properties there would be an increase in total tax revenues of $727,190.

Overall, based on this Village-wide Assessment for the 'upzoned' and 'downzoned' areas there will be a net decrease in total tax revenues of $6,970,689. This decrease reflects the Proposed Action/existing zoning, as overall, the Village is decreasing density; therefore, there would be a reduction in total tax revenues generated. For additional explanation, see Appendix B.

**Table 36. Breakdown of Tax Revenues Generated for 'Downzoned' Areas (Non-Residential Properties Only)**

| Scenarios | Total Assessed Value | County Taxes* | Village Taxes* | School Taxes* | Total Taxes |
|---|---|---|---|---|---|
| **No Action/Existing Zoning** | $9,968,382 | $46,365 | $98,270 | $195,096 | $339,733 |
| **Proposed Action/Proposed Zoning** | $13,083,502 | $60,855 | $128,980 | $256,065 | $445,900 |
| | | | | **Difference in Total Tax Revenues** | **$106,167** |

*Tax Rates-Non-Homestead: County tax rate 4.65, Village tax rate 9.86, School tax rate 19.57.
**Excludes existing dwelling units in existing M1 zone.
Source: Town of Rye, Office of the Tax Receiver, 2012, Village of Port Chester, 2012.

**Port Chester-Rye Union Free School District**

A fiscal impact analysis was conducted in order to assess the changes in number of school children associated with both the No Action/existing zoning and Proposed Action/proposed zoning for the three Focus Areas (former United Hospital Site, C5 Zone and C5T Zone) as well as the Proposed Action for the entire Village. The Village of Port Chester is served by the Port Chester-Rye School District. It includes four elementary schools, one middle school serving students in grades 6-8 and one high school serving students in grades 9-12[41]. Total expenditures in 2011 for the District amounted to $75,461,730[42]. With an enrollment of approximately 4,231 students during the 2011-2012 school year, spending per student is approximately $17,835 (without Federal aid). Using this spending per student as a guide, an estimate for the number of school generated was conducted for various scenarios associated with the three Focus Areas and for a Village-wide analysis (See Appendix B, Table 8).

**1. Proposed Mixed Use Zone (PMU) (former United Hospital site)**

For the No Action/existing zoning scenario, the total number of school children generated would be approximately 70 students on the former United Hospital Site. This would amount to an annual cost of approximately $1,241,316. The total tax revenues generated for residential properties under this scenario would be $1,862,880. Therefore, the net revenue would be $621,564. Under the Proposed Action/proposed zoning, the PMU scenario would generate a total of 25 school children at an annual cost of approximately $444,448. This is roughly 2.8 times less than under the No Action/existing zoning scenario. Under the Proposed Action/proposed zoning, PMU maximum residential scenario the total number of school children generated would be 30 with an annual cost of approximately $538,081. Then, under the Proposed Action/proposed zoning increased overall density scenario, there would be a total of 111 school children generated at an annual cost of $1,985,035. The total revenues and net revenues were not generated for the Proposed Action/proposed zoning scenarios for the former United Hospital site because the PMU is a proposed district and there are no existing residential PMU tax assessments available to estimate the revenues for these zones. See Table 37 on the next page.

[41] Port Chester-Rye Union Free School District, 2011.
[42] Ibid.

**Table 37. Estimated Costs and Revenues for Public School Children Generated on PMU Zone (former United Hospital site)**

| Scenarios | Dwelling Units | Number of Public School Children Generated | Pupil Costs per Scenario | Total Tax Revenues | Net Revenues (Total Revenues – Pupil Costs) |
|---|---|---|---|---|---|
| **No Action/Existing R2F Zoning** | 240 | 70 | $1,241,316 | $1,862,880 | $621,564 |
| **PMU Scenario** | 259 | 25 | $444,448 | * | * |
| **PMU Scenario - Max Residential** | 432 | 30 | $538,082 | * | * |
| **Increased Overall Density** | 820 | 111 | $1,985,035 | * | * |

*Because the PMU is a proposed district, there are no existing residential PMU tax assessments available for this zone.
Source: Port Chester-Rye Union Free School District, 2011
Rutgers University, Center for Urban Policy Research. "Residential Demographic Multipliers: Estimates of the Occupants of New Housing," June 2006.

## 2. Proposed Train Station Mixed Use Zone (C5)

Under the No Action/existing zoning, the total number of school children generated would be 12 students in the existing C2 zoning. This would amount to an annual cost of approximately $214,020. The estimated total tax revenues generated by residential properties from the No Action/existing zoning scenario would be $518,300. Therefore, the net revenues generated would be $304, 280. Under the Proposed Action/proposed C5 zoning scenario, the total number of school children generated would be 23 students, with an annual cost of $410,205. The total tax revenues generated would be $970,784, amounting to net tax revenues of $560,579. The Proposed Action/proposed zoning scenario would generate $256,299 more in revenues than the No Action/existing zoning scenario. See Table 38 on the next page.

**Table 38. Estimated Costs and Revenues for Public School Children Generated in Proposed C5 Zone**

| Scenarios | Dwelling Units | Number of Public School Children Generated | Pupil Costs per Scenario | Total Tax Revenues | Net Revenues (Total Revenues – Pupil Costs) |
|---|---|---|---|---|---|
| **No Action/Existing C2 Zoning** | 126 | 12 | $214,020 | $518,300 | $304,280 |
| **Proposed C5 Zoning** | 236 | 23 | $410,205 | $970,784 | $560,579 |
| | | | | **Total Difference in Net Revenues** | **$256,299** |
| Source: Port Chester-Rye Union Free School District, 2011<br>Rutgers University, Center for Urban Policy Research. "Residential Demographic Multipliers: Estimates of the Occupants of New Housing," June 2006. | | | | | |

## 3. Proposed Downtown Mixed Use Transitional Zone (C5T)

Under the No Action, the total number of school children generated under existing zoning would be 3 students in the proposed C5T zone, with an annual cost of approximately $53,505. The total tax revenues generated by the residential properties for the school district would be $77,358, which would generate revenues of $23,853. Under the Proposed Action, approximately 4 school children would be generated, with an annual estimated cost of $71,340. The total tax revenues would be $102,312, with net revenues of $30,972. See Table 39 below.

**Table 39. Estimated Costs and Revenues for Public School Children Generated in Proposed C5T Zone**

| Scenarios | Dwelling Units | Number of Public School Children Generated | Pupil Costs per Scenario | Total Tax Revenues | Net Revenues (Total Revenues – Pupil Costs) |
|---|---|---|---|---|---|
| **No Action/Existing C2 Zoning** | 31 | 3 | $53,505 | $77,358 | $23,853 |
| **Proposed C5T Zoning** | 41 | 4 | $71,340 | $102,312 | $30,972 |
| | | | | **Total Difference in Net Revenues** | **$7,119** |

Source: Port Chester-Rye Union Free School District, 2011
Rutgers University, Center for Urban Policy Research. "Residential Demographic Multipliers: Estimates of the Occupants of New Housing," June 2006.

### Village-Wide Assessment

Based on the Proposed Action, the areas affecting the Village as a whole that will be 'upzoned' will result in a net decrease of 712 dwelling units, predicated on the build out analysis. The 'upzoned' areas will help reduce densities, and therefore will generate fewer school children as a whole. In total, there will be a decrease of 342 public school students in the 'upzoned' areas. This reduction in public school children will reduce annual school costs by $6,099,570.

Alternatively, the 'downzoned' areas will result in a net increase of 470 dwelling units between a No Action/existing zoning and a Proposed Action/proposed zoning setting. This increase in dwelling units will result in an increase of 33 public school children. The cost of educating these 33 students will amount to an increase of $588,555.

Overall, based on a Village-wide Assessment, the Proposed Action/proposed zoning will reduce the number of school children by 309 and associated costs by $5,511,015.

**Table 40. Estimated Costs and Revenues for Public School Children Generated based on Village-Wide Assessment**

| Village Wide | Dwelling Units | Number of Public School Children Generated | Costs (Per Pupil) |
|---|---|---|---|
| **'Upzoned' Areas** | (-)712 | (-)342 | (-)$6,099,570 |
| **'Downzoned' Areas** | 470 | 33 | $588,555 |
| **Total** | **(-)242** | **(-)309** | **(-)$5,511,015** |

Source: Port Chester-Rye Union Free School District, 2011
Rutgers University, Center for Urban Policy Research. "Residential Demographic Multipliers: Estimates of the Occupants of New Housing," June 2006.

## Municipal Services

The following describe municipal services which are currently provided to the Village, including police, fire and emergency medical services (EMS), and any fiscal impacts due to the Proposed Action.

*Police*

The Police Department is currently staffed with 64 sworn police officers. The department is comprised of five divisions, which include the Patrol Division, the

Detective Division, the Staff Services Division, the Traffic Division and the Operations Division (for more information of the police department, refer to 2.6.1).

*Fire*
The Fire Department is a combination department consisting of a staff of twelve (12) paid firefighters and seven (7) volunteer companies with a large roster of volunteer firefighters commanded by a volunteer chief and two assistants. The department operates out of four firehouses with locations throughout the Village of Port Chester. It serves all residents of the Village of Port Chester and the neighboring Village of Rye Brook.

*Emergency Medical Services*
The Port Chester-Rye – Rye Brook Volunteer Ambulance Corps (PCRRBVAC) serves the Emergency Medical Services (EMS) and local Ambulance transportation needs of the communities of Port Chester, Rye and Rye Brook. It has 45 staff members, including 16 volunteers. Paid staff members include 17 paramedics and 13 EMTs. Two ambulances are in operation 24 hours a day. Both are staffed with a paramedic and an emergency medical technician.

Impacts on Municipal Services
Based upon the Proposed Action/proposed zoning, fiscal impacts on municipal services in the Village of Port Chester will be negligible. Due to the overall reduction in density throughout the Village (minus 441 dwelling units total), there will be no additional burdens on municipal services. However, the higher intensity planning zones that encourage higher densities in specific areas will potentially require the Village to redistribute employees and/or services in these areas. For example, at certain times of the day or during events occurring in these areas, Village personnel could be reallocated to deal with a higher number of people during that time of day or event. However, due to the overall reduction in density in the Village, municipal services should not be burdened and simply redistributing employees and/or services would be sufficient.

### *3.2.6 Natural Resources Impact Analysis*

The Proposed Action recommends the conservation of resources, including water, energy and materials, by educating and encouraging residents and business owners to adopt environmentally sound practices focused on sustainability and stewardship of natural resources.

The Proposed Action recommends that the Village promote and implement an environmentally sustainable design and development review process. It encourages improving the quality of development with respect to site planning, runoff, erosion

control and stream stabilization, use of environmentally safe materials, energy efficiency, water conservation, use of green roofs and other measures. The Proposed Action also encourages the Village to adopt design standards for tree planting and tree protection for use in both public and private street tree planting efforts to promote environmental sustainability and attractive streetscape aesthetics.

The Proposed Action recommends protecting environmentally significant and sensitive areas such as the Byram River. It recommends an overall decrease in development density within the Village resulting in fewer environmental impacts to the area. The Proposed Action suggests up-zonings within the residential areas of the Village focused on quelling any future development or greater environmental impacts in these areas. Further, the Proposed Action focuses increased development and density within Higher Intensity Planning Zones to enhance the vitality of the Village's downtown and Route 1 Corridor and concentrate development away from environmentally sensitive areas.

As the Proposed Action encourages sustainability through the protection of natural resources and the promotion of sustainable development practices, there are no adverse impacts.

## 4.0 ANALYSIS OF ALTERNATIVES

This section identifies and evaluates a No Action alternative to the proposed 2012 Comprehensive Plan.

### *A. No Action*

Under the No Action Alternative, land use development would continue to be regulated by the existing zoning, site plan, subdivision and other land use regulations governing physical development in the Village of Port Chester. This alternative would not further the Village's goals and would prevent the Village from achieving its vision for the future. Without the adoption and implementation of the Proposed Action, many of the public benefits identified would not be realized. While the existing regulations may be sufficient to protect natural resources, the benefit of the Proposed Action is that it suggests a manner in which the Village can accommodate growth in the appropriate areas while preserving neighborhood character and protecting the Village's valuable resources. The Proposed Action will generate positive impacts, such as retain Port Chester's unique qualities, including a diverse cultural population, quality homes at relatively affordable prices, a vibrant downtown and its proximity to key employment centers in the region. Alternatively, development under the current zoning may potentially disturb the scale and character in residential areas of the Village. There are currently some non-conforming and out-of character residential structures that have, to a degree, impacted the scale and character of certain residential areas in the Village.

Current transportation in the Village does not promote walking and/or alternative public transit options as efficiently as it could. Further, economic development potential could be limited if no action is taken. The absence of the Proposed Action will place the Village in a position of reacting to development instead of being proactive in its efforts.

### *B. Adoption of the Comprehensive Plan and Zoning Map and Text Amendments*

The vision, goals and strategies contained in the Comprehensive Plan represent public preferences as expressed by residents, land and business owners and other interested parties who were afforded significant opportunities for input through a community-wide survey and other public forums. The goals and objectives respond to the identified needs of the Village.

Consistent with the Comprehensive Plan, the Zoning Map and Text Amendments represent public preferences expressed in the community to retain qualities of Port Chester. The changes were made pursuant to the goals and objectives of the Comprehensive Plan.

## 5.0 GROWTH-INDUCING IMPACTS

This section describes any potential that the Proposed Action may have for triggering further development in terms of significant increases in local population, increasing the demand for support facilities, and increasing Village-wide development potential.

Implementation of the recommendations in the Comprehensive Plan is expected to result in an overall decrease in the potential full residential build-out under present zoning regulations and therefore a reduction in population and associated impacts. The greatest concentration of future potential development is expected to occur within and around areas of the higher intensity planning zones, and this development will be minimal.

## 6.0 UNAVOIDABLE ADVERSE IMPACTS THAT CANNOT BE AVOIDED

No unmitigated adverse environmental impacts have been identified that may result from implementation of the 2012 Comprehensive Plan and Zoning Map and Text Amendment recommendations. The Plan itself is a guidance document and has no direct unavoidable environmental impacts. It would allow greater densities and different land uses from current zoning in specific areas the Village deemed appropriate for pedestrian and transit oriented mixed use development. It also reduces density in the remainder of the Village to enhance residential character, natural resources, scenic beauty, open space and historic resources.

The Zoning Map and Text Amendments is also a guidance document for the future growth and development of the Village along with the Comprehensive Plan. It has no direct unavoidable environmental impacts. Overall, the Zoning Map and Text Amendments reduce overall densities throughout the Village, preserve existing character of residential neighborhoods, identify key areas for limited growth opportunities, improve development predictability and eliminate all floating zones.

## 7.0 IRREVERSIBLE AND IRRETRIEVABLE COMMITMENT OF RESOURCES

This section identifies and evaluates the extent to which the Proposed Action may cause a loss of environmental resources, both in the immediate future and in the long term, addressing generic components.

Under the Proposed Action, encouragement of development in certain areas will commit certain resources, including for example construction, labor and energy resources. In addition, the demand for municipal water, sanitary sewage and solid waste disposal and services such as police and fire protection may also increase from any new mixed-use development constructed in the higher intensity planning zones (Downtown, North and South Main Street and Abendroth Avenue and Central Waterfront) under the Proposed Action. A major objective of the Comprehensive Plan is to reduce densities and accommodate future growth in specified areas that preserve the Village's character and conserve the Village's environmental resources. The conservation of resources, including water, energy and materials, as well as sustainable design and development, are encouraged under the Proposed Action. Therefore, any new development should be sustainable and conserve the Village's resources. The Proposed Action overall reduces densities throughout the Village, thereby decreasing the Village's commitment of resources. In conclusion, the irreversible and irretrievable commitment of resources would not adversely impact the future development of the Village.

## 8.0 APPENDICES

The Appendices include Appendix A and Appendix B.

Appendix A includes SEQR documentation (Positive Declaration, DEIS Scope, Notices, Village Board Resolutions).

Appendix B includes technical documentation for the Build-Out Analysis and the associated impact analyses.

## 8.1 Appendix A: Project Documentation

- Positive Declaration stating The Village of Port Chester Board of Trustees as Lead Agency
- SEQR Notice of Public Scoping Meeting for DGEIS
- DGEIS Scope
- Village Resolution scheduling Public Hearing on Comprehensive Plan and Related Zoning Amendments
- Public Notice for Public Hearing on adoption of Comprehensive Plan and Related Zoning Map and Text Amendments

617.7 and 617.12

State Environmental Quality Review [SEQR]

## Positive Declaration

Notice of Intent to Prepare a Draft Generic Environmental Impact Statement [DGEIS]

Determination of Significance

**Date:** April 2, 2012

This notice is issued pursuant to Part 617 of the implementing regulations pertaining to Article 8 [State Environmental Quality Review Act] of the Environmental Conservation Law.

The Board of Trustees of the Village of Port Chester, as Lead Agency, has determined that the Proposed Action described below may have a significant effect on the environment and that a Draft Generic Environmental Impact Statement will be prepared.

**Name of Action**: Proposed Adoption of Village of Port Chester Comprehensive Plan and Map and Text Amendments to the Village of Port Chester Zoning Code.

**SEQR Status:** Type 1

**Description of Action:** The Board of Trustees has proposed adoption of a Comprehensive Plan for the Village of Port Chester and Map and Text Amendments to the Village's Zoning Code. To assist in preparing the Plan, the Board of Trustees appointed a Comprehensive Plan Advisory Committee [CPAC], comprised of Village residents including business owners, civic leaders and Village officials and others, representing diverse backgrounds and interests. The CPAC worked for more than four years to create a plan that addresses the attitude and reflects the choices of the majority of Village residents.

The CPAC sought out the preferences and priorities of residents through a Village wide survey, visioning sessions and Committee meetings, workshops and forums. The community values that emerged include:

- Reduce overall densities throughout the Village
- Preserve existing character of the residential neighborhoods
- Identify key areas for limited growth opportunities

The Comprehensive Plan provides a succinct statement of the planning strategies and actions that are proposed for implementation throughout the next ten to fifteen years of development in the Village of Port Chester. The Comprehensive Plan includes a number of recommendations specific to land use and zoning, housing, economic development, natural and environmental resources, historic and cultural resources, transportation and municipal services. The specific strategies are proposed in response to the changing conditions and needs of the Village and the development trends affecting the community and surrounding region. The proposed Zoning Code and Map Amendments are intended to implement the recommendations in the Comprehensive Plan and represent a decrease in overall density in the Village, while focusing development in the downtown area, and along Route 1 and the waterfront. New zoning districts have been created and a variety of land uses have been added or removed from the list of allowable uses.

**Location:** Village of Port Chester, Westchester County, New York

**Reasons Supporting this Determination:**

***Land Use and Zoning.*** The Proposed Action may result in zoning changes that would: 1) allow greater densities and different land uses from what current zoning permits in specific areas of the Village deemed appropriate for pedestrian and transit oriented mixed use development; and 2) reduce densities in the remainder of the Village to enhance residential character, natural resources, scenic beauty, open space and historic resources.

***Socioeconomic Conditions.*** The Proposed Action may result in changes in the type and density of land uses in the Village. Mixed use neighborhoods in limited growth areas may enhance and diversify the tax base while creating a variety of land uses that are less susceptible to market and economic cycles. Additional areas have been added where office and other forms of non residential development may be accommodated.

***Community Facilities and Services.*** The Proposed Action may result in a decreased need for some community facilities and services over what would occur under existing zoning. Mixed use neighborhoods in limited growth areas like the downtown facilitate efficient and predicable capital planning for streets, storm water management facilities, water and sewer utilities and other services.

***Community Character.*** Changes in land use and the physical landscape could result from the introduction of addition buildings and greater development density in specific locations deemed appropriate for pedestrian and transit oriented mixed use growth. At the same time, the Village's predominantly residential character would be retained due to reductions in development density and other planning tools elsewhere.

***Local Waterfront Revitalization Program [LWRP].*** The Proposed Action has been designed to be consistent with the New York State Department of State Coastal Zone Management Program and the Village of Port Chester Waterfront Revitalization Program which, upon adoption, will be incorporated into the New York State Department of State's Coastal Management Program.

***Infrastructure.*** The Proposed Action may increase the demand for water and/or sewer services, if such services are developed, or modified to serve any or all of the proposed limited growth areas.

***Transportation.*** The Proposed Action may result in a decrease in the number of vehicular trips in the Village over what would occur under current zoning due to the overall reduction in residential densities in the Village from that which is possible under the current zoning code, and more reliance on mass transit options in the downtown.

**For Further Information:**

Contact Person:
Address:
Telephone:

RESOLUTION

SEQRA NOTICE OF INTENT TO SERVE AS LEAD AGENCY
FOR THE ADOPTION OF THE VILLAGE OF PORT CHESTER'S
COMPREHENSIVE PLAN

On motion of TRUSTEE KENNER, seconded by TRUSTEE DIDDEN, the following resolution was adopted by the Board of Trustees of the Village of Port Chester, New York:

WHEREAS, the Village of Port Chester is developing a Comprehensive Plan; and

WHEREAS, with the assistance of planning consultant, Buckhurst Fish & Jacquemart, New York, New York and Ferrandino & Associates, Elmsford, New York, the Village is developing a Comprehensive Plan and environmental documentation in support of same; and

WHEREAS, pursuant to the Notice annexed hereto, in accordance with the provisions of 6 NYCRR Part 617, the Board of Trustees of the Village of Port Chester intends to serve as Lead Agency for the SERQA review of this Type 1 Action, and, in this capacity, will determine if the proposed action will have a significant effect on the environment; and

WHEREAS, the Lead Agency will undertake a coordinated review of this action. Now therefore, be it

RESOLVED, that the Village of Port Chester Board of Trustees hereby designates its intention to serve as Lead Agency for the SEQRA Coordinated Review of this Type 1 Action, and will circulate the Lead Agency Notice, a compact disc of the draft Comprehensive Plan along with a link to the Village web site wherein the draft Comprehensive Plan is located, to all Involved and Interested Agencies shall be given 30 days from the mailing of the Lead Agency Notice to challenge the Board of Trustee's Lead Agency designation.

ROLL CALL

| | |
|---|---|
| AYES: | Trustees Brakewood, Terenzi, Didden, Branca Marino, Kenner and Mayor Pilla |
| NOES: | None |
| ABSENT: | None |
| DATE: | February 6, 2012 |

SEQR
Intent to be Lead Agency

This notification is for the purpose of designating a lead agency according to the requirements of Article 8 of New York State Environmental Conservation Law for the following proposed action:

MEMO TO: ALL INVOLVED AGENCIES

FROM: Village of Port Chester Board of Trustees
222 Grace Church Street
Port Chester, NY 10573

ROJECT TITLE: Adoption of Village of Port Chester Comprehensive Plan
Village of Port Chester
Westchester County, New York

MAILING DATE: February 6, 2012

Adoption of Village of Port Chester Comprehensive Plan

The Village of Port Chester Board of Trustees is proposing to adopt a Comprehensive Plan, in order to account for changes that have occurred since the Master Plan in 1968 and to reflect the Village's current vision for future growth.

Contact Person: Christopher Russo, Village Manager
222 Grace Church Street
Port Chester, NY 10573
T. 914.939.2200
crusso@portchesterny.com

Involved Agencies:

Village of Port Chester Board of Trustees (Proposed Lead Agency)
222 Grace Church Street
Port Chester, NY 10573
Dennis Pilla, Mayor

Interested Agencies:

Village of Port Chester Planning Commission
222 Grace Church Street
Port Chester, NY 10573
Contact: Michael Antaki, Chair

Village of Port Chester Zoning Board of Appeals
222 Grace Church Street
Port Chester, NY 10573
Contact: William Villanova, Chair

Village of Port Chester Architectural Board of Review
222 Grace Church Street
Port Chester, NY 10573
Contact: William Hume, Chair

Village of Port Chester Comprehensive Plan Advisory Committee
222 Grace Church Street
Port Chester, NY 10573
Contact: Christopher Steers, Assistant Village Manager

Village of Port Chester Industrial Development Agency
222 Grace Church Street
Port Chester, NY 10573
Contact: Neil Pagano, Chair

Village of Port Chester Waterfront Commission
222 Grace Church Street
Port Chester, NY 10573
Contact: Peter Pascale, Chair

Village of Port Chester Park Commission
222 Grace Church Street
Port Chester, NY 10573
Contact: Jerry Terranova, Chair

Village of Port Chester Recreation Commission
222 Grace Church Street
Port Chester, NY 10573
Contact: Kim Morabito, Chair

Port Chester-Rye Union Free School District
Attn: District Clerk
113 Bowman Avenue
Port Chester, NY 10573

Town of Rye
10 Pearl Street

Port Chester, NY 10573
Contact: Joe Carwin, Town Supervisor

City of Rye
1051 Boston Post Road
Rye, NY 10580
Contact: Scott Pickup, City Manager

Village of Rye Brook
938 King Street
Rye Brook, NY 10573
Contact: Joan Feinstein, Mayor

Town of Greenwich, Connecticut
Town Hall
101 Field Point Road
Greenwich, CT 06830
Contact: Peter Tesei, First Selectman

Westchester County Department of Planning
148 Martine Avenue
Room 432
White Plains, NY 10601
Contact: Edward Burroughs, Commissioner

Metro-North Railroad
347 Madison Avenue
New York, NY 10017-3709

New York State Department of Environmental Conservation
Region 3 Office
21 South Putt Corners Road
New Paltz, NY 12561-1696
Contact: Margaret Duke

New York State Office of Parks, Recreation and Historic Preservation
New York State Historic Preservation Office (SHPO)
Peebles Island Resource Center
P.O. Box 189
Waterford, NY 12188-0189
Contact: William Krattinger, Historic Preservation Specialist

New York State Department of Transportation
Region 8 Eleanor Roosevelt State Office Building
4 Burnett Boulevard Poughkeepsie, NY 12603
Contact: Melissa Slater, Assistant to the Regional Director

United States Army Corps of Engineers
Jacob K. Javits Federal Building
26 Federal Plaza, Room 2109
New York, NY 10278-0090

**NOTICE OF PUBLIC SCOPING MEETING**
**PURSUANT TO THE STATE ENVIRONMENTAL QUALITY REVIEW ACT [SEQRA]**

| | |
|---|---|
| **Lead Agency** | Village of Port Chester Board of Trustees. |
| **Name of Action** | Adoption of Comprehensive Plan and Zoning Map and Text Amendments in the Village of Port Chester, New York. |
| **Purpose of Meeting** | To provide an opportunity for the public to identify specific issues and environmental impacts that should be addressed in a Draft Generic Environmental Impact Statement [DGEIS] for the Proposed Action. |
| **Meeting Time and Date** | 7:00PM on April 16, 2012. |
| **Meeting Location** | Police Headquarters/Justice Court, 350 North Main Street, Port Chester, NY. |
| **Conduct of Meeting** | The meeting is being held to receive public comments on specific issues or areas of concern relative to the Proposed Action. The meeting will not be a question and answer session, but is intended to provide as many people as possible with the opportunity to speak. |
| **Comment Deadline** | Written comments regarding issues to be addressed in the DGEIS will be accepted until 5:00PM on May 2, 2012. Written comments will be given the same consideration as any oral comments made at the public scoping meeting on April 16, 2012. Please submit written comments to the Village Clerk, 222 Grace Church Street, Port Chester, NY 10573. Electronic comments may be provided by email to jmancuso@portchesterny.com. Please include your name and address when submitting a comment; no anonymous written or electronic comments will be accepted. |
| **Draft Scoping Document** | A draft scoping document dated March 22, 2012 is available for public review and comment at the following web address: www.portchesterny.com. This draft scoping document describes the issues and areas of environmental concern that are proposed to be addressed in the DGEIS. |

| | |
|---|---|
| **Future Steps** | A final scoping document is expected to be completed in May 2012 based on full consideration of the comments submitted on the draft scoping document. Subsequently, the DGEIS will be prepared for the project. The DGEIS will contain detailed information regarding the Proposed Action, potential environmental impacts and measures proposed to mitigate potentially significant impacts, if encountered. The DGEIS will be made available for public review and comment following its acceptance by the Board of Trustees of the Village of Port Chester. |

RESOLUTION

COMPREHENSIVE PLAN AND RELATED ZONING AMENDMENTS
ADOPTION OF SCOPING DOCUMENT FOR DRAFT GENERIC
ENVIRONMENTAL IMPACT STATEMENT

On motion of TRUSTEE KENNER, seconded by TRUSTEE MARINO, the following resolution of the Board of Trustees of the Village of Port Chester, New York was adopted as follows:

WHEREAS, the Board of Trustees adopted a Positive Declaration directing that a Draft Generic Environmental Impact Statement (DGEIS) be prepared with regard to the Village's comprehensive plan and related zoning amendments; and

WHEREAS, the Board approved a Draft Scoping Document in the form accompanying the Positive Declaration and scheduled a public scoping session on April 16, 2012 at 7:00 p.m. on notice to the public and interested agencies; and

WHEREAS, the record has since been closed for comment. Now, therefore, be it

RESOLVED, that the Board of Trustees hereby adopts the annexed Scoping Document dated May 7, 2012 for which the Draft Generic Environmental Impact Statement (DGEIS) will be prepared for the Comprehensive Plan and related zoning amendments.

ROLL CALL
AYES: Trustees Brakewood, Terenzi, Didden, Marino, Kenner and Mayor Pilla
NOES: None
ABSENT: Trustee Branca
DATE: May 7, 2012

STATE OF NEW YORK) ss:
COUNTY OF WESTCHESTER)

I, JOAN MANCUSO, Village Clerk of the Village of Port Chester, New York, do hereby certify that I have compared the foregoing copy with the original copy on file in the Village of Port Chester.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of the Village of Port Chester, New York this 9th day of May, 2012.

Village Clerk, Village of Port Chester, New York

**FINAL SCOPING DOCUMENT**
**VILLAGE OF PORT CHESTER BOARD OF TRUSTEES – LEAD AGENCY**
**TYPE 1 ACTION**
**DRAFT GENERIC ENVIRONMENTAL IMPACT STATEMENT (DGEIS)**
**2012 COMPREHENSIVE PLAN and ZONING CODE AND MAP AMENDMENTS**

**May 7, 2012**

## A. PURPOSE OF DRAFT GENERIC ENVIRONMENTAL IMPACT STATEMENT

A Draft Generic Environmental Impact Statement (DGEIS) is to be prepared by the Village of Port Chester Board of Trustees regarding the Proposed Action: the proposed Comprehensive Plan and Zoning Code and Map Amendments. The Comprehensive Plan provides a succinct statement of the planning strategies and actions that are proposed for implementation throughout the next five to ten years of development in the Village of Port Chester. The Comprehensive Plan includes a number of recommendations specific to land use and zoning, housing, economic development, natural and environmental resources, historic and cultural resources, transportation and municipal services. The specific strategies are proposed in response to the changing conditions and needs of the Village and the development trends affecting the community and surrounding region. The proposed Zoning Code and Map Amendments are intended to implement the recommendations in the Comprehensive Plan and represent a decrease in overall density in the Village, while focusing development in the downtown area, and along Route 1 and the waterfront.

The purpose of the GEIS is to assess the potential Village-wide environmental impacts of the Comprehensive Plan and Zoning Code and Map Amendments, hereinafter referred to as the Proposed

Action. The GEIS is intended to be a comprehensive assessment of impacts which may result from a Proposed Action where specific building programs are not yet defined. The GEIS will be developed pursuant to the requirements of SEQR [617.9(b)] and this Scoping Document. The Draft Generic Environmental Impact Statement [DGEIS] will include the areas of analysis outlined below. Where information can be obtained from previous planning, technical or environmental studies performed for the Village, this information will be used.

## B. COVER SHEET

The DGEIS will be preceded by a Cover Sheet that will include the following

- The report as a Draft GEIS
- Title of the Proposed Action
- Lead Agency (Board of Trustees)
- Contact information (Village Clerk)
- Name, address and telephone number of the preparer
- Date of the completion acceptance of the DGEIS by the Village Board
- Date of the SEQR public hearing
- Date by which written comments will be accepted by the Lead Agency
- Web site wherein the Draft Generic Environmental Impact Statement and Final Generic Environmental Impact Statement will be posted

Following the cover sheet, a list [name, address and telephone numbers] of all consultants and sub-consultants involved in the project and a list of all Interested and Involved Agencies will be provided.

### C. TABLE OF CONTENTS

The DGEIS is to be written to specifically follow the format and content sequence of this Scoping Document. This Scoping Document will serve as the DGEIS *Table of Contents* which will indicate the chapters of the DGEIS and page numbers, as well as a list of exhibits, tables and appendices, if any.

### D. EXCUTIVE SUMMARY

The Executive Summary will include a concise summary of all chapters in the DGEIS.

### E. DGEIS CHAPTERS

#### CHAPTER 1 DESCRIPTION OF THE PROPOSED ACTION

The Proposed Action is adoption of the 2012 Comprehensive Plan and Zoning Code and Map Amendments. This chapter will provide a detailed description of the changes proposed in the 2012 Comprehensive Plan, including all proposed Zoning Code and Map Amendments. It will identify the purpose and need for the Proposed Action and will include an evaluation of the Village's planning objectives.

## CHAPTER 2 ENVIRONMENTAL SETTING, POTENTIAL ENVIRONMENTAL IMPACTS AND MITIGATION

For this chapter, each section will include three separate sub-sections: 1) discussion of the existing Village-wide environmental conditions, 2) assessment of potential impacts associated with implementation of the Proposed Action and 3) proposed mitigation measures, if necessary.

### *2.1 LAND USE, ZONING AND PUBLIC POLICY*

This section will describe the existing land use, zoning and public policy for the Village of Port Chester and evaluate any potential impacts associated with the Proposed Action. This evaluation will also include an assessment of the Village's local planning objectives and consistency with local plans including the *Local Waterfront Revitalization Plan*, as well as regional plans such as *Westchester 2025*.

### *2.2 HISTORICAL AND CULTURAL RESOURCES*

This section will evaluate the components of the Proposed Action that serve to protect or enhance the existing cultural and historic resources within the Village.

### *2.3 NATURAL RESOURCES*

This section will document the generic existing conditions as well as describe how recommendations of the Proposed Action will have any potential impacts upon natural resources within the Village. Analysis will include the following natural resource categories: land attributes, water resources, wildlife and habitat.

*2.4 TRANSPORTATION*

This section will evaluate the Proposed Action for any potential effects on the local road network, and mass transit, specifically regarding the proposed zoning district changes.

*2.5 INFRASTRUCTURE*

This section will focus on the Village's water supply and wastewater infrastructure. The assessment will provide an overview of existing conditions within the Village and an analysis of the infrastructure with and without the Proposed Action.

*2.6 MUNICIPAL SERVICES*

This section will discuss the community services available to Village residents and provide a qualitative assessment of potential impacts that may result from the Proposed Action.

*2.7 ECONOMIC DEVELOPMENT*

This section will examine the potential impact of economic development strategies set forth in the Comprehensive Plan.

## CHAPTER 3 ANALYSIS OF ALTERNATIVES

This chapter will identify and evaluate the No Action alternative, that is, the future without the Proposed Action via build out under existing zoning. This chapter may also discuss additional potential alternatives for key development areas in the Village.

**CHAPTER 4 GROWTH-INDUCING IMPACTS**

This chapter will describe any potential that the Proposed Action may have for triggering further development in the Village.

**CHAPTER 5 ADVERSE IMPACTS THAT CANNOT BE AVOIDED**

This chapter will describe any potential adverse impacts that cannot be avoided as a result of the Proposed Action.

**CHAPTER 6 IRREVERSIBLE AND IRRETRIEVABLE COMMITMENT OF RESOURCES**

This chapter will identify and evaluate the extent to which the Proposed Action may cause a loss of environmental resources, both in the immediate future and in the long term, addressing generic components.

**CHAPTER 7 APPENDICES**

The Appendices will include the following, as necessary:

- SEQR documentation (Positive Declaration, DGEIS Scope, Notices, Village Board Resolutions)
- General project correspondence
- References
- Full size maps and other supporting material.

**PUBLIC HEARING ON PROPOSED VILLAGE OF PORT CHESTER COMPREHENSIVE PLAN AND RELATED ZONING REGULATION TEXT AND MAP AMENDMENTS**

On motion of TRUSTEE KENNER, seconded by TRUSTEE TERENZI, the following resolution was adopted by the Board of Trustees of the Village of Port Chester, New York:

WHEREAS, the Village of Port Chester is in the process of adopting its first-ever Comprehensive Plan ("Plan) to guide future growth and preservation patterns for the protection of the public health, safety and general welfare of its citizens; and

WHEREAS, the Village Board of Trustees established the Comprehensive Plan Advisory Committee (CPAC) to assist the Board in developing the Plan; and

WHEREAS, the CPAC held a public hearing on March 21, 2012 and unanimously approved the referral of the Draft Comprehensive Plan to the Village Board of Trustees; and

WHEREAS, pursuant to New York State Village Law §7-722 (6), the Village Board of Trustees must, within ninety (90) days of receiving a recommended comprehensive plan submitted to them by a planning board or special board assigned to prepare the comprehensive plan, hold a public hearing on such proposed plan; and

WHEREAS, the Village's consulting planner, BFJ Planning, submitted a preliminary Draft Zoning Regulation text amendments and Map to the Village Board of Trustees on March 22, 2012 and held a work session with the Board of Trustees on this date as well as on May 16, 2012; and

WHEREAS, pursuant to Village Law §7-722 (5), any proposed comprehensive plan may be referred to the village planning board, in this case, the Planning Commission, for review and recommendation before action by the Board of Trustees; and

WHEREAS, pursuant to Village Law §7-722 (5), the Village Board of Trustees shall, prior to adoption, refer the proposed Comprehensive Plan to the Westchester County Planning Board for review and recommendation as required by the County Administrative Code; and

WHEREAS, pursuant to the Zoning Regulation, proposed zoning amendments shall be referred by the Board of Trustees to the Planning Commission for its recommendation. Now, therefore, be it

RESOLVED, that the Village Board of Trustees, pursuant to §7-722 (6), hereby schedules a public hearing on the Draft Comprehensive Plan, to be held at the Port Chester Village Court, 350 N. Main Street, Port Chester, NY 10573, on June 18, 2012 at 7:00 p.m.; and be it further

RESOLVED, that the Board refers the Draft Comprehensive Plan and Draft Zoning Regulations text amendments and Map to the Village Planning Board and the Westchester County Planning Board for review and recommendation.

ROLL CALL

AYES: Trustees Brakewood, Terenzi, Didden, Marino, Kenner and Mayor Pilla

NOES: None

ABSENT: Trustee Branca

DATE: May 21, 2012

**PUBLIC NOTICE**
Village of Port Chester
Comprehensive Plan, Zoning Amendments and Amendments
to the Village Official Zoning Map Implementing the Comprehensive Plan

NOTICE IS HEREBY GIVEN that the Board of Trustees of the Village of Port Chester, New York, will hold a public hearing on Monday, July 16, 2012, and August 6, 2012 at 7:00 p.m. or as soon thereafter in the Village Justice Court Courtroom, 350 North Main Street, Port Chester, New York, to consider the advisability of adopting the Comprehensive Plan and a local law amending Chapter 345 of the Code of the Village of Port Chester with regard to zoning amendments and amendments to the Official Zoning Map implementing the Comprehensive Plan.

An electronic copy of the Comprehensive Plan and local law can be downloaded from the Village's website www.portchesterny.com (located on the Home Page "Where do I go for?" section at the Public Hearing July 16, 2012 link). Paper copies of the Comprehensive Plan and local law are available for viewing at Village Hall, 222 Grace Church Street, Port Chester, N.Y. 10573 and the Port Chester-Rye Brook Library, 1 Haseco Avenue, Port Chester. For information, please call (914) 937-6780.

Interested persons will be afforded the opportunity to be heard.

Dated: June 26, 2012

## 8.2 Appendix B: Technical Documentation

- Methodology Discussion - Build-Out Analysis
  - Village-wide Assessment
  - Focus Areas Assessment

- Fiscal Impacts
  - Methodology Discussion – Determining Public School Children Generated
  - Methodology Discussion - Residential (Homestead) Tax Revenues Per Zone
  - Methodology Discussion - Residential (Homestead) Average Assessments Per Zone
  - Methodology Discussion - All Zones, Taxes Paid
  - Methodology Discussion – Determining Total Taxes for Downzoned Areas
  - Methodology Discussion – Determining Total Taxes for Upzoned Areas

## Methodology Discussion - Build-Out Analysis

The purpose of conducting a build-out analysis for the Village of Port Chester regarding the Proposed Action is to assess the maximum build-out potential and associated impacts from the proposed Zoning Map and Text Amendments (henceforth referred to as Build-Out Analysis).

In order to conduct the Build-Out Analysis for the Village of Port Chester, a few assumptions were adopted. First, the Build-Out Analysis considers a 'clean slate' approach, whereby zoning conditions applied to both the No Action/existing zoning and Proposed Action/proposed zoning disregarded existing physical structures, e.g. on-the-ground conditions, in order to better determine maximum build-out capacities. Second, the Build-Out Analysis does not reconcile or consider nonconforming or grandfathered uses. Incorporating such information would have required additional data collection outside of the Build-Out Analysis scope, resulting in the likelihood of additional projects completed prior to the Build-Out Analysis. Third, acquiring a Special Exception (SE) permit for the 20,000 square foot minimum lot size requirement for multifamily development in the downtown area was accepted among all build-out scenarios for a few reasons. Primarily, approximately less than 15 percent of proposed C5 and C5T Zone parcels met the 20,000 square foot requirement. In order to ameliorate this development hurdle, the Build-Out Analysis assumed the SE permit was granted so that proposed development schemes could occur. Additionally, the inclusion of SE permits granted in both the Focus Area and Village-wide Assessment helped to reduce inconsistencies in methodology and approach.

The Build-Out Analysis specifically assessed the Village of Port Chester in two capacities: determining the maximum build-out capacity (potential) of all proposed rezoned areas, i.e. proposed upzoned and downzoned areas, as well as three Focus Areas as agreed upon with the Village of Port Chester.

*Village-wide Assessment*

Generally speaking, the 'upzoned' areas were considered to be areas that will potentially reduce development potential relative to existing zoning regulations, and conversely 'downzoned' areas will potentially increase development potential relative to existing zoning regulations. Determining the Village-wide impacts associated with the Proposed Action from this perspective demonstrates the 'trade-off' in maximum build-out potential, i.e. dwelling units and non-residential space, resulting between the comparison of the 'upzoned' and 'downzoned' areas.

The specific 'upzoned' areas assessed include:

- Riverdale Avenue – R2F → RA5
- Mortimer Street – R2F → RA5
- Poningo Street – RA3 → R2F
- Irving Avenue – RA4 → RA2; *and*
- Drew Street – RA3 → R2F

The 'upzoned' areas are those specific regions under the Proposed Action that would reduce potential density. For example, a zone might transition from its existing zone of RA3 Multi-Family Residential to R2F Two-Family Residential. Conversely, the 'downzoned' areas are those specific zones under the Proposed Action that are recommended to increase potential density, transitioning from C2 Central Business to C5 Train Station Mixed Use. Ultimately, the net result between the 'upzoned' and 'downzoned' areas portrays the generalized effects resulting from the Proposed Action. The specific 'downzoned' areas assessed include23:

- Boston Post Road – C4 → C2
- Proposed PMU Planned Mixed Use Zone – R2F → PMU
- Bush and Bulkley Avenues – M1 → R2F
- Proposed C5 Train Station Mixed Use Zone – C2 → C5; *and*
- Proposed C5T Downtown Mixed Use Transitional Zone – C2 → C5T

For specific information on the maximum build-out potential results generated from the Village-wide Assessment, please refer to Tables 1 and 2.

*Focus Area Assessment*

In addition to the Village-wide Assessment, this Build-Out Analysis assessed the maximum build-out potential for three unique areas recommended for rezoning (Focus Areas). These areas, designated as Intensity Planning Zones as explained in the draft Comprehensive Plan, include the proposed C5 Train Station Mixed Use Zone, the proposed C5T Downtown Mixed Use Transitional Zone and the proposed PMU Planned Mixed Use Zone (also known as the former United Hospital site). For each of the eight scenarios associated with the three Focus Areas, maximum build-out potential conditions were posited under a No Action and a Proposed Action setting (refer to Tables 3-5). The No Action alternative describes maximum build-out conditions under existing zoning regulations (versus existing built conditions), not tied to any proposed zoning changes for the Village. On the other hand, the Proposed Action involves maximum build-out conditions under the proposed Zoning Map and Text Amendments.

## Table 1 Upzoned Areas, Maximum Build-Out Potential

**Upzoning Areas**

| Proposed Rezoning Area | Total Lot Area (sq. ft.) | Existing Zone | Proposed Zone | Net Potential DU Decrease |
|---|---|---|---|---|
| | | **R2F** | **RA5** | |
| Riverdale | 481,258 | 193 | 96 | |
| Mortimer | 93,567 | 37 | 19 | |
| | | 230 | 115 | 115 |
| | | **RA3** | **R2F** | |
| Poningo | 598,630 | 798 | 239 | 559 |
| | | **RA4** | **RA2** | |
| Irving | 78,410 | 105 | 52 | 52 |
| | | **RA3** | **R2F** | |
| Drew | 70,151 | 94 | 28 | 65 |
| | | | 90% Efficiency | **712** |

## Table 2 Downzoned Areas, Maximum Build-Out Potential

**Downzoning Areas**

| Proposed Rezoning Area | Total Lot Area (sq. ft.) | Existing Zone | Proposed Zone | Net Potential DU Increase | Counting all SE Units | Assuming only 35% of SE develop |
|---|---|---|---|---|---|---|
| | | C4 | C2 (SE) | | | |
| Boston Post Road | 143,921 | 0 | 173 | 0 | 173 | 60 |
| | | R2F | PMU | | | |
| PMU Zone | 672,526 | 240 | 432 | 192 | 192 | 192 |
| | | M1 | R2F | | | |
| Bush & Bulkley | 219,351 | 0 | 79 | 79 | 79 | 79 |
| | | C2 (SE) | C5 (SE) | | | |
| C5 Area | 350,466 | 420 | 789 | 0 | 369 | 129 |
| | | C2 (SE) | C5T (SE) | | | |
| C5T Area | 87,533 | 104 | 137 | 0 | 27 | 9 |
| | | C2 (SE) | C2 (SE) | | | |
| C2 Area | 511,218 | 613 | 613 | 0 | | 0 |
| | | | | | 90% Efficiency | **470** |

## Table 3 Proposed PMU Zone - Scenarios, Maximum Build-Out Potential

| **No Action - Existing R2F Two-Family Residential** | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|
| FAR | 0.8 | | **Dwelling Unit Calculation** | | | | | | |
| Total SQFT | 672526 | | Total SQFT | 672526 | | | | | |
| | | | Min. area per DU | 2500 | | | | | |
| | | | | 269 | | | | | |
| | | | At 90% Efficiency | **240** | | | | | |

| **PMU Scenario** | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|
| FAR | 0.8 | | **Dwelling Unit Calculation** | | | | | | |
| Total SQFT | 672526 | | Total SQFT | 672526 | | | | | |
| | | | Res. FAR | 0.3 | | | | | |
| H/CC | 0.4 | | Res. SQFT | 201757.8 | | | | | |
| Comm. | 0.1 | | | Unr. Res. SQFT | 134505.2 | | | | |
| Unr. Res. | 0.2 | 0.67 | | Ave DU Size | 700 | | | | |
| Sen. Hsg | 0.1 | 0.33 | | Un. Res DU Total | 192.1503 | → | 192 | ↘ | |
| Res. FAR | 0.3 | | | | | | | | 260 |
| | | | | Sen. Hsg. SQFT | 67252.6 | | | | |
| | | | | Ave DU Size | 700 | | | | |
| | | | | Sen. Hsg. DU Total | 96.07514 | → | 96 | ↗ | |

| **Maximum Residential Scenario** | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|
| FAR | 1.0 | | **Dwelling Unit Calculation** | | | | | | |
| Total SQFT | 672526 | | Total SQFT | 672526 | | | | | |
| | | | Res. FAR | 0.5 | | | | | |
| H/CC | 0.2 | | Res. SQFT | 336263 | | | | | |
| Comm. | 0.2 | | | Unr. Res. SQFT | 134505.2 | | | | |
| Cm. Fac. | 0.1 | | | Ave DU Size | 700 | | | | |
| Unr. Res. | 0.2 | 0.40 | | Un. Res DU Total | 192.1503 | → | 192 | ↘ | |
| Sen. Hsg | 0.3 | 0.60 | | | | | | | |
| Res. FAR | 0.5 | | | Sen. Hsg. SQFT | 201757.8 | | | | 432 |
| | | | | Ave DU Size | 700 | | | | |
| | | | | Sen. Hsg. DU Total | 288.2254 | → | 288 | ↗ | |

| **Increased Overall Density Scenario** | |
|---|---|
| FAR | 1.0 |
| Total SQFT | 672526 |
| | |
| Residential Dwelling Units | 820 |
| Retail Space Considered | 20,000 sqft |

## Table 4 Proposed C5 Zone - Scenarios, Maximum Build-Out Potential

| | | DU's | Non-Res SQFT |
|---|---|---|---|
| C5 Train Station Mixed Use District | *Existing Zoning (C2 Main Street Business)* | **126** | **827491** |
| | *Proposed Zoning (C5 Train Station Mixed Use District)* | **236** | **849880** |

## Table 5 Proposed C5T Zone - Scenarios, Maximum Build-Out Potential

| | | DU's | Non-Res SQFT |
|---|---|---|---|
| C5T Downtown Mixed Use Transitional District | *Existing Zoning (C2 Main Street Business)* | **31** | **207306** |
| | *Proposed Zoning (C5T Downtown Mixed Use Transitinoal District)* | **41** | **254226** |

# Fiscal Impacts

## Methodology Discussion – Determining Public School Children Generated

In order to determine the number of public school children generated in the Port Chester-Rye Union Free School District as a result of the Proposed Action, the Rutgers University Residential Demographic Multipliers (2006) were used to compare a No Action setting with a Proposed Action setting. Ultimately, existing and proposed zoning conditions for the three Focus Areas and the Village-wide Assessment were evaluated.

For each of the three Focus Areas and the Village-wide Assessment analyses, the number of total dwelling units was broken out by bedroom type, multiplied by the corresponding Rutgers demographic multiplier based on corresponding residential land use/intended zone character allocation. The final school children numbers were incorporated into taxation calculations in the Fiscal Impacts section.

*PMU Zone (former United Hospital site)*

For the proposed PMU Zone, the No Action setting produced 240 potential dwelling units, 120 two-bedroom units and 120 three-bedroom units as related to the general character of the R2F Two-Family Zone in the Village of Port Chester. Each unique bedroom type breakout number was then multiplied by the corresponding Rutgers demographic multiplier to determine the number of school children generated. Table 6 shown below demonstrates the bedroom breakouts used in the school children calculation for the three Focus Areas.

**Table 6 Bedroom Breakouts for the proposed PMU Zone**

| | DU's | Bedroom Breakouts | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|
| *No Action (R2F Zoning)* | **240** | 0BR | **0** | 1BR | **0** | 2BR | **120** | 3BR | **120** |
| *PMU Scenario* | **259** *(173 Res, 86 Senior)* | 0BR | **78** | 1BR | **129.5** | 2BR | **61** | | |
| *PMU Scenario - Max. Residential* | **432** *(173 Res, 259 Senior)* | 0BR | **130** | 1BR | **216** | 2BR | **86** | | |
| *Increased Overall Density Scenario* | **820** | 0BR | **41** | 1BR | **394** | 2BR | **385** | | |

Table 7 on the next page shows the bedroom breakouts for the proposed C5 and C5T Zones.

**Table 7 Bedroom Breakouts for the proposed C5 and C5T Zones**

| | | DU's | Bedroom Breakouts | | | | | |
|---|---|---|---|---|---|---|---|---|
| C5 Zone | *Existing Zoning* | **126** | 0BR | **38** | 1BR | **63** | 2BR | **25** |
| | *Proposed Zoning* | **236** | 0BR | **71** | 1BR | **118** | 2BR | **47** |
| | | DU's | Bedroom Breakouts | | | | | |
| C5T Zone | *Existing Zoning* | **31.2** | 0BR | **9** | 1BR | **16** | 2BR | **6** |
| | *Proposed Zoning* | **41.1** | 0BR | **12** | 1BR | **21** | 2BR | **8** |

As previously stated, the bedroom breakouts were multiplied by corresponding multipliers provided by Rutgers University Residential Demographic Multipliers (2006) to determine the number of school children generated. Table 8 below demonstrates the number of school children generated for both the Village-wide Assessment and the Focus Areas Assessment.

**Table 8 School Children Generated, Focus Areas & Village-wide Assessment**

| Zone Assessed | Scenario Assessed | Number of Public School Children Generated |
|---|---|---|
| PMU Zone | No Action – Existing Zoning | 70 |
| | Proposed Action – PMU Scenario | 25 |
| | Proposed Action – PMU Max. Residential Scenario | 30 |
| | Proposed Action – PMU – Overall Increased Density Scenario | 111 |
| C5 Zone | No Action - Existing Zoning | 12 |
| | Proposed Action/Zoning – C5 Zone | 23 |
| C5T Zone | No Action - Existing Zoning | 3 |
| | Proposed Action/Zoning – C5T Zone | 4 |
| | | |
| Village-wide | No Action - Existing Zoning | 342 |
| | Proposed Action - Proposed Zoning | 19 |

### Methodology Discussion – Determining Total Taxes for Upzoned Areas

In order to determine the total taxes paid by the areas designated to be 'downzoned' by the Village of Port Chester per the Proposed Action, the methodology began by selecting out the parcels using a geographic information system (GIS). From here, the parcel information was joined to the Tax Assessor's roll, containing specific assessment value for each parcel.[43] This joined table was exported into Microsoft Excel in order to perform basic arithmetic, such as summation and averaging.

First explored were the total assessed values per 'upzoned' area. For example, the total assessment value for all of the parcels in the Poningo-designated 'upzoned' area was calculated. From here, each specific 'upzoned' area was aggregated together and then averaged in order to determine the average assessed value for the entire 'upzoned' areas.

Secondly, it was then possible to determine the tax breakouts for County, Village, and school district based upon the average assessed value of the 'upzoned' areas[44]. These three individual taxes were then aggregated together in order to determine the total taxes paid by the 'upzoned' areas as a result of the Proposed Action.

[43] Assessed value and market value are equivalent in the Village of Port Chester, New York as of 2011.

[44] Rates provided by the Town of Rye, Office of the Tax Receiver, 2012.

### Methodology Discussion – Determining Total Taxes for Downzoned Areas

In order to determine the total taxes paid by the areas designated to be 'downzoned' by the Village of Port Chester per the Proposed Action, the methodology began by selecting out the parcels using a geographic information system (GIS). From here, the parcel information was joined to the Tax Assessor's roll, containing specific assessment values for each parcel.[45] This joined table was exported into Microsoft Excel in order to perform basic arithmetic, such as summation and averaging.

First explored were the total assessed values per 'downzoned' area broken out into residential and non-residential land uses. This land use information was supplied by Westchester County. Once the assessed values per 'downzoned' area were separated into residential and non-residential land use categories, the total assessment value for each of these designated land uses was determined based upon the Tax Assessor's roll. From here, each specific 'downzoned' area was aggregated together and then averaged in order to determine the average assessed value for all 'downzoned' areas.

Then, it was possible to determine the tax breakouts for County, Village, and school district based upon the average assessed value of the 'downzoned' areas by applying both residential and non-residential tax rates[46]. These three individual taxes (both residential and non-residential) were then aggregated together in order to determine the total taxes paid by the 'downzoned' areas as a result of the Proposed Action.

[45] Assessed value and market value are equivalent in the Village of Port Chester, New York as of 2011.

[46] Residential and non-residential tax rates provided by the Town of Rye, Office of the Tax Receiver, 2012.

### Methodology Discussion - All Zones, Taxes Paid

Overall, this evaluation sought to determine the change in residential (homestead) only tax base as a result of a No Action/existing zoning setting and a Proposed Action/proposed zoning setting so that comparisons resulted. The final comparison demonstrates the overall total change in residential (homestead) only tax base as a result of the Proposed Action.

In order to determine the total tax base associated with residential (homestead) only parcels, the methodology began by joining parcel-based information from the Village of Port Chester (2012) with land use data provided by Westchester County (2010). Once this information was joined using a geographic information system, it was possible to export the data into Microsoft Excel in order to perform basic sorting and arithmetic processes.

First, each existing zone under a No Action setting was sorted based on the available land uses. Then, only the residential (homestead) land uses were extracted. From here, it was possible to determine the total and average assessed residential (homestead) only values. This process was then repeated for the proposed zones as a result of the Proposed Action. Once this set of values (existing and proposed zones) was complete, it was possible to then subtract the existing residential tax base from the proposed residential tax base to determine whether the difference was a negative, positive, or neutral net gain for the Village of Port Chester.

## Methodology Discussion - Residential (Homestead) Average Assessments Per Zone

Overall, this evaluation sought to determine the change of average assessment value per zoning district as a result of a No Action/existing zoning setting and a Proposed Action/proposed zoning setting. The evaluation ultimately determined whether the net residential assessment differential was positive, negative or neutral. The final comparison demonstrates the overall total change in average assessment on a per zoning district basis as a result of the Proposed Action.

In order to determine the total average assessment on a per zoning district basis, the methodology began by joining parcel-based information from the Village of Port Chester (2012) with land use data provided by Westchester County (2010). Once this information was joined using a geographic information system, it was possible to export the data into Microsoft Excel in order to perform basic sorting and arithmetic processes.

First, it was necessary to sort the newly created, joined table by land use. From here, the rest of the methodology was duplicated for both existing zoning districts (No Action) and proposed zoning districts (Proposed Action) for residential (homestead) only land uses. After the land use category was sorted to show only residential (homestead) entries, it was possible to then provide an additional sorting level to extract out either the existing zoning districts (No Action) or the proposed zoning districts (Proposed Action). Simply averaging the summation of the residential (homestead) only assessment values into a separate column provided a per zone, residential only average assessment.

Once this process was complete for both the existing zoning districts (No Action) and proposed zoning districts (Proposed Action) for residential (homestead) only land uses, a separate column was created to showcase the net change in assessed values. Understanding the net change in assessment values qualitatively demonstrates changes in taxes paid to the school district, to Westchester County and to the Village of Port Chester. Moreover, although not taken into account in this evaluation, a change in assessment value as a result of a zoning change allows the property owner to obtain a reassessed value, potentially altering individual taxes paid.

### Methodology Discussion - Residential (Homestead) Tax Revenues Per Zone

Overall, this evaluation sought to determine the average total tax revenues for residential properties per zoning district as a result of a No Action/existing zoning setting and a Proposed Action/proposed zoning setting. The evaluation ultimately determined whether the net average tax revenues difference was positive, negative, or neutral. The final comparison demonstrates the overall total change in average assessment on a per zoning district basis as a result of the Proposed Action.

In order to determine the total average tax revenues on a per zoning district basis, the methodology began by using the average assessed value per zoning district. This is the number that was used to determine the average total tax revenues, and the tax revenues were also calculated by County, Village and school.

To calculate the average tax revenues per zoning district, the average assessed value was used from each zoning district. The assessed value of each property in the Village of Port Chester is equivalent to the market value, and as such, the property tax is assessed on this total value. Using the average assessed value for each zone, this number was divided by 1,000 as the tax rate was per $1,000. This number was then multiplied by the tax rate given from the Tax Receiver's office in the Town of Rye to determine the County, Village and School tax revenues. Adding these three numbers together gave the average total tax revenues per zone.

## Sources Consulted

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# I. INTRODUCTION

This Final Generic Environmental Impact Statement ("FGEIS") is prepared in compliance with Article 8 of the New York State Environmental Conservation Law governing State Environmental Quality Review ("SEQR"), Part 617 of Title 6 of the Rules and Regulations of the New York State Department of Environmental Conservation. The FGEIS addresses the comments received on the adoption of the proposed Comprehensive Plan and Zoning Text and Map Amendments.

## A. DESCRIPTION OF FGEIS FORMAT

This FGEIS is comprised of the following sections:

**Section I** is the *Introduction*, which contains the description of the FGEIS format and a brief discussion of the DGEIS.

**Section II** contains the *Responses to DGEIS Comments*. The responses to the comments are organized by DGEIS Section Heading and identify the author/speaker by name and an assigned comment number. Comments that are similar in content have been grouped together to allow for coordinated responses. The comments appear in a small, bold type with the corresponding comment number(s) identified in the left margin of the page. The responses appear in standard type.

**Section III** consists of the *transcript of the DGEIS Public Hearing* and *written comments/ letters received by the Lead Agency*. Each speaker identified in the transcript and written comments/letters have been assigned an "Item Number" (located in the upper right hand corner of the letter or in the right hand margin of the transcript) and each comment by a particular speaker or author has been sequentially numbered.

## B. DRAFT GENERIC ENVIRONMENTAL IMPACT STATEMENT

The Draft Generic Environmental Impact Statement for the Comprehensive Plan and Zoning Text and Map Amendments, which was accepted as complete by the Lead Agency on October 1, 2012 and was the subject of a public hearing on October 22, 2012, is hereby incorporated into and made part of this Final Generic Environmental Impact Statement by reference.

The "Proposed Action" presented in the DGEIS would adopt the Comprehensive Plan and Zoning Text and Map Amendments. The DGEIS included discussions of potential impacts associated with the Proposed Action related to land use and zoning, historic resources, natural resources, infrastructure, transportation, community character and visual resources, public services and socio-economics. Further, the DGEIS considered alternatives, including No Action and Proposed Action scenarios for a Village-Wide Assessment and a range of alternatives for three Focus Areas. All comments made during the DGEIS public hearing, and in correspondence received by the Lead Agency up to and including November 1, 2012, are included in Section III of this FGEIS.

## II. RESPONSES TO DGEIS COMMENTS

| Comment Number, Author<br><br>CL= Comment Letter<br><br>PH = Public Hearing<br><br>* = Email | Comment<br><br>Response |
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| **Land Use, Zoning and Public Policy** | |
| **CL 02-01**<br><br>**John B. Colangelo**<br><br>**Submitted: 10/25/12** | **On Friday, August 10, 2012, my client and I met with Chris Gomez and the Planning Department to voice our objection to the proposed re-zoning of 18-20 Willett Avenue from a C-2 Zoning District to a "DW" Zoning District. Following the meeting, I sent a letter to him dated August 14, 2012, placing our objections in writing. My client objects to the re-zoning for the following reasons:**<br>**1. The existing structure was built in 1910 and was built to the property lines, therefore, it is non-conforming and will not comply with the "DW" requirement. In addition, we will be unable to conform with the new "DW" parking requirements. Since the Village transferred the Marina Parking Lot to G & S, there is no additional parking available for this building.**<br>**2. In recent years the owner has made a large financial investment in the building and all current uses are code-compliant. With the opening of The Willett House in 1989, this property owner contributed greatly to the revitalization of Port Chester as a restaurant town.**<br>**3. The border for the "DW" Zone should be Willett Avenue because my client's property is the only property South of Willett Avenue to have a "DW" designation. There are no other properties that would be affected by this request because my client's property is the only on South of Willett** |

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| | **Avenue affected.**<br>**4. We can see no reason why this parcel was included in the "DW" Zone and not the C-2 Zone; it is much more advantageous to my client to have this building in a C-2 Zone, which would allow more flexibility in renting space in the building. There are much more restrictive uses in the "DW" Zone, especially with regard to parking. This building does not front on the river, but rather is separated by the Marina Parking Lot and the Waterfront Promenade which is in the MUR Zone.**<br><br>**This building was initially built for industrial purposes when the Village was an industrial village. It has since been extensively renovated for more current uses at great cost to the owner.**<br><br>**To be placed in the "DW" Zone would severely restrict the uses for this building, a building which does not lend itself easily to a waterfront use. Therefore, the owner requests that this parcel be maintained in a C-2 Zone and not a "DW" Zone. As stated, this request would only affect this parcel and no other adjacent parcels. It is requested that this written objection by made part of the public record to be considered by the Board in its review of the Comprehensive Zoning Change.**<br><br>1. Any existing legal non-conforming uses and/or non-conforming buildings and structures can continue to operate following the adoption of the draft Zoning Map and Text Amendments pursuant to §345-13 of the Village Code.<br><br>If the Village adopts the draft Zoning Map and Text Amendments, any affected property owner may apply for a tax certiorari if the new zoning lowers the value of property and the appraisal does not reflect that change.<br><br>The proposed DW Design Waterfront district will include a parking requirement. Please see Appendix F for additional detail.<br><br>2. Comment noted.<br><br>3. The boundary of the proposed DW Design Waterfront |

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| | district includes Willett Avenue and Mill Street on the eastern side of Abendroth Avenue as well as a portion on the north side of Mill Street from the Byram River to North Main Street. The northern side of Mill Street includes properties similar in geographic context to Willett House, i.e. not abutting the Byram River. See Appendix F for additional information. Additionally, these parcels included in the DW Analysis (Appendix F) are currently zoned C2 Central Business.<br><br>4. The DW zone as currently proposed will potentially reduce development potential due to setback and FAR restrictions by approximately fifty (50) percent. The DW zone is between Willett Avenue and Mill Street on the eastern side of Abendroth Avenue as well as a portion on the north side of Mill Street from the Byram River to North Main Street. This DW area was separately analyzed in order to determine the potential fiscal, environmental, visual and transportation impacts. Please see Appendix F for a more detailed analysis involving the DW Design Waterfront District.<br><br>At the request of the Mayor and discussed at the October 22, 2012 Board of Trustees Meeting, additional analysis was completed for the proposed DW Design Waterfront district that assessed potential impacts affected from the proposed zoning (See Appendix D, p. 39, Lines. 16-23). |
| **CL 03-01**<br><br>**Richard Hyman**<br><br>**Submitted: 10/24/12** | **1. The proposed up-zonings in residential and commercial areas will create many non-conforming and non-complying properties that will need to get Zoning Board approval for even some minor improvements. What mitigation is proposed?**<br>**2. The proposed zone for the United Hospital site is too restrictive in terms of FAR. While I think the proposal by Starwood for 820 units – 1.6 FAR resulting in 58 units per acre at 63.5% coverage – is too much for the site, the proposed 0.2 FAR for non-senior residential units results in only about 150± units – 10.6 units per acre – which is too low. The potential addition of senior units on the site - 200± at 0.3 FAR – is also too restricting. However, a total of 0.5 FAR of all residential units of types to be determined by the developer/marketplace seems a reasonable** |

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| | **compromise.**<br>**3. The 10% affordable housing set-aside should be applied to all zoning districts permitting multi-family housing which was recommended by both Pat Cleary and LaBerge.**<br><br>1. Any existing legal non-conforming use can continue to operate following the adoption of the draft *Zoning Map and Text Amendments* pursuant to Section §345-13 of the Village Code. Many types of improvements of existing non-conforming uses would not require a variance, and thus would not be affected by the contemplated upzonings.<br><br>If the Village adopts the draft *Zoning Map and Text Amendments,* any affected property owner may apply for a tax certiorari if the new zoning lowers the value of property and the appraisal does not reflect that change.<br><br>2. Comment noted. The DGEIS assesses a range of alternative zonings for this Focus Area, which includes a range of FARs.<br><br>3. Comment noted. The draft *Comprehensive Plan* and draft *Zoning Code Map and Text Amendments* do not recommend a ten percent affordable housing requirement across the board in all residential districts. |
| **CL 05-01**<br><br>**Zarin & Steinmetz**<br><br>**Submitted 10/31/12** | **As you know, we represent TJI Realty ("TJI"), the owner of 25 Abendroth Avenue (the "Property"). In furtherance of the presentation made before your Board at the Public Hearing on October 22, 2012 (the "Hearing"), enclosed please find a Technical Memorandum, prepared by Syrette Dym, AICP relating to her zoning and impact analysis on the Property (the "Memorandum").**<br><br>**Expanding upon the comments at the Hearing, the Memorandum essentially concludes that while the Village, in its Draft Comprehensive Plan, has created a laudable vision for the Central Waterfront subarea encompassing the Property, the proposed rezoning of the subarea from C2 to DW will make that vision difficult to realize. As proposed, the DW District applied to this subarea, with its attendant reduction in height and FAR, as well as a substantial increase in setbacks,** |

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| | **would create a building envelope rendering any such development infeasible. As such, and as seemingly acknowledged by Village Staff at the Hearing, the Memorandum suggests that an additional alternative, such as, for example, a DW-2 District, be analyzed by the Village in connection with the FGEIS for the Comprehensive Plan and Rezoning. This further analysis is essential to ensure that any adverse impacts to the Property and subarea resulting from the Comprehensive Plan and the Rezoning are mitigated to the maximum extent practicable.**<br><br>See Appendix F for a detailed analysis of the DW Waterfront District. |
| **PH 103**<br><br>**Jody Cross Esq. (Zarin & Steinmetz) /Syrette Dym, AICP** | **Representing TGI Reality Corporation and its property at 25 Abendroth Avenue. Having reviewed the draft comprehensive plan, the proposed zoning, mapping and text modifications and the Draft Generic Environmental Impact Statement and assessing the impacts of those changes on this property, I have the following comments to make as to how they do impact the future development of 25 Abendroth Avenue…**<br><br>**And what the change from the C2 to the DW does and the impact on the site is essentially halves, the FAR that is permitted on this property, and in addition, yards where none are required except in the rear yard on this property, yards are now to be provided on all sides of the property as part of the DW District.**<br><br>**So having reviewed this context it's my professional opinion that the village should not be reducing height and FAR and increasing yard requirements to the extent proposed.**<br><br>**Therefore, we are asking the village to rethink the dimensional regulations that would affect this property and are recommending this part of the SEQRA process that another DW District be considered as an alternative in the DGEIS.**<br><br>**This alternative would consider a different DW District. Let's call it a DW2. For mapping on this site and those in the northern part of the central waterfront area, such a district would have added height to at least that of the** |

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| | **new C2, reduce setbacks in yards and increased FAR to permit feasible redevelopment of residential or other uses that would now be permitted as part of the DW District. And these uses would be able to economically support – as we can see where we are here, the adjacent Main Street uses that we are to make feasible development of these sites.**<br><br>See CL 02-01 above and Appendix F for additional information. |
| **CL 06-01**<br><br>**Anthony B. Gioffre, Esq.**<br><br>**Submitted: 11/1/12** | **Reference is made to the Village of Port Chester Draft Generic Environmental Impact Statement ("DGEIS") that has been prepared for the proposed 2012 Comprehensive Plan and Zoning Code and Map Amendments. We are land use counsel for affiliates of Starwood Capital Group (hereinafter referred to as "Starwood"), the owner of premises located at 406 Boston Post Road. As the owner of the former United Hospital site, Starwood has significant interest in the growth and development of the Village of Port Chester and since the publishing of the draft Comprehensive Plan in January 2012, we have been appearing at every Board public hearing, at work sessions with the Board and at meetings with Village Staff in connection with this matter. Starwood has a large stake in how the Board ultimately is adopted in its revisions to the Zoning Code and Map. We respectfully submit this letter as Starwood's comments on the proposed 2012 Comprehensive Plan and Zoning Code and Map Amendments DGEIS, specifically as it relates to the draft Planned Mixed Use ("PMU") zoning which applies only to the United Hospital Site.**<br><br>**<u>PMU Zoning Code and Map Amendments</u>**<br>**Reference is made to proposed Section 345-62, the proposed Planned Mixed Use ("PMU") Zoning District Text Amendment. The Village is proposing to rezone the United Hospital property from a Two Family Residential ("R2F") Zoning District to the proposed, new PMU District. The successful redevelopment of the United Hospital site will be dependent on economic feasibility and factors such as market conditions, demand drivers, and financing conditions. Accordingly, we respectfully suggest the Board make the following revisions to the proposed PMU Zoning Text:** |

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| | • **The proposed bulk regulations for the PMU District must be revised to increase the Floor Area Ratio ("FAR") to 1.60 in order to meet current and anticipated economic/market conditions and make the redevelopment of the United Hospital property viable.**<br>• **In the alternative, should the Board decide not to increase the FAR to an as-of-right 1.60, it can maintain the presently proposed FAR of 0.80, but must eliminate the PMU FAR Bonus 0.20 cap[1].**<br><br>**A revision reflected in either of these first two bullet points would be consistent with the proposed Comprehensive Plan and leave the Board with control and complete discretion over any proposed density increases that would be available under the proposed Floor Area Bonus Program[2]. As more fully discussed in the attached addendum prepared by VHB Engineering, rigid language describing FAR limitations for different uses was properly removed from the Village's draft Comprehensive Plan and similarly should be removed from proposed Section 345-62 as the DGEIS does not provide any evidence justifying the inclusion of these unprecedented development limitations. Either requested revision hereinabove would permit the Board to evaluate Starwood's proposal and concept on its merits and not in a vacuum and further make a determination based on the proposed design, mitigation of potential impacts, a review of market conditions and good planning.**<br><br>**In addition to these first two essential modifications relative to the PMU density requirements, we also strongly suggest that the following changes be made to the proposed Zoning Text in order to achieve the foregoing goals, as well as those set forth in the Comprehensive Plan:**<br><br>• **The PMU FAR should not be dissected (as** |

[1] See Footnote 5 in Section 345 Attachment 3B, Schedule of Regulations for Nonresidential Districts Part 2, Dimensional Regulations. Please note that the only property in the entire Village that this FAR bonus density cap will be applicable to is the former United Hospital property.

[2] See Floor Area Bonus Program available pursuant to proposed Zoning Code Section 345-16.

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| | **proposed) based on individual uses as factors of a total FAR, but rather propose a single maximum FAR for the entire parcel consistent with the existing zoning of the Hospital site, as well as every other zoning district in the Village, regardless of which FAR scenario the Board adopts[3].**<br>• **Similarly, a single maximum PMU building height of 8 stories/85 feet should also be adopted, rather than the dissected approach of maximum permitted heights based on individual uses. In accordance with the proposed Comprehensive Plan, this revision to the proposed zoning text would foster innovative building design consistent with "Village" character.**<br>• **The Board should consider a broader density program that permits the acceptance of a "community facility" and/or land in lieu of, or in addition to, a monetary contribution in exchange for such floor area or height bonus that is now contemplated to maintain the maximum flexibility in the future.**<br>• **"Ground floor office as accessory to multi-family development" should be a Permitted Principal Use in the PMU District as opposed to a Special Exception Use. The PMU text proposes to permit "office, office building…" as a Principally Permitted Use. We do not see the distinction between these two uses, particularly given the lack of Code definitions distinguishing between them. Nor can we find any justification for such distinction in the DGEIS. This lack of distinction could lead to an ambiguous and arbitrary interpretation of these two effectively equivalent uses and the imposition of an additional layer of processing that might not be warranted. Accordingly, the "ground floor office as accessory to multi-family development" must be eliminated as a specifically permitted use.**<br><br>**<u>Materials In Support of Revisions to Draft Zoning Text</u>** |

[3] Indeed, the only property in the entire Village that this apportioned FAR And building height approach will be applicable to is the former United Hospital property.

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| | **<u>Amendments</u>**<br>**Enclosed please find the following materials in support of the foregoing requested revisions to the proposed Zoning Text:**<br><br>**Exhibit A: Addendum providing comments on the Village's DGEIS, prepared by VHB Engineering, Surveying and Landscape Architecture, P.C.;**<br><br>**Exhibit B: "Redlined" copies of the Village of Port Chester draft Zoning Text Amendments to Section 345-16, 345-62 and 345 Attachment 3B of the Zoning Law, which contain Starwood's requested revisions;**<br><br>**Exhibit C: Preliminary Fiscal and Socioeconomic Impact Assessment, prepared by VHB Engineering, Surveying and Landscape Architecture, P.C.; and**<br><br>**Exhibit D: Preliminary Traffic Analysis, prepared by TRC Engineers, Inc.**<br><br>**<u>Conclusion</u>**<br>**We look forward to appearing before the Board of Trustees to continue to discuss the current status of Starwood's proposed development plans and the foregoing comments in more detail at future meetings of the Board. We strongly encourage the Board to amend the proposed text of the 2012 Port Chester Planned Mixed Use ("PMU") Zoning District to address the above mentioned revisions. Thank you for your continued consideration.**<br><br>The draft *Comprehensive Plan* recommends a range of uses for the proposed PMU Planned Mixed Use district to encourage true mixed use development. The proposed PMU zoning district includes an FAR of 0.8 (same as existing R2F zoning) with an additional bonus of 0.2 FAR in exchange for a "community benefit" as defined in the proposed zoning code §345-16. The density bonus and apportionment of buildable FAR by use is intended to provide a range of mixed use opportunities at appropriate density per the recommendations of the Comprehensive Plan to not compete with the downtown or create adverse environmental impacts to the public schools, traffic and infrastructure. |

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| | As part of the GEIS, the former United Hospital site was a Focus Area assessed in the build-out analysis. As such, the Increased Overall Density Scenario alternative analysis included a 1.6 FAR as submitted in the Starwood rezoning amendment petition and was generically assessed for potential impacts based on the number of dwelling units, including analysis of traffic generation, socio-economics and infrastructure.<br><br>The Starwood application provides further information for this comparison.<br><br>If a No Action alternative scenario is adopted, the existing R2F Two Family Residential district will remain in place.<br><br><u>PMU Zoning Code and Map Amendments</u><br>• The proposed PMU Planned Mixed Use district zoning 0.8 FAR was derived from the existing R2F Two Family Residential district FAR of 0.8. The Comprehensive Plan Advisory Committee recommended providing for a range of uses in the proposed PMU district without increasing overall as of right density. The PMU district also provides a 0.2 FAR cap for additional density, which was concluded to be a reasonable percentage increase in FAR (25%) to allow additional opportunity for development in return for monetary contribution to be used for open space, housing rehabilitation or parking as defined in proposed zoning code Section 345-16. Building Height and Floor Area Bonus Provision.<br><br>• The maximum building height by land use was recommended by the Comprehensive Plan Advisory Committee to provide a visual landscape with varying building forms. A limit of five (5) stories or fifty-five (55) feet was considered appropriate-scaled development for residential development.<br><br>• The Board of Trustees has the discretion to add the provision of a community facility in addition to monetary contribution to be used for open space, housing rehabilitation or parking as defined in proposed zoning code §345-16. Building Height and Floor Area Bonus Provision. |

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| | • "Ground floor office as accessory to multi-family development" has been added as a Permitted Principal Use in the proposed PMU Planned Mixed Use district as indicated in the Record of Proposed Revisions, August 20, 2012. |
| **CL 06-01, Exhibit A**<br><br>**Anthony B. Gioffre, Esq.**<br><br>**Submitted: 11/1/12** | **[For the full comment letter, please see Appendix E.]**<br><br>**1. To properly assess the potential impacts associated with the rezoning of the United Hospital site, the GEIS needs to recognize the impacts associated with the former hospital use.**<br><br>**2. Further revisions should be made to the proposed Zoning Text Amendments, including the elimination of the overlay restrictive FAR requirements proposed in Section 345-62(E) (i.e., the proposed 0.20 cap on residential and commercial FAR), which effectively discourages the feasible and innovative development of the vacant Hospital site. … The Board should also consider that the 0.20 cap on residential FAR in the proposed amendment is significantly lower than other proposed and existing residential/mixed-use zones in the Village, as well as the permitted as-of-right residential FAR for the existing R2F zoning of the Hospital site.**<br><br>**3. The impact analysis starting on page 128 of the DGEIS, reflects anticipated impacts associated with school age child generation. The DGEIS references the use of the 2006 Rutgers University demographic multipliers. However, it is noted that the Rutgers Study also recommends supplementing analysis with the use of localized survey data to assist in the evaluation of potential impacts. Starwood Capital and Mill Creek Residential Trust have submitted localized survey data that indicates potential impacts resulting from other comparable projects would generate significantly less school age children. The GEIS should reflect that the localized survey data demonstrates a result below that anticipated using just the outdated Rutgers figures.**<br><br>**4. The redevelopment of the United Hospital site has some particularly beneficial impacts related to other surrounding land uses, namely downtown retailers and the Kohl's Shopping Center. Starwood's proposal of 820** |

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| | **new households will provide an estimated $39 million in disposable income to the local economy. Given the presence of the shopping center directly across the street, it stands to reason that this facility would gain considerably.**<br><br>**5. With respect to Table 3 on Page 160 of the DGEIS, it appears that the last scenario in this table should be reworded to reflect its designation as Increased Overall Density Scenario, which includes 820 residential units and 20,000 s.f. of retail space.**<br><br>1. The Draft Generic Environmental Impact Statement (DGEIS) did not and is not required to address conditions or impacts associated with a hospital use since the former United Hospital has been inactive since 2005 and the site will likely not be a hospital in the future. The baseline conditions to which the Proposed Action is appropriately compared, and which is reasonably foreseeable, is property which has no current use. Further, the comparisons of the alternatives for this site in the assessment of focus area are to each other, but include the impacts associated with development under current zoning. The information provided by the commenter regarding certain conditions and impacts associated with the former use of the property is, however, helpful in certain respects, and will be considered by the Board of Trustees in making its determination.<br><br>Currently, Starwood Capital (working with Mill Creek Residential Trust) has a pending rezoning application for the redevelopment of the former United Hospital site that will be subject to the completion of an Environmental Impact Statement, in which a detailed and comprehensive site specific review will be undertaken. The Starwood redevelopment proposal is within the range of the alternatives scenarios assessed in the DGEIS for the Focus Areas.<br><br>2. The draft *Comprehensive Plan* recommends a range of uses for the proposed PMU Planned Mixed Use district to encourage true mixed use development. The proposed PMU zoning district includes an FAR of 0.8 (same as existing R2F zoning) with an additional bonus of 0.2 FAR in exchange for a community benefit as defined in proposed zoning code |

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| | Section 345-16. The density bonus and apportionment of buildable FAR by use is intended to provide a range of mixed use opportunities at appropriate density per the recommendations of the comprehensive plan to not not compete with the downtown or create adverse environmental impacts to the public schools, traffic and infrastructure.<br><br>As part of the GEIS, the former United Hospital site was a Focus Area assessed in the build-out analysis. As such, the Increased Overall Density Scenario alternative analysis included a 1.6 FAR as submitted in the Starwood zoning amendment petition and was generically assessed for potential impacts based on the number of dwelling units including analysis of traffic generation, economics and infrastructure.<br><br>If a No Action alternative scenario is adopted, the proposed PMU district FAR of 0.8 with a maximum bonus of 0.2 will remain 0.8 under the existing R2F Two Family Residential district. The proposed zoning will reflect future changes made to the *Comprehensive Plan,* and the Village of Port Chester Board of Trustees will comprehensively review changes suggested to the proposed PMU district.<br>3. The DGEIS assumed a generic approach in assessing the draft Comprehensive Plan and, as such, analyzed the number of potential school children generated using accepted Rutgers' Multipliers . It was not within the purview of the DGEIS to utilize localized and site specific comparables for a generic review, in which more generalized comparison are made for a Comprehensive Plan. A generalized approach is appropriate because an assessment of school children depends on a variety of factors, including types and mixes of units, which relate to specific development proposals. In contrast, the Environmental Impact Statement for the Starwood redevelopment proposal would analysis in detail the potential for school children based on the particular development proposal and appropriate comparables (which may include the Rutgers Multiplies).<br><br>4. Comment noted.<br><br>There will be different fiscal benefits associated with each alternative development scenario for the former United |

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| | Hospital site, and any specific development proposal would have a specific analysis based on its particular characteristic. The range of impacts in this FGEIS could be an appropriate reference in a site specific Environmental Impact Statement.<br><br>5. Table 3 of 'Maximum Residential Scenario' has been amended to reflect the correct designation of 'Increased Overall Density Scenario' on page 160 of the Draft GEIS. |
| **CL 06-01, Exhibit B**<br><br>**Anthony B. Gioffre, Esq.**<br><br>**Submitted: 11/1/12** | **[For the full comment letter, please see Appendix E.]**<br><br>All zoning text changes pertaining to CL 06-01 are addressed in the Final Generic Environmental Impact Statement.<br><br>Each specific zoning text change proposed will be incorporated as part of a site specific Environmental Impact Statement and analyzed in detail as part of a comprehensive review of the Starwood Capital and Mill Creek Residential Trust. |
| **PH 102**<br><br>**Anthony B. Gioffre, Esq.** | **So this document specifically recognizes that property (former United Hospital Site) as a focus area. We thank the board for making certain revisions to the comprehensive plan through this process that has been amended to offer certain flexibility to facilitate the successful redevelopment of the United Hospital property, and through this process in the DGEIS process we're going to be asking for additional revisions to be made to the proposed PMU text.**<br><br>**Specifically, we're asking that the FAR be increased to 1.6 based upon current and anticipated economic marketing conditions. A 1.6 FAR will be needed in order to successfully redevelop the United Hospital property.**<br><br>**Similarly, as we've identified in prior hearings through the SEQRA process, we're asking that the so called matrix table for FAR uses be eliminated.**<br><br>**This is the only property in the entire village that has specific individual uses, dictate what the FAR is as opposed to a single FAR regardless of the use on site.**<br><br>**Similarly, we'll ask for the matrix table for building heights to be eliminated as well to permit a maximum** |

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| | **building height regardless of the use of eight stories or 85 feet.**<br><br>See responses listed below pertaining to CL06-01. |
| **CL 07-01**<br><br>**Westchester County Planning Board, Edward Buroughs, AICP Commissioner of Planning**<br><br>**Submitted: 11/7/12** | **Comments and Recommendations**<br><br>**1. <u>Consistency with County Planning Board policies.</u> The draft GEIS records how the new plan is consistent with the County Planning Board's long-range planning policies set forth in *Westchester 2015—Context for County and Municipal Planning and Policies to Guide County Planning,* adopted by the County Planning Board on May 6, 2008 and amended January 5, 2010, and its recommended strategies set forth in *Patterns for Westchester: The Land and the People,* adopted December 5, 1995. The plan recommends that future mixed-use development be concentrated in several areas in and around the Village's train station, downtown business district, waterfront and several developed areas having redevelopment potential. This approach will capitalize on the Village's strengths and add desirable density at suitable locations served by transit. Impacts on less dense and less commercial neighborhoods will be minimized.**<br><br>**We support the Village's recommendation to update the 1995 Sewer System Evaluation Survey to verify and quantify inflow/infiltration (I&I). For all future development projects, measures to offset the projected increase in sewage flows should be considered, including reductions in inflow/infiltration (I&I) at ratio of three for one.**<br><br>**2. <u>New local vision.</u> We continue to congratulate the Village on its efforts to create a comprehensive vision for its future. This new plan and the draft GEIS show that a thorough and meaningful effort has been made with the involvement of many local officials, residents and professionals on a wide variety areas, topics and issues.**<br><br>**3. <u>County assistance.</u> Staff of the Westchester County Department of Planning was privileged to provide assistance to the Village during certain** |

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| | **earlier phases of this Plan's development and discussions. We commend the Village on its use of *Westchester 2025: Plan Together* tools, including a detailed zoning build-out analysis and 3-D visioning of build-out scenarios for several of the plan's "Planning Intensity Zones." We continue to offer our assistance to the Village as the Village moves ahead on the many of the plan's recommendations and "next steps."**<br><br>Comment Noted. |
| **PH 107**<br><br>**Richard Abel** | **So I think one of the things is the overall look of the village is what's important here, and this is a plan for the future.**<br><br>**You want to upzone certain areas to try to reduce the number of two or three family homes to one families and things like that, that's a plan. And, yes, there are people that could be hurt for that. I mean, where my business is on Broad Street the west point is not going to be built because I could build 23 stories tall, which is ridiculous anyway, but eight stories is not taking away much of my benefit, my future benefit, and I think it's a good plan. And I think it's a necessary one more that area.**<br><br>**I mean, can you imagine a 23-story building all along Broad Street? I don't think it would be good for the village either in having that. So I think this is a good point, and, you know, yes, when you down – upzone and you change some things people do get hurt.**<br><br>Any existing legal non-conforming use can continue to operate following the adoption of the draft Zoning Map and Text Amendments pursuant to Section §345-13 of the Village Code. Many types of improvements of existing non-conforming uses would not require a variance, and thus would not be affected by the contemplated upzonings.<br><br>If the Village adopts the draft Zoning Map and Text Amendments, any affected property owner may apply for a tax certiorari if aggrieved by the action. |

| Housing | |
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| **CL 04-01**<br><br>**J. Bruce Baker**<br><br>**Submitted: 10/25/12** | **I am writing to urge the Board of Trustees to include a 10% set aside for Affordable Housing in all zones in the Village of Port Chester. As you consider the adoption of the Comprehensive Plan, the inclusion of a set aside for Affordable Housing is in the best interest of the Village. While Port Chester has included a 10% set aside in residential zones in the past, with the adoption of a Comprehensive Plan the Board can include that set aside Village-wide.**<br><br>**The opportunity for new development of ten units or more in the R zones is limited while development in other Village zones is much more likely. To meet the housing needs of current Port Chester residents we believe that more affordable/work force housing is essential. Such housing enables teachers, the police and fire personnel to reside within the village they serve. Affordable housing also eases pressure on the overcrowded housing which is a concern to us all. Affordable, safe housing should be the expectation of all our residents, and I therefore urge the Board to include the 10% set aside Village-wide.**<br><br>Comment noted. |
| **CL 06-01, Exhibit C**<br><br>**Anthony B. Gioffre, Esq.**<br><br>**Submitted: 11/1/12** | **[For the full comment letter, please see Appendix E.]**<br><br>**1. The product is designed to attract the emerging market segment called "Lifestyle Renters" – usually a mix of young childless professionals and empty nesters. This market segment typically includes higher-income households that choose a multifamily unit for its lifestyle, including ease of maintenance, desirable location, convenience, amenities, and access to new technology. ... The development, by virtue of its close proximity to the Port Chester and Rye Metro-North train stations, should be particularly attractive to affluent young workers who are employed in Manhattan but who have been priced out of Manhattan's superheated housing market.**<br><br>**2. As reflected in the Draft 2012 Comprehensive Plan (the "Comp Plan"), the proposed United Hospital** |

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| | **redevelopment will enhance the immediate area with a permanent, high quality mixed-use development. The proposed zoning amendments will provide a permanent, beneficial use to an underutilized property in conformance with the new vision articulated by the Village – mixed-use development and high quality residential housing. ... The development is expected to attract single and married professionals working in and around Westchester and Fairfield County and commuting into New York City, as well as empty-nesters and "baby boomers" who are down-sizing from larger single-family homes and want to remain in the area to be near family and friends.**<br><br>1. A variety of unit types and sizes are permitted under the proposed PMU Planned Mixed Use district zoning and were assessed under the various alternative scenarios analyzed for this Focus Area. The proposed PMU Planned Mixed Use district allows a mixture of residential and non-residential land uses. The type of "lifestyle" described in CL-06-01, Exhibit C would be allowed in all of the alternative scenarios analyzed for this Focus Area, except perhaps for the No Action Alternative scenario for the former United Hospital site. The current zoning allows a narrower range of types of residential units, but that constraint would not necessarily preclude attracting residents interested in the lifestyle referenced in the comment.<br><br>2. The Starwood proposal for the former United Hospital site contains two land uses, commercial and residential. The proposal is in general conformance with the draft Comprehensive Plan, which recommends balanced development between proposed upzoned and downzoned areas to help minimize adverse impacts to the Port Chester – Rye Union Free School District (School District), infrastructure and traffic.<br><br>Every development proposal will be subject to a detailed review with respect to the land use combinations to ensure that the proposal aligns with the goals outlined in the Village of Port Chester draft *Comprehensive Plan*. |
| **Fiscal/Economic Development** | |
| **CL 01-01*** | **My comments/questions on the DGEIS are as follows:** |

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| **Trustee Joseph Kenner**<br><br>**Submitted: 10/19/12** | • **Page 38. The reference to the Capital Theatre should be updated to reference that it is now in business with over 150 scheduled throughout the year or some other descriptive.**<br>• **Page 67. In speaking with PCIDA Chairman Pagano, we both agree that it makes more sense to include the mention of the PCIDA in the economic development section of the DGEIS. (Section 2.7, page 73) as it more applicable in that section, versus the current 2.6 "Municipal Services section." We also agreed that the language should be updated to include the PCLDC as another economic development tool to provide assistance to "civic facilities" and to finance key Village projects, i.e. parking deck.**<br>• **Page 83. There is a type and spacing issue in the second paragraph, second to last sentence of this page.**<br>• **Page 84. The reference to the creation of an "Economic Development Coordinator" could also be the Executive Administrator of the PCIDA/PCLDC fees versus the Village tax levy.**<br><br>All concerns have been addressed in the text of the DGEIS. |
| **PH 101**<br><br>**Goldie Solomon** | **Our school taxes are killing us, so we've got to be very careful about the fact that we don't need any more residential property, and I've been told that a number of times we need more commercials to help the residentials, and that's – and that's a good problem. We also – there are a lot of people who have lost their jobs who needs jobs, and I don't hear anything about what you can do for them, so that is a big problem.**<br><br>The Village of Port Chester's draft *Comprehensive Plan* outlines the areas indicated as higher intensity planning areas and lower intensity planning areas in an attempt to help balance growth and development with the needs of the current residential community. A fiscal impact analysis was also included in the DGEIS. |
| **CL 06-01, Exhibit A**<br><br>**Anthony B. Gioffre, Esq.** | **3. The impact analysis starting on page 128 of the DGEIS, reflects anticipated impacts associated with school age child generation. The DGEIS references the use of the 2006 Rutgers University demographic multipliers. However, it is noted that the Rutgers Study** |

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| **Submitted: 11/1/12** | **also recommends supplementing analysis with the use of localized survey data to assist in the evaluation of potential impacts. Starwood Capital and Mill Creek Residential Trust have submitted localized survey data that indicates potential impacts resulting from other comparable projects would generate significantly less school age children. The GEIS should reflect that the localized survey data demonstrates a result below that anticipated using just the outdated Rutgers figures.**<br><br>**4. The redevelopment of the United Hospital site has some particularly beneficial impacts related to other surrounding land uses, namely downtown retailers and the Kohl's Shopping Center. Starwood's proposal of 820 new households will provide an estimated $39 million in disposable income to the local economy. Given the presence of the shopping center directly across the street, it stands to reason that this facility would gain considerably.**<br><br>3. A Generic Environmental Impact Statement (GEIS) by definition does not assess site specific impacts and, therefore, it was appropriate to generally assess school children generation at a broader, Village-wide scale. The DGEIS assumed a generic approach in assessing the draft Comprehensive Plan and, as such, analyzed the number of potential school children generated using accepted Rutgers' Multipliers . It was not within the purview of the DGEIS to utilize localized and site specific comparables for a generic review, in which more generalized comparison are made for a Comprehensive Plan. A generalized approach is appropriate because an assessment of school children depends on a variety of factors, including types and mixes of units, which relate to specific development proposals.. In contrast, the Environmental Impact Statement for the Starwood redevelopment proposal would analysis in detail the potential for school children based on the particular development proposal and appropriate comparables (which may include the Rutgers Multiplies).<br><br>The DGEIS assumed a generic approach in assessing the draft *Comprehensive Plan* and, as such, analyzed the number of potential school children generated using accepted Rutgers' Multipliers. It was not within the purview of the DGEIS to utilize localized and site specific comparables for a |

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| | generic review.<br><br>For a site specific proposal, as with the Starwood rezoning application for the former United Hospital site, the use of comparable data available is only one subset of possible information to be presented.<br><br>4. Comment noted.<br><br>There will be different fiscal benefits associated with each alternative development scenario for the former United Hospital site, and any specific development proposal would have a specific analysis based on its particular characteristic. The range of impacts in this FGEIS could be an appropriate reference in a site specific Environmental Impact Statement. |
| **CL 06-01, Exhibit B**<br><br>**Anthony B. Gioffre, Esq.**<br><br>**Submitted: 11/1/12** | **[For the full comment letter, please see Appendix E.]**<br><br>All zoning text changes pertaining to CL 06-01 are addressed in the Final Generic Environmental Impact Statement.<br><br>Each specific zoning text change proposed will be analyzed in detail as part of a comprehensive review of the Starwood Capital and Mill Creek Residential Trust rezoning application as part of a site specific Environmental Impact Statement. |
| **CL 06-01, Exhibit C**<br><br>**Anthony B. Gioffre, Esq.**<br><br>**Submitted: 11/1/12** | **[For the full comment letter, please see Appendix E.]**<br><br>**PUBLIC SCHOOL IMPACTS**<br>Comments noted.<br><br>The Starwood proposal Exhibit C outlines specific information relating to public school children, tax generation, a Payment In Lieu of Taxes (PILOT) program, and tax certiorari measures. These items are within the purview of a site specific Environmental Impact Statement – not a Generic Environmental Impact Statement. See CL 06-01, Response 3 for additional information pertaining to potential school district impacts.<br><br>Also, a PILOT program can be applied, if deemed appropriate, by the Village of Port Chester to a variety of taxable settings. |

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| | Starwood is currently in litigation regarding the proposed tax certiorari for the former United Hospital site.<br><br>**1. Exhibit C, section *Public School Impacts,* describes at length the types of demographic multipliers used to calculate school children generated as a result of the proposed former United Hospital site development. The report by VHB references a few localized studies for comparable developments and describes each school children multiplier, concluding that a 0.028 children per unit ratio is appropriate. As such, estimated 17-23 school children will be generated as a result of the proposed 820 unit development.**<br><br>3. The DGEIS assumed a generic approach in assessing the draft Comprehensive Plan and, as such, analyzed the number of potential school children generated using accepted Rutgers' Multipliers . It was not within the purview of the DGEIS to utilize localized and site specific comparables for a generic review, in which more generalized comparison are made for a Comprehensive Plan. A generalized approach is appropriate because an assessment of school children depends on a variety of factors, including types and mixes of units, which relate to specific development proposals. In contrast, the Environmental Impact Statement for the Starwood redevelopment proposal would analysis in detail the potential for school children based on the particular development proposal and appropriate comparables (which may include the Rutgers Multiplies).<br><br>The projections and comparables used by Starwood will be analyzed by the Village of Port Chester as part of a site specific Environmental Impact Statement prepared by Starwood.<br><br>**COMMUNITY BENEFITS PACKAGE**<br>Exhibit C mentions that a $9,500,000 Community Benefits package is available to support local community enhancements. Comment noted.<br><br>The anticipated Community Benefits Package relates to the specific redevelopment proposal by Starwood and will be considered in that context as appropriate.<br>**SOCIOECONOMIC BENEFITS** |

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| | There is detailed and site specific information on job creation, and resident spending power – direct and indirect.<br><br>Such information is not appropriate for a Generic Environmental Impact Statement. Such information pertains to a site specific Environmental Impact Statement and will be subject to a comprehensive and detailed review as part of Starwood's rezoning petition.<br><br>**SUPPLEMENTAL ANALYSIS – 999 HIGH STREET**<br>Exhibit C contains a detailed analysis regarding the parcel (999 High Street) adjacent to the former United Hospital Site in terms of site specific socioeconomic benefits.<br><br>This area was encompassed by the DGEIS and, as such, was included in the various alternative scenarios analyzed for the former United Hospital site on a holistic level.<br><br>Currently, Starwood's pending application does not include 999 High Street. Any subsequent proposal for 999 High Street will be subject to a site specific and detailed review. If Starwood does decide to include 999 High Street in the existing proposal, any development or redevelopment concepts will be evaluated at that time. |
| **PH 104**<br><br>**Eugene Ciccarelli** | **I just need some help understanding the school situation. I'm not really quite sure what the impact is on the schools. I did read something to the effect that Starwood is saying of their 820 units, that it would only generate something like only 17 to 23 school children. I just find it very hard to swallow 17 to 23 children in a complex of 820 units. I think an impendent study of the school children would be important.**<br><br>The DGEIS assumed a generic approach in assessing the draft *Comprehensive Plan* and, as such, analyzed the number of potential school children generated using Rutgers' Multipliers[4]. The proposal referenced by Mr. Ciccarelli pertains to a more site-specific application submitted by Starwood Capital whereby comparable local developments were used in order to determine the potential number of school children generated by their proposal. These projections and comparables will be vetted as part of an Environmental Impact Statement prepared by Starwood, |

[4] Rutgers University, Center for Urban Policy Research. "Residential Demographic Multipliers: Estimates of the Occupants of New Housing," June 2006.

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| | now that the Board of Trustees on, November 19, 2012, accepted Starwood's petition for rezoning. |
| **PH 106**<br><br>**Trustee Saverio Terenzi** | **Mr. Ferrandino, my only couple questions on that, you're talking the public—pupil cost per scenario you got is 1.9 million on 111 students. You know, I used the 17,000. I assuming you—you know, I don't like taking the number and dividing the budget out, because there's a fixed cost in there.**<br><br>The approach taken in the DGEIS employs a generic format and used a linear model to calculate the potential projected costs to the School District based on information provided by the School District. This analysis served as a supplement to the overall Fiscal Impact Analysis. |
| **PH 108**<br><br>**Richard Abel** | **The other thing is that school children is something that doesn't—it doesn't happen in a straight line as you introduce more children. It's steps. And that—there's a tipping point. And I don't know where the tipping point is, and that's something I think you should talk to the schools about and get more information from the schools on this project in that, you know, yes, they could absorb ten children which might be one per grade, okay, but when you add 40 children, it could create a whole new school or at least another classroom. So there is a tipping point, and, you know, I don't know where the tipping point is, but the school district should know.**<br><br>**And that's something that's not in this and it pretty much—from what I can tell it pretty much assumes that school children area a straight line, and it's so much per school child and it's not. It hits a point, and then all of a sudden you got to build more classrooms. And that's something I think that needs to be looked at also in this.**<br><br>Comment noted. |
| **Traffic and Parking** | |
| **PH 105**<br><br>**Eugene Ciccarelli** | **The downtown is out of control and there's traffic backing up on Main Street often, between the two buildings of the movie theatre and the other stores. It's always a problem down there.** |

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| | Commented noted. Additional traffic studies would accompany future site specific development applications. |
| **CL 06-01, Exhibit D**<br><br>**Anthony B. Gioffre, Esq.**<br><br>**Submitted: 11/1/12** | **[For the full comment letter, please see Appendix E.]**<br><br>A project specific traffic study is not required in a Generic Environmental Impact Statement (GEIS), as it is dependent on the size, mix of uses and other factors relating to a specific proposal. Such a study is typically required for a site specific Environmental Impact Statement. The traffic analysis completed by TRC Engineers on behalf of Starwood was for a site specific project and therefore is not necessary for a GEIS, in which more generalized comparison are made for a Comprehensive Plan. |

BOARD OF TRUSTEES
VILLAGE OF PORT CHESTER
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PUBLIC HEARING

COMPREHENSIVE PLAN and
DRAFT ZONING AMENDMENTS/MAP
DRAFT GENERIC ENVIRONMENTAL IMPACT STATEMENT
(DGEIS)

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October 22, 2012
Village of Port Chester
Police Department
350 North Main Street
Port Chester, New York

B E F O R E:
DENNIS PILLA, Mayor
DANIEL BRAKEWOOD, Trustee
SAVERIO TERENZI, Trustee
LUIS MARINO, Trustee

PRESENT:
CHRIS STEERS, Village Manager
ANTHONY M. CERRETO, ESQ., Village Attorney
CHRISTOPHER N. GOMEZ,
Director of Planning and Development

APPEARANCES:
FOR THE APPLICANT:
VINCE FERRANDINO, AICP
FERRANDINO & ASSOCIATES, INC.
Tarry Elm Business Center
3 West Main Street

Elmsford, New York 10523

JESICA YOUNGBLOOD, Planner

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(Time noted: 7:07 p.m.)
MAYOR PILLA: Good evening, ladies and gentlemen. It's Monday, October 22nd, 2012, and this is a special meeting of the Port Chester Board of Trustees. Tonight we have a court stenographer here to take the minutes. I apologize that we're getting a late start.

Can I please get a motion to open the public meeting.

MAYOR PILLA. Mr. Brakewood?

MR. BRAKEWOOD: Yes.

MAYOR PILLA: Mr. Terenzi?

MR. TERENZI: Yes.

MAYOR PILLA: Mr. Marino?

MR. MARINO: Yes.

MAYOR PILLA: And I'm a yes. This meeting is hereby called to order. Welcome to the special meeting of the Port Chester Board of Trustees. At this time, please join me in standing for the pledge of allegiance.

(Pledge of allegiance.)

MAYOR PILLA: Members of the board, Mr. Clerk, staff, members of the public, good

evening and welcome.

Before we get underway with our scheduled business proceeding, I would just like to call for a moment of silence. Yesterday we lost a loved member of the Port Chester community, a young man who was a volunteer fireman for many years, actually. Charles Mellilo Junior passed into his eternal life in an untimely matter, so please at this time let's just pause for a moment of silence.

(Pause.)

MAYOR PILLA: And on behalf of the village board and the entire Port Chester community, we send out our condolences to the Mellilo family for the loss of their great son.

Tonight is another historic moment in the Village of Port Chester as we progress on our journey towards adopting a master plan. While our village was incorporated in 1868, we have technically been steering the ship

since that time without a duly adopted master plan so I'm told.

And so we've been on a journey since 2008 literally towards crafting a vision for the future of Port Chester, but not just a vision, but also related land use regulations, zoning rules and also strategies across many different areas.

The vision was crafted by a group of 18 individuals that were formed as a comprehensive plan advisory committee. The public was invited to participate. These 18 people were chosen competitively, if you will, by the prior seated board.

The vision was crafted based on about eight months of public workshops seeking out the strengths, weaknesses, opportunities and threats, a SWOT analysis of the village and from where we are and that vision of where we want to be. We have formulated specific strategies that are contained in the master plan to achieve that vision.

In order to adopt the master plan, in order to change the zoning, our state law

requires that we take a hard look at the impacts and any mitigation that might be needed from the changes that we are contemplating to make.

And so tonight's agenda is one item only, a public hearing. Well we have an add-on also, but it's a public hearing for the comprehensive planning draft zoning amendment, the map change, the Draft Generic Environmental Impact Statement. So with that as a backdrop, can I please get a motion to open the public hearing?

MR. BRAKEWOOD: Second.

MAYOR PILLA: Mr. Brakewood, thank you.

MR. TERENZI: Second.

MAYOR PILLA: Thank you, Mr. Terenzi. And I'll call the role to open the public hearing. Mr. Brakewood?

MR. BRAKEWOOD: Yes.

MAYOR PILLA: Mr. Terenzi?

MR. TERENZI: Yes.

MAYOR PILLA: Mr. Marino?

MR. MARINO: Yes.

MAYOR PILLA: And the mayor is a yes, so

this public hearing is hereby open.

I'll turn it over to Mr. Ferrandino, who has been our hired consultant leading the village on the Draft Generic Environmental Impact Statement. That really is above and beyond what the law requires, technically, but we typically do more than the minimum what the law requires these days in the Village of Port Chester, I'm proud to say. So without further ado, good evening, Mr. Ferrandino.

MR. FERRANDINO: Good evening, everyone, and thank you very much, Mr. Mayor.

Tonight's task is very simple: It is basically to hand this over to the public for comment on the Draft Generic Environmental Impact Statement that was accepted as complete by the Board of Trustees on October 1st of this year.

22 days were provided, minimum 15 required, but 22 days roughly were provided for the public to submit comments to this evening's hearing. Following this evening's hearing there will be an additional ten-day

comment period for written comments if the board so desires to close the hearing that would bring it to Thursday, November 1st, for receipt of comments, and then we will proceed to prepare a Final Generic Environmental Impact Statement and environmental findings. And hopefully if all goes well before the end of the year, the village will have a comprehensive plan before it, including major zoning amendments.

I would like to recognize very quickly Saran Yackel, who is a senior associate with BFJ Planning. Sarah is sitting in the back of the room.

BFJ, as you know, was retained to provide the update, if you will, or the synthesis to the draft comprehensive planning zoning that had been prepared some years ago. They have done that, concluded their chores very, very well, handed it off to my firm, and we prepared the DGEIS, which includes build-out analysis, if you will, for several of the proposals and alternatives. And that's all included in this document dated

September of 2012 that has been on the village website for a number of weeks now, and that was made available in the clerk's office and at the library.

So, again, the purpose of this evening's hearing is to hear the public as they ask questions and make comments. Everything will be noted by the court stenographer and by Jessica Youngblood, who's a planner at my firm and who's been spearheading the DGEIS for us.

So, Mr. Mayor, without further ado, I leave it up to you to officially conduct the hearing.

MAYOR PILLA: Thank you very much. And, you know, just for the record also in terms of this journey that we've been on with the comprehensive plan, besides all these public participation sessions that I spoke about, which would be, really, the lead-in to the changes that we're discussing tonight, we also did outreach, literally mailing every resident in the village about the preceding public hearings that led us to accept the

master plan that Mr. Ferrandino and his associates have been studying in this DGEIS, so once again, doing more than the minimum that the law requires to make sure everybody knows that Port Chester is changing.

Are there any comments from staff actually before I open it up to the public? Further comments from staff?

MR. GOMEZ: I just want to echo Mr. Ferrandino's statement about the website. The comprehensive plan website, land use, and the clerk's office has been very diligent in getting all the documents up in a timely fashion, and the document today was both in the agenda package for today as well as on the conference of plan website already.

And just, Mr. Mayor, I want to echo your sentiment. This is an exciting time. We're towards the tail end of this process. We're going to hear from the public tonight, and as Mr. Ferrandino noted all comments will be responded to in the FGEIS, which is the generic -- the final environmental impact statement, so anything again will be

addressed and further study will be, you know, done if necessary.

MAYOR PILLA: Thank you, Mr. Gomez. And as Mr. Ferrandino said, we're here to listen, so without further ado, I'll recognize the public. Goldie, I see your hand first. Goldie Solomon, welcome.

GOLDIE SOLOMON: Okay. I'm here tonight because there are many elderly veterans disabled that could not come out tonight and that are worried and have been here over 50 years in the Village of Port Chester, and they're worried about their taxes going up, and they're worried about what's happening here with people coming from out of town don't know anything about the Village of Port Chester and are creating all kinds of problems here.

Our assessments right now -- I don't know whether you know are much too high because they don't take into consideration age, condition and location, and a lot of people have been paying all kinds of taxes.

Our school taxes are killing us, so

we've got to be very careful about the fact that we don't need any more residential property, and I've been told that a number of times we need more commercials to help the residentials, and that's -- and that's a good problem. We also -- there are a lot of people who have lost their jobs who need jobs, and I don't hear anything about what you can do for them, so that is a big problem.

We've got a lot of outsiders here who don't know a blessed thing about the Village of Port Chester and the fact that it is a low income to a middle income community, okay, and we have more off the tax rolls than any other village our size and we are getting killed with our taxes, so we've got to be very careful about this comprehensive plan and whatever you're doing that you have to understand that you have to take care of the taxpayer who pays your salaries and your benefits and the citizen of the Village of Port Chester, not an outsider who knows knowing about here.

We are all Americans, you have to remember that. We are all Americans. If you look at the map, North America, Central America, South America, we are the United States of America, so we are all Americans. But we may not all be United States citizens, but we're all Americans, and we have to take care of all God's children and all God's creatures and if this plan does not do that and it creates more problems for these people, God help us. Please help us because government is not.

MAYOR PILLA: Thank you, Ms. Solomon. Is there anyone else from the audience that would like to comment on the Draft Generic Environmental Impact Statement, conference of plan and map change?

Mr. Gioffre, good evening, sir.

MR. GIOFFRE: Good evening, Mr. Mayor. Members of the board. For the record, my name is Tony Gioffre. I'm here this evening on behalf of affiliates of the Starwood Capital Group, owners of the United Hospital Property.

As you're aware, Starwood has a large stake at how the board defines goals in this comprehensive plan and what is ultimately adopted in provisions to the zoning text and map changes.

And as owners of the United Hospital property, Starwood has a significant interest in the growth and the development of Village of Port Chester and through the documentation that's been prepared -- that's been recognized and in this document. This is the DGEIS, as Mr. Reavis indicated at a work session last week. Each of these tabs is identified where the United Hospital property is specifically identified in this document.

So this document specifically recognizes that property as a focus area. We thank the board for making certain revisions to the comprehensive plan through this process that has been amended to offer certain flexibility to facilitate the successful redevelopment of the United Hospital property, and through this process in the DGEIS process we're going to be asking for additional revisions to be

made to the proposed PMU text.

Specifically, we're asking that the FAR be increased to 1.6 based upon current and anticipated economic marketing conditions. A 1.6 FAR will be needed in order to successfully redevelop the United Hospital property.

Similarly, as we've identified in prior hearings through the SEQRA process, we're asking that the so called matrix table for FAR uses be eliminated.

This is the only property in the entire village that has specific individual uses, dictate what the FAR is as opposed to a single FAR regardless of the use on site.

Similarly, we'll ask for that matrix table for building heights to be eliminated as well to permit a maximum building height regardless of the use of eight stories or 85 feet.

We anticipate continuing to be a part of this process, and we reserve the right to make further comments during the written comment period, and we thank you for the

opportunity to be heard.

MAYOR PILLA: Thank you.

MR. BRAKEWOOD: Could you just clarify the last comments about the heights. You wanted to specify the eight stories or 85 feet or you want that removed?

MR. GIOFFRE: There's a distinction that's made right now that for certain uses it's eight stories or 85 feet. For other uses it's lower. We're asking for a single maximum height of eight stories, 85 feet, regardless of the use.

MAYOR PILLA: Thank you. Is there anyone else from the public? Yes, ma'am. Good evening, and if you could just please state your name for the record.

MS. CROSS: Sure. Good evening. My name is Jody Cross. I'm from the law firm of Zarin and Steinmetz. I'm here tonight with Kathleen and Tony Lanzo, who are TGI Realty Corp. They're the owners of 25 Abendroth Avenue.

Initially, I just want to commend the board and the committee on the work they've

done to date. I know it's been a long and complex multiyear process, but our clients have some significant concerns about how the comp plan and rezoning affects their area of the downtown, and particularly their property.

We have brought on a planning consultant to review the rezoning and the comp plan to determine how it affects their property, and we have Syrette Dym with us here today who's going to make a brief statement as well. In light of her comments, we would ask that the board keep the hearing open and continue to address these concerns and take a further hard look at these impacts.

In the event that the hearing is closed, we would ask that the written submission date be extended to 30 days to give us an opportunity to submit a report from our consultants.

And with that I'm going to turn it over to Syrette to discuss her analysis.

MAYOR PILLA: Thank you, Ms. Cross.

MS. CROSS: Thank you.

MAYOR PILLA: Good evening.
MS. DYM: How are you?
MAYOR PILLA: Doing well.
MS. DYM: Would you tell me the best place to put this?
MAYOR PILLA: Right in the corner. Tom, inside or outside? We have angled cameras in our courtroom to get views from the podium, views of the board and views of staff.
And for the folks in the audience, if Tom does this right, he'll shoot a picture of that story board, and you'll be able to see it the TV that's to my right, your left on top of that cabinet.
MS. DYM: Good evening. I'm an independent planning consultant --
MAYOR PILLA: What was your name again? I'm sorry.
MS. DYM: MS. DYM.
MAYOR PILLA: Nice to meet you.
MS. DYM: Representing TGI Reality Corporation and its property at 25 Abendroth Avenue. Having reviewed the draft comprehensive plan, the proposed zoning,

mapping and text modifications and the Draft Generic Environmental Impact Statement and assessing the impacts of those changes on this property, I have the following comments to make as to how they do impact the future development of 25 Abendroth Avenue.

I'm sure you're all aware of the property on its location on Abendroth Avenue, and I'll be referring to these pictures just to make my points as I go along.

The property's approximately 26,000 square feet in size. It's currently zoned C2 central business, and it's located at the northeast corner of Highland Street and Abendroth Avenue.

This is Highland Street, which provides a view card to the Byram River. The building is one plus stories of industrial development and the building covers about a hundred percent of the lot.

It's proposed for mapping to the DW Design Waterfront District. That is an existing district. However, the DW District proposed as part of the zoning amendments for

change in height from its existing eight stories and 70 feet to four stories and 50 feet.

The currently mapped C2 District is also going to be changed, and that C2 District will continue to be mapped on the properties across Abendroth Avenue along Main Street and that -- currently the height limit on that is the same at 8 stories and 70 feet, but the height limit will be changed to 5 story and 60 feet, an additional story and ten feet above what is proposed on the opposite side of the street.

The DW District also provides a floor area ratio. Many of you know what they are but for those who do not, FAR is a measure that determines the amount of total square footage permitted on a property relative to the size of the property.

And what the change from the C2 to the DW does and the impact on the site is essentially halves, the FAR that is permitted on this property, and in addition, yards where none are required except in the rear

yard on this property, yards are now to be provided on all sides of the property as part of the DW District.

In the rear an additional ten feet would be required. So having reviewed the impact of these proposals on this subject site within its immediate surrounding neighborhood and I would like to point out what that is again. I'm sure you know it, but for those who may not, adjacent as you can see when you look south on Abendroth Avenue there is the existing Byram self storage which is essentially a six-story building and effectively a six-story building.

And the newly developed apartment building which is a five-story building and has a street wall along Abendroth Avenue with no setbacks. So that's the context in which this building lies and to the north this is the building are low scale uses, and, again, the rears of buildings are -- that otherwise are fronting on Main Street.

So having reviewed this context it's my professional opinion that the village should

not be reducing height and FAR and increasing yard requirements to the extent proposed.

Certainly, if you take height you should not be adding yards or vice versa and that these together are excessive and when coupled with required lot area per room will not permit feasible redevelopment of the site with proposed new uses that are being added as part of the DW District.

In this way neither the village nor the owner of this property are likely to achieve their desired goals. On the other hand, while this property is facing significant reduced development potential, properties outside of this central waterfront subarea which the comprehensive plan identifies 25 Abendroth Avenue as within, are being rezoned to DW, and those properties are receiving a significant development potential benefit as opposed to this property which is being negatively impacted.

Two other areas that are being zoned DW are one area on the southern part of the village, the southernmost DW District where a

large R7 parcel is being added. By putting that parcel into the DW District, effectively you are changing the development potential and density permitted from about 6 units per acre to about 58 units per acre, a tenfold increase.

And the other area that's being rezoned to DW is the next area north of that southernmost area more towards the west a more interior group of parcels below the large scale areas within -- close to the downtown. And on those parcels the FAR -- those are largely zoned M1 Light Industrial and they will greatly benefit from an increased FAR of about 60 percent increase in FAR and a doubling of their height.

So whereas those two areas are benefiting from being zoned to DW, 25 Abendroth Avenue is the one that's being negatively impacted.

Therefore, we are asking the village to rethink the dimensional regulations that would affect this property and are recommending this part of the SEQRA process

that another DW District be considered as an alternative in the DGEIS.

This alternative would consider a different DW District. Let's call it a DW2. For mapping on this site and those in the northern part of the central waterfront area, such a district would have added height to at least that of the new C2, reduce setbacks in yards and increased FAR to permit feasible redevelopment of residential or other uses that would now be permitted as part of the DW District. And these uses would be able to economically support -- as we can see where we are here, the adjacent Main Street uses that we (indiscernible) to make feasible development of these sites.

Two parcels to the south that we've identified, both the Byram Self Storage and the new apartment building, have considerably greater height and bulk, and they aren't going anyplace. Obviously, the new building has just been developed. It is highly unlikely that this building is going to get redeveloped. More likely, it will stay

either in its current loft style use or it will be an adaptive reuse.

We all know that this type of loft building has effectively been adaptively reused in many locations for other types of uses, be it residential, office, et cetera. And in both cases, as you can see by looking at the waterfront, this building is set back a minor amount from the Byram River, and there is a zero setback for the self storage building.

So the ability to build a continuous walkway from Willet Avenue on north is highly unlikely given the existence of these two buildings. So to consider an increased setback for this building, we think is something that the village should definitely rethink.

The potential additional density that could result from a DW-2 type district with some of the items that I've asked the village to consider would have to be examined as part of this DGEIS alternative analysis; however, since the DGEIS has identified based on its

build-out analysis on a village-wide basis, that overall there would be a resulting reduction of 242 units.

We believe that this incremental increase over and above what is already proposed for this site and a few others that would be impacted is in fact incremental and would likely not have a significant impact on the village.

And, therefore, we are asking as part of this process that the village do consider an additional alternative analysis as part of the DGEIS. Thank you.

MAYOR PILLA: Thank you. Mr. Terenzi.

MR. TERENZI: Yes. You talk about the feasibility of the building on that corner where Harris is. Now, you're telling me that the existing zone is C2, which is eight stories; correct?

MS. DYM: Correct.

MR. TERENZI: We've been through this process with United Hospital for the last three years, and all they keep telling us is the fact that you cannot do any kind of

construction that makes any kind of economic sense if you don't do stick-built over garage, which is six stories off the ground.

So you're telling me that it's feasible to knock that building down and go eight stories property line to property line, and that's feasible, but taking Byram Storage and renovating that and turning that into a residential is not feasible?

MS. DYM: Well, one, I'm not in the construction business.

MR. TERENZI: But you're an independent planning consultant. You know a lot more about this than I do. Okay. So I'm going to ask that question again: Is it going to be feasible to knock down that building and go eight stories, and you'll have to go high-rise construction, right, Maria, okay? You'll have to go high-rise construction, which will make it completely uneconomical to do as opposed to what we're trying to do here, which is trying to trend it down, if you want to build, which you'll never -- we're talking about something that ain't

going to happen for another 50 years, okay. I can't see those buildings coming down, unless they got the property flipped. You know, I know it was on the market for than six million. I don't know how many takers they got, but the bottom line is if you're going to talk feasibility, let's just make sure that we're all on the same page here. If you wanted to go back to the original -- you don't want any changes over there, in fact; you don't want anything to happen.

MAYOR PILLA: I don't think that's what she said.

MS. DYM: That's not what I said.

MR. TERENZI: Okay. What's your alternative then?

MS. DYM: Nor did I suggest at all. I don't think anything I said that. We'll go back to the 8th.

MR. TERENZI: Okay. What's your compromise?

MS. DYM: Well, first of all, I'm talking about what is currently the context in this area. The context in this area, the

newest development is five stories. That is consistent --

MR. TERENZI: It's stick -built over garage.

MS. DYM: This is what is consistent with what you're also proposing for --

MR. TERENZI: That's exactly what we've been getting hammered on for the last three years with other projects, so we all agreed that, you know, to make it feasible and economic for a developer to come in stick-built over garage would make sense.

MS. DYM: Okay. Well, at the moment what is being suggested for this property is not even what was given for this property or what is being proposed for across the street. In this case --

MR. BRAKEWOOD: You seem to be suggesting five stories.

MS. DYM: I'm sorry.

MR. BRAKEWOOD: You seem to be suggesting five stories. Would it be more appropriate for that lot?

MS. DYM: Well, I am saying that

certainly in line with what is the development character and context on this street, we've already established five and six stories as that character. Across the street, the zoning will permit up to five stories.

So to treat this particular area differently and -- and to not only bring down the height, but compress the site by adding additional yards, particularly, and I should say, we have a street wall development here. We also have in this case, you already have a through street, and depending on how this gets determined, a corner lot typically is determined to have two front yards and two rear yards, but in this case it does not make sense really to have a setback here.

We already have a view corridor to the water because of the exiting street. This is not a through street for traffic. It's really potentially a through street for access to either of these sites, potentially for parking or whatever that would be associated with.

So it's not that this is a street that is trafficked, it's just in a sense it provides its own yard between these two buildings, so it makes no sense both in the front with an established street wall and on the side to require additional setbacks.

MR. BRAKEWOOD: Can I just ask a quick question to clarify. How large -- and you may not know this, maybe somebody else does, how large is the mariner lot and how large is the USA Storage lot? You said yours is 20,000 square feet?

MS. DYM: 26,000 approximately square feet.

MR. BRAKEWOOD: Oh, yeah 26,000.

MR. GOMEZ: I believe the mariner estimate -- the address has changed obviously, but number I have is 60,280 square feet. Yeah, it was a merger of two lots there.

MR. BRAKEWOOD: Okay. And do you know what the Byram self-storage is?

MR. GOMEZ: What was the address on that again just to make sure? Byram Self Storage

address?

MR. BRAKEWOOD: 23 or I don't know which way the numbers go.

MS. DYM: I don't have the address.

MR. BRAKEWOOD: Well, you're 25, so it is 23 or 27 maybe? Either way the mariner is a 60,000 square feet. Okay. I just wanted to get a feeling for the size of your lot going up five or six stories versus the size of the other lots that are that height.

MR. TERENZI: Mr. Gomez, what kind of side yards and setbacks have we imposed on this as opposed to what the C2 was? Just refresh my memory.

MR. TERENZI: I think the C2 has -- as Syrette had mentioned, the C2 has currently a twenty yard -- 20 feet rear-yard setback, and the DW has a 20-foot front and a 30-foot rear, and it's also side yards -- each 25 feet or one half the height of the building, whichever is greater.

MS. DYM: And as I said because this is a front -- a corner lot, effectively, the -- if you think of this as a rectangle, you have

20 and 30, 20 and a 30, so you've got 50 feet but you lose it on both sides of the lot in the DW. And under the existing C2, the only yards that are required are in the rear.

MR. TERENZI: Chris, was there any discussion -- I don't remember. I know we talked about this, Dennis, you know, we had a conversation about the fact that this new DW would put you in a position where you'd be putting a ten by ten building, you know, seven stories up in the air. Have we had any discussions about no front yard? What was the thought process, Chris, or whoever really hammered this out. I mean, yes, the mariner looks good, you know, without the frontage. You know, I mean, I thought the idea was to taper it down towards the water.

MR. GOMEZ: The thought -- again, if you know, BFJ was also here, representatives were here or not in years preceding, but my understanding again is, yes, there was a step down to the waterfront, a reducing height down to four stories for the DW. Beyond that the setback from the rear yard from the

waterfront is not substantially different, but yes, the front yard setback and side yards would be in this case.

MAYOR PILLA: And FAR.

MR. GOMEZ: And FAR.

MR. TERENZI: And the thought process was just for more open space?

MR. GOMEZ: I'd be speculating, but the thought process, I believe, was to allow better waterfront uses. The design waterfront allows for certain uses that you cannot currently get in the C2 along with the better reduction in height to allow view quarters --

MR. TERENZI: And I understand that, but I don't know how the side yards fit into the water use. That's what my concern would be.

MR. GOMEZ: The DW that's being proposed, the current DW that's been established, it's an existing setback, an existing zone, existing uses. It's not a new zone, a new transitional, for example --

MAYOR PILLA: One at a time for the stenographer, please, guys.

MR. GOMEZ: So essentially that DW is -- that we have not had existing in the village was applied to this location.

MR. TERENZI: But the mariner got street to street, property line to property line, and that was a C2 over there; right?

MR. GOMEZ: Yep.

MR. TERENZI: What kind of FAR is over there? Tony, you remember?

MR. GOMEZ: I can check for you.

MS. DYM: All I want to say is if it's conforming, the C2 currently permits 3.3, and this is proposing in the DW 1.6, which is less than half.

MR. TERENZI: I think we all, our understanding here of the situation, I mean we've been through this, so, I mean, I think she brings up some pretty good points.

MAYOR PILLA: Yeah, I happen to agree. And it's not just affecting your client's lot, but the others too.

MR. TERENZI: The whole from Mill Street to Byram, that whole thing's got to be looked at the same venue.

MAYOR PILLA: I appreciate the context that you presented all of this to us with. It really will be helpful for us with our analysis.

MR. BRAKEWOOD: Certainly, I appreciate your presentation, and I think it's very insightful, but I would think that, you know, the mariner was approved what, six years ago, seven years ago, and it was not necessarily -- it was quite honestly one of the issues that we ran on several years ago was the mariner, the size, the density and the fact that it was built without a master plan of being in place, so the fact that things are now changing and the fact that we're looking at, I think, a more rationale basis for the planning in the long run, I can understand your dilemma.

You're looking at something that was approved that is much denser, but many people on this board, at least, I speak for myself, would say that it was an example of poor planning, and so I don't want to replicate and extend what I look at as poor planning

onto additional lots. So that's this trustee's personal opinion, but I'll certainly take under advisement what you've presented to us tonight.

MR. TERENZI: And I think you bring a good point. Nobody -- I agree with you also. The mariner we thought was way too dense, let's see what happens over there, but what she's telling me -- what's your first name again? I'm sorry.

MS. DYM: Syrette.

MR. TERENZI: Syrette. Syrette, your only looking for what's next door, which is another story, five stories, and you're really concerned about the side yard. The front -- that thirty feet -- that 50 feet that's going to put you in a box there, I would identify those as your main concerns.

MS. DYM: Yes. FAR --

MAYOR PILLA: It's the combination of the three, right. It's reduction of the height, the reduction of the FAR, and the reduction of the setbacks that make it.

MS. DYM: It's what's known as a zoning

envelope. If you keep putting all of these parameters and you keep in this case reducing that box, and therefore that box is making it more and more difficult for my client.

MR. BRAKEWOOD: And you do understand, right, that it's not your client, it's not about 25 Abendroth, right. It's about the entire DW zone.

MS. DYM: Well, obviously, you're not going to change it for just this. I'm using this as the example.

MR. BRAKEWOOD: Absolutely. No, I understand that. I just don't want the public to think that we're somehow building a master plan around 25 Abendroth. That's not at all the case.

MR. TERENZI: And on the other side, we don't want to restrict the zone where nothing happens there forever.

MAYOR PILLA: Right.

MR. BRAKEWOOD: Well, there's a lot going on down there right now. There's a shade store going in; there's a new parking lots going in. There's a parking lot -- I

mean you must feel -- your clients must feel quite happy about the fact that The Tarry Lodge, The Tarry Market, they're putting in 36 parking places right across the street from your building.

I mean, come on, that -- compared to the way that corner looked 20 years ago, that property is worth a lot more money today just as is than it was 20 years ago, simply because of what your neighbors have done. Your building looks exactly the way it did 20 years ago, 25 years ago.

MS. DYM: Can I make one other point?

MAYOR PILLA: Sure.

MS. DYM: Now I have to remember what I was going to say. We better move on because I don't remember what I was going to say.

MS. CROSS: Quick clarification.

MAYOR PILLA: Ms. Cross. First while I see a hand. Go ahead, I'll recognize Mr. Steers.

MR. STEERS: Staff has actually been taking a closer look at this since we've heard some rumblings about some concerns in

that area. When she threw out the language of DW2 that was -- those were the words out of my lips about three or four weeks ago.

But anyway, the analysis can be done. I mean, that's the whole purpose of this process. If any changes are proposed out of that analysis, then we'll require another public hearing. I just want to remind the board of the timetable that has been shifted a couple times already, so there's some consequences, although there's also some benefits to taking that step.

Mr. Ferrandino, you can correct me if I've said anything wrong. If you can correct me if I said --

MR. FERRANDINO: No. Depending on the results of the analysis, I'm not sure we'd need another public hearing, but what we would do, and the mayor had basically insightfully made this suggestion as well, we are going to take a look at DW as part of the FGEIS and Syrette's comments are very helpful as well.

I would respectfully request that she

either leave a copy of her comments with us tonight or certainly within the 10-day comment period. We will analyze it, and we'll see where the chips fall, we'll see what the impacts are and see whether it makes sense on a holistic basis.

MR. TERENZI: Chris, you're pretty good with the computer there. If you were to take the zone the way it's proposed right now, Mr. Gomez.

MR. GOMEZ: Done already.

MR. TERENZI: I like to see what it looks like.

MR. GOMEZ: The envelopes.

MR. TERENZI: With the envelope, exactly.

MR. GOMEZ: There's some numbers here too.

MR. TERENZI: All right.

MS. DYM: I remembered what I forgot before and this related to the D2. I just wanted to say in suggesting the possibility of a D2, it's very similar to what you already have in terms of your C zones. We

have seven different C-type zones, and this is a normal progression in zoning that, you know, one concept is appropriate, but the differing types of regulations depending on the nuances of the particular area that it's applied to. So it's not something that your zoning doesn't already recognize and that you're already doing and making new proposals for your C district as well.

MAYOR PILLA: Ms. Cross.

MS. CROSS: Just wanted to clarify. A comment was made that the property had been on the market. That was not 25 Abendroth, so I just wanted to say that for the record.

MAYOR PILLA: Thank you. Is there anything else from either of you?

MS. DYM: No.

MS. CROSS: No.

MAYOR PILLA: Thank you very much. I appreciate the insight. Thank you.

Is there anyone else from the public that would like to comment on the Draft Generic Environmental Impact Statement? Mr. Ciccarelli?

MR. BRAKEWOOD: While Gene is walking up, the one thing I would just like to emphasize is that I think there is, and if you look at the mariner, it really underscores the reason for having a setback off the road.

The mariner is way too close to the road. It's a beautiful building, nice apartments, but it's way too close to the road. In fact, if you walk down the sidewalk today with telephone poles, which I can't believe they didn't bury the utility lines, with the telephone poles and the trees, plants and approximately a very narrow sidewalk, no setback was a bad decision on that particular property.

MAYOR PILLA: Yeah. Somewhere between the status quo and --

MR. BRAKEWOOD: No, I'm just pointing out it was used as an example of what is there and what should be allowed to go down the street. I am pointing out as a resident and a trustee, I believe what is down the street would have been better if it had lived

within the setback.

MR. TERENZI: I don't think she's saying that the mariner should be built on her property.

MR. BRAKEWOOD: I think she just pointed out that that building is down the street, it has no setback.

MAYOR PILLA: That was the conflict with the street.

MR. BRAKEWOOD: So why is she being required to have a setback.

MAYOR PILLA: So staff, I know, is in deep thoughts on this already, and we can circle back when we talk about how we advance this process when we're here for the public.

Mr. Ciccarelli, how are you doing tonight, sir?

MR. CICCARELLI: Good. Good. Thanks. Good evening. I just need some help understanding the school situation. I'm not really quite sure what the impact is on the schools. I did read something to the effect that Starwood is saying of their 820 units, that it would only generate something like

only 17 to 23 school children.

I don't know if I'm mixing apples and oranges. I'm not a demographer. I don't understand the science of demography. To me sometimes it seems like hocus pocus, especially when developers come in with their own demographic analysis. I just find it very hard to swallow a 17 to 23 children in a complex of 820 units.

Rye Brook, for instance, is putting units on Bowman Avenue, and they had some demographic results of school children that would be generated out of two stories of eight -- there were eight two-story houses. One on the lower level would be rental, one bedroom, and then two bedrooms on the upper level had -- two bedrooms on the upper level had, I think one child or six to seven children generated out of that entire complex, so of the 16 total units.

If the one bedroom units that are rentals on the ground floor generated -- let's say for argument sake generated no children at all because they're one bedrooms,

and it generally seems to be the argument that one bedrooms and studios don't generally attract school children.

So taking the two bedroom units on the upper level of these eight separate entities that I would say for -- taking that 6 to 7 children that they say will be generated, let's round that to 8, because I'm not -- I'm excluding the one bedrooms on the bottom that no children will come out of that, which is kind of a ridiculous argument because I feel that even a one bedroom might have people that have children in a one bedroom.

So if we took the eight children that this complex would generate instead of the six to seven that the -- Rye Brook is stating that's they'll generate, so that's basically one child per two-bedroom unit. So taking one child for two-bedroom unit, taking Starwood's 385 two-bedroom units -- I know they're rentals, and they're supposed to be attracting the (indiscernible), the tech savvy generation, you know, this idea of empty nesters and that type of thing, I don't

know for certain that that will just attract just those type of people.

So if you took the 385 and you took the two bedroom, I'll exclude all their one bedrooms, which total about 394, and just for a ridiculous argument again, no children generated out of the one bedroom. So we'll just say for the purposes of this -- of what I feel that this is the formula for is a one child per two bedroom unit. Now, 385 children as opposed to what they're saying will generate 17 to 23 seems a bit prosperous; it's just way too far apart.

So even if I took their 385 school children and halve that and said 192 children would be possibly closer to what the number would be, that still would be like something like 9 times the amount of what I'm looking at in terms of what Rye Brook's housing would generate, so it's just very difficult for me to understand how this is going to pan out.

I think an independent study of the school children would be important. I don't like -- just like traffic studies. You know,

a traffic study in the downtown area basically never -- it never panned out to say that things could be under control, because they're not under control.

The downtown is out of control and there's traffic backing up up on Main Street often, between the two buildings of the movie theatre and the other stores. It's always a problem down there. The traffic is just ridiculous, so I don't trust traffic studies. I'm not big on demographic studies. I hope we have a very, very strong look at what we feel, if it bears 17 to 23 children out, and if the schools -- I don't know if the schools did weigh in on that or not. Did we get any response from the schools on that 17 to 23?

MAYOR PILLA: Let me tell you what we do have, Mr. Ciccarelli, if I may. We got 17 school children that you're talking about is from a document that Starwood generated.

MR. CICCARELLI: Right.

MAYOR PILLA: And as part of the hard look that the village took in the very DGEIS that we're here to discuss tonight, Mr.

Ferrandino and his associates looked at the Starwood property in two scenarios.

The first scenario they locked at was the PMU Zone that as it is proscribed in the master plan and the proposed text zoning, and the second way they looked at it was against the 820 units with less commercial and without the matrix basically that Mr. Gioffre was speaking to before.

And Mr. Ferrandino, can you tell us how many school children those -- your hard look at each of those scenarios?

MR. FERRANDINO: Right. This is on page 129 of the DGEIS is a matrix that we prepared and that essentially the so-called no action existing on 2F zoning would generate 240 dwelling units, and it would also generate 70 public school children.

What we call the PMU scenario with 259 dwelling units, we projected 25 school children. For the PMU scenario maximum residential, 432 dwelling units and 30 school children. And then for the scenario that we believe is closest to what Starwood is

proposing, we call it the increased overall density about 820 units with 111 school children generated.

So did we use, Gene, the Rutgers multipliers for those?

MR. CICCARELLI: Rutgers multipliers, okay.

MR. FERRANDINO: Yeah, which is not my favorite. For generic, we felt relatively comfortable with that so there are some differences obviously.

MAYOR PILLA: So for the record, I misspoke. We didn't just look at two scenarios there. We really looked at four.

MR. FERRANDINO: Four.

MAYOR PILLA: No action, the PMU was defined, and the (indiscernible) scenario and the Starwood proposal.

MR. FERRANDINO: Correct.

MAYOR PILLA: And the Starwood proposal on page 129 is 111, the number of public school children generated based on Rutgers methodology that Mr. Ferrandino just described.

MR. CICCARELLI: Okay. And that's a far cry from 17 to 23. 111 is a big difference. Okay. Thank you. That's all I wanted to day.

MAYOR PILLA: Thank you, Mr. Ciccarelli.

MR. TERENZI: Mr. Ferrandino, my only couple questions on that, you're talking the public -- pupil cost per scenario you got is 1.9 million on 111 students. You know, I used the 17,000. I assuming you -- you know, I don't like taking the number and dividing the budget out, because there's fixed cost in there. And I think there's an incremental cost that's lower. I think it's more like 13,000. I'm not an expert at it, but I'll have a conversation with (indiscernible) one of these days. 13,000 is 4,000, you know, you're talking about $400,000 difference in the number, you know.

And the other thing I will bring up, I'll give it to -- I like 111 more than I like 30, but I also like the fact that, you know, I think this board is pretty adamant about the fact that unless something creative

is done with the nine and a half million dollars that they're proposing to give us where we can actually go in and reduce density in other areas where we have a net, my goal would be even if this did generate 111 kids or 150 kids, then we would have a plan in our back pocket with the 9 and a half million and maybe a contribution from the village, okay, a low interest loan, a low interest money out there, then we would balance that off and basically shift the density from the areas that we would like to see a lot less denser to areas that are paying 22, 23, 24 hundred dollars a month.

Now, the other -- the other analysis when you -- if you're going to compare affordable housing density children to a property like, I don't think that's a fair analysis either -- I mean, coming up with 300 students is ridiculous because affordable housing is geared more towards I think -- Vince, you know a lot more about this than I do. I mean, if they're going to put a two bedroom in there and it's going for

affordable housing, yeah, they're going to try to shift or get people to qualify that do have children in there, I would assume. I mean, that's the whole theory behind affordable housing, so other than that, you know, Gene's points are well taken.

MAYOR PILLA: Okay. Is there anyone else from the public that would like to speak? Mr. Abel? Welcome tonight.

RICHARD ABEL: Good evening. Richard Abel, Quintard Drive. I look at this and the word "comprehensive plan," it's a plan, a plan of what the future of the village should be, not what it is today or just what it is today. And one of the things in -- about this topic of Abendroth and other places in the village is building heights to me represent -- represent canyons. And do we really want to have canyons in our main streets?

And the higher they go, the straight -- I mean, the mariner is a perfect example of building right to the sidewalk. And if you build something that height on the other

side, you now have a canyon. And I think part of this plan needs to address the canyon phenomenon.

And, I mean, if you look at Westchester Avenue, those buildings are set back. They're separated, and it doesn't feel like a canyon. If those buildings on Westchester -- if the apartment houses -- apartment buildings on Westchester were up against the sidewalk it would be a canyon.

MR. BRAKEWOOD: One of them is.

MR. ABEL: What?

MR. BRAKEWOOD: One of them is.

MR. ABEL: I know, but most of them aren't, okay. We have to live with what we've got. So somebody planned well in the past, but not currently. I mean, I'm sorry, they planned well when they built those buildings.

MAYOR PILLA: Maybe not by design.

MR. ABEL: Yeah, but maybe the developer thought that was the right thing to do also. So I think one of the things is the overall look of the village is what's important here,

and this is a plan for the future.

You want to upzone certain areas to try to reduce the number of two or three family homes to one families and things like that, that's a plan. And, yes, there are people that could be hurt for that. I mean, where my business is on Broad Street the West Point (indiscernible) is not going to be built because I could build 23 stories tall, which is ridiculous anyway, but eight stories is not taking away much of my benefit, my future benefit, and I think it's a good plan. And I think it's a necessary one more that area.

I mean, can you imagine a 23-story building all along Broad Street? I mean, wow. I don't think it would be good for the village either in having that. So I think this is a good point, and, you know, yes, when you down -- upzone and you change some things people do get hurt.

The thing is is it's not going to happen today. It's something that happens over time, and it can take decades. So, you know, let's think about the plan itself and what we

want the village to look like and not just -- and to be -- make sure that, yes, I think there's a build out, right? Isn't that what was talked about? If you build everything out, do we end up with those canyons?

I mean, we have one now on South Main with the G&S project. It's straight up. There isn't even retail on that side, and I just worry that our village will start to look like New Rochelle or something where you have these giant buildings, but I think their streets are wider where they have those, and ours are much narrower.

MAYOR PILLA: It's with that thought in mind, amongst other reasons like the impact on services, et cetera, that in the downtown area, we are reducing the overall height and density of --

MR. ABEL: But it's not just that. It's also, how close you're going to be to the street.

MAYOR PILLA: Yes.

MR. ABEL: Okay. I mean, if the mariner was set back ten more feet, it wouldn't look

so -- like it's going to fall on top of you, and matter of fact, there's -- the castle was also going to be built to the sidewalk as well, and that was originally supposed to be seven stories straight up. It would have been taller than the church next to it -- across from it. And I think Trustee Didden actually, a long time ago, said do we really want canyons, and that's something -- I think that would definitely change the character of our village, and it's not a good thing.

The other thing is that school children is something that doesn't -- it doesn't happen in a straight line as you introduce more children. It's steps. And that -- there's a tipping point. And I don't know where the tipping point is, and that's something I think you should talk to the schools about and get more information from the schools on this project in that, you know, yes, they could absorb ten children which might be one per grade, okay, but when you add 40 children, it could create a whole new school or at least another classroom. So

there is a tipping point, and, you know, I don't know where the tipping point is, but the school district should know.

And that's something that's not in this and it pretty much -- from what I can tell it pretty much assumes that school children are a straight line, and it's so much per school child and it's not. It hits a point, and then all of a sudden you got to build more classrooms. And that's something I think that needs to be looked at also in this. Thank you.

MAYOR PILLA: Thank you, Mr. Abel. I appreciate that. Mr. Ferrandino, do you want to comment on a tipping point analysis, actually, and the relevance of it and the -- just the general methodology of cost per pupil from a planning discipline perspective.

MR. FERRANDINO: Yes. Well, again, this is GEIS. It's not site specific. A lot of what Sam and Mr. Abel have said would apply more to a site specific development. We had some discussions with the school districts about generating the numbers and, you know,

again, we're looking forward to getting their comments on this document; hopefully they will.

We can refine the analysis, use the 17,000 and change number. We can refine that, but even if we decreased it, maybe 13 or 14, the impacts will still be substantial with the density that's being proposed, so we can certainly refine it. We can have a direct conversation with the school district and see what we come out of it with, and I'd be happy to do that.

MR. TERENZI: Vince, you're not taking into consideration that there's going to two-and-a-half million dollars' worth of taxes being generated, so if the impact's going to be 1.2 million, you know, we're going to get a million dollars. I mean, the school is going to get a million dollars in taxes.

MR. FERRANDINO: Right, and that will be the net impact.

MR. TERENZI: The net impact, okay.

MAYOR PILLA: Thank you. I appreciate

that, Mr. Ferrandino. Is there anyone else from the public who would like to speak? Mr. Gioffre, welcome back.

MR. GIOFFRE: Thank you. Just briefly, to address the school age children commentary: It's my understanding that the GEIS evaluated the school -- children's impacts based solely on the Rutgers multiplier approach. It's my understanding that the Rutgers study also recommends utilizing and evaluating the localized approach, which is what Starwood's prior documentation also evaluated.

We looked at a number of local -- we took data from a number of local proposals that had been built and the impacts on their respective school systems. We're in the process of also acquiring additional data, which we hope to present to you and hopefully we'll be able to present to you in time during your written comment period.

MAYOR PILLA: Thank you.

MR. TERENZI: Anthony, do you think anybody believes that 820 units are only

going to generate 30 kids?

MR. GIOFFRE: Again, it's based upon localized approach. I defer to my planner who's on jury duty this week.

MR. TERENZI: Thank God.

MR. GIOFFRE: And we will certainly provide additional data as we move forward.

MAYOR PILLA: Mr. Gioffre, I would appreciate your analysis if you could discern a bunch of apples with apples kind of thing in the terms of, you know, midrise versus high-rise complex, because I think high rises tend to --

MR. TERENZI: And don't be putting that (indiscernible) project from White Plains in that analysis.

MAYOR PILLA: Okay. Yeah, huh? Is there anyone else from the public who would like to speak on the DGEIS, master plan, the zoning changes, the content of the subject matter of our public hearing then? That's it, huh?

I'll turn it over to staff at this point for their comments in terms of next steps,

recommendations.

Comments for the board, please.

MR. GOMEZ: I guess at this point as Vince had mentioned before, the question is, you know, again, if it's the board's desire to close the public hearing and allow written comments through November 1st as per the schedule that's been distributed to everybody throughout this process, that would be the next step. And again, any comments from tonight, from the stenographer, et cetera, will be commented on or will be responded to in the final environmental impact statement, the generic environmental impact statement in this case.

MAYOR PILLA: Now, the actions that the board will ultimately take are really two major actions. One, to adopt the master plan, which is this broader vision for generations to come; and the second is to adopt specific zoning changes in each of the districts; right? And some of what we've heard today impacts the zoning more than it does the master plan.

For instance, as Mr. Terenzi and Mr. Gioffre had stated, we've been talking to Starwood about their desired discretionary zoning text change, and had made changes to the master plan language to make it more general, less specific, but we hadn't changed the zoning at this point.

So we can proceed in a way where, you know, the -- adopting the master plan may go uninterrupted while the zoning in particular areas gets refined; is that correct, Mr. (Indisicernible) and Mr. Cerreto?

MR. STEERS: We had this discussion with staff last week, and one of the things that we have to be concerned with was segmentation. One of the reasons why we put it the together this way was to save on the dual analysis that would be necessary if these things were separated.

As far as the Starwood application goes, it has been our position from the very beginning that it's going on its own tract and the comp plan is going on its own tract, and that's just a better situation. I think,

maybe it's not necessarily for both parties, but at least for the individuals who've been participating in making this plan go forward.

As far as any other issues that come up during the environmental analysis, I mean, that is the purpose of doing the analysis to address those very concerns. So the thought -- because it was my thought as well, why I brought it up to staff is whether or not we could adopt a plan on its own and then adopt a zoning at a later date, but because it's so joined at this point that's not feasible if I'm not mistaken -- that was some significant changes.

MAYOR PILLA: So how do you recommend that we proceed? You want to add something, Mr. Terenzi?

MR. TERENZI: -- I mean, if you look at the document, and you look at the real changes that were made, I mean, there's five streets that are affected that went from R2 to R5. I mean, Riverdale, Mortimer, I mean Poningo going from RA3 to R2F is, you know, is a no-brainer. You got Irving Avenue,

which is -- and the only reason you changed that is because you had the apartment buildings that went onto Irving Avenue, so we went from an RA4, which is a higher based for RA2, and then you got Drew Street.

The only reason Drew Street is there because you have the senior center, you got the senior building, which encompassed the entire street over there. So I don't think the streets are going to be affected at all. We're still looking at the same heavy lift, which is the United Hospital and some of the objects that were brought up, so in plain English, give that to me again, because I don't know what the hell you were talking about.

MR. STEERS: They're on parallel but divergent tracks. There's nothing wrong with going forward with the -- well, it's up to the board to make the decision to go forward with moving their proposed application forward on its own tract and ending up with either a yes or a no or a modified zoning in the end that modifies what has been adopted.

The alternative would have been if they were early enough in the stages of developing the plan those changes could be made as we went along, but it was basically professional and staff and the board's opinion that those changes not be adopted, so that's where we are. It's two different paths.

MAYOR PILLA: And the Starwood project was changed, actually, from when we first began this journey, actually.

MR. STEERS: Correct. There's no harm in that.

MAYOR PILLA: Yeah, no, and that's --

MR. TERENZI: It's not monumental task though. If we adopt the comprehensive plan, it's not going to be the end of the world to change the zone --

MR. STEERS: Absolutely.

MR. TERENZI: -- and the hospital to effect a change that works for everybody.

MR. STEERS: It's two meetings.

MR. GOMEZ: And that's part of the mayor's point before, the language has been in the (indiscernible) plans.

MAYOR PILLA: We won't have to amend the master plan.

MR. GOMEZ: Absolutely.

MR. STEERS: Right.

MR. GOMEZ: To support that flexibility.

MAYOR PILLA: Yeah, that's what's important to understand. You know, part of the reason why I was a big proponent of doing a master plan -- well, there were a number of good reasons.

One of them was basically so that we have a cohesive look at development in the village. Another reason was that with a vision, a comprehensive plan vision, which the law requires, by the way. It better enables us to get grants to advance economic development in the village and other ways as well, and the third reason was that so that it would be based on the voice of the people and be, while not indelible permanently, it would not be subject to the whims of spot zoning and bad decision making, so it sets guardrails, if you will, for to us to drive forward into the plan for the future without

driving off a cliff; right?

So the good news is the context of the changes around, which we're talking about, do not seem to have impact on the comprehensive plan, but they do have impacts on the recommended zoning.

So with that said as a background, staff, what is your recommendation about closing versus keeping open the public hearing? And then with the written comment period responding to the request of Ms. Cross.

MR. STEERS: Quite frankly, if it wasn't for the fact that staff was already on the ball and looking at that analysis, I would say to keep it open, but since probably 50 percent of the work has already been done, it keeps us on track, it keeps things moving forward, while it considers everything that was said at this meeting, it gives that extra hard look by closing and keeping the comment open.

MAYOR PILLA: And we have -- honestly, nothing that we've heard here today really is

a surprise to us because we've talked about the FAR and the building envelope, you know, the setbacks and the heights on that DW. We talked about with Starwood the context of their request and, you know, the changes to the master plan that have already been made, so I'm comfortable, frankly, following your recommendation --

MR. MARINO: Let's move forward. Thank you.

MAYOR PILLA: -- yeah, to close the public hearing, Keep the public comment period open for ten days, because I'm trusting staff from the hard look that they are taking, continuing to take, as they refine the analysis on what they've done.

MR. MARINO: You got to give a lot of credit to the staff. They put a lot of time on this particular issue, so let's move forward here, my suggestion.

MAYOR PILLA: Ms. Cross?

MS. CROSS: I just want to reiterate our request to keep the written comment period open thirty days instead of ten days to give

us a little additional time to address these issues in writing to you.

MAYOR PILLA: How would that impact us, Mr. Steers?

MR. STEERS: It would throw the entire schedule off.

MAYOR PILLA: Do you have any wiggle room for that schedule?

(Indiscernible)

MR. FERRANDINO: I think the presentation that Syrette made this evening was cogent. I think -- and I can't speak for her, that would entertain a timeframe that we refine into a more thorough report, but I don't think anything is going to change.

So I would respectfully request in order to keep the ball moving, so to speak, that you basically provide the ten-day comment period. We're still waiting for comments, for example, from the county and from the other interested agencies.

To my knowledge, nothing has come in. Correct me if I'm wrong, Chris.

MR. GOMEZ: No.

MR. FERRANDINO: So -- and typically everyone waits until the very end, but maybe there isn't all that much interest, quite frankly, on the part of the county, because it does meet a lot of their 20, 25 recommendations, transient-oriented development, et cetera, et cetera.

So, I mean, I would think that whatever additional comments may need to be made and the only request that we received this evening was from Syrette, so I would recommend, from a consultant perspective, that we move ahead, close the hearing, keep it open for ten days.

We will do the initial analysis (indiscernible). We've already begun to do that, as Mr. Steers indicated because that was the mayor's concern, so I would like to move this forward if we can.

MAYOR PILLA: Okay. You're comfortable with that, Mr. Steers?

MR. STEERS: Absolutely.

MAYOR PILLA: And again, I want you all to realize that we're not ignoring your

request, but please know that we're already looking into these things because of logical concerns that we also have seen (indiscernible)--

MR. MARINO: On top of that we give ten days. I'm pretty sure, you know, you can apply whatever you need, ten days, not like we don't want to do it.

MAYOR PILLA: Are there further comments from the board?

MR. TERENZI: That's it.

MAYOR PILLA: With that I make a motion to close the public hearing.

MR. MARINO: I make a motion, Mayor.

MAYOR PILA: Thank you. Mr. Marino?

MR. MARINO: Second.

MAYOR PILLA: Mr. Brakewood. And I'll call the role. Mr. Brakewood?

MR. BRAKEWOOD: Yes.

MAYOR PILLA: Mr. Terenzi.

MR. TERENZI: Yep.

MAYOR PILLA: Mr. Marino.

MR. MARINO: Yes.

MAYOR PILLA: And the mayor is a yes.

This public hearing is hereby closed. As Mr. Ferrandino, Mr. Gomez and Mr. Steers have said, there will remain a ten-day written public comment period. I want to encourage everybody to continue to bring us input. We'll take it any way we can get it because it is your village, and we all are stakeholders here as residents regardless of our citizenry, as Goldie pointed out, and, yes, we want to do the right thing and get it the done. Excellent.

(Time noted: 8:11 p.m.)

C E R T I F I C A T E

I, MICHAEL A. DEMASI, a Court Reporter and Notary Public of the State of New York, do hereby certify that the transcript of the foregoing proceedings, taken at the time and place aforesaid, is a true and correct transcription of my shorthand notes.

Michael A. Demasi

MICHAEL A. DEMASI

Court Reporter

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**CL01-01**

From: CGomez@portchesterny.com
To: ferrandino@aol.com
Sent: 10/19/2012 2:31:14 P.M. Eastern Daylight Time
Subj: Fwd: Master Plan DGEIS Comments/Questions

Begin forwarded message:

**From:** Joseph Kenner <joseph_kenner@msn.com>
**Date:** October 19, 2012 1:21:20 PM EDT
**To:** "Steers, Christopher" <csteers@portchesterny.com>, Chris Gomez <cgomez@portchesterny.com>, <tcerreto@portchesterny.com>
**Subject: Master Plan DGEIS Comments/Questions**

Messrs. Steers and Gomez,

My comments/questions on the DGEIS are as follows:

- Page 38. The reference to the Capital Theatre should be updated to reference that it is now in business with over 150 scheduled throughout the year or some other descriptive.
- Page. 67. In speaking with PCIDA Chairman Pagano, we both agreed that it makes more sense to include the mention of the PCIDA in the Economic Development section of the DGEIS (Section 2.7, page 73) as it more applicable in that section, versus the current 2.6 "Municipal Services section". We also agreed that the language should be updated to include the PCLDC as another economic development tool to provide assistance to "civic facilities" and to finance key Village projects, i.e. parking deck.
- Page 83. There is a type and spacing issue in the second paragraph, second to last sentence of this page.
- Page 84. There is constant reference in the Master Plan and the DGEIS to this "Main Street Revitalization Program". What is this? Is this a BOT approved document/strategy?
- Page 84. The reference to the creation of an "Economic Development Coordinator" could also be the Executive Administrator of the PCIDA/PCLDC. This is also a better option, since that position would be funded out of PCIDA/PCLDC fees versus the Village tax levy.

I have other questions that I can ask at the public hearing, but I wanted you to have these comments/questions ahead of Monday's hearing. Let me know if you have any questions.

Village of Port Chester
OCT 25 2012
Planning and Zoning

JOHN B. COLANGELO
ATTORNEY AT LAW

DAVID GREGORY GALLO
OF COUNSEL

211 SOUTH RIDGE STREET
RYE BROOK, NEW YORK 10573
(914) 939-0002

FAX (914) 939-2665
e mail: jbclaw100@aol.com

**CL02-01**

October 23, 2012

Mayor Dennis Pilla &
Members of the Board of Trustees
Village of Port Chester
222 Grace Church Street
Port Chester, NY 10573

***Re: 18-20 Willett Avenue, Port Chester, NY***

Dear Mayor Pilla and Members of the Board of Trustees:

On Friday, August 10, 2012, my client and I met with Chris Gomez and the Planning Department to voice our objection to the proposed re-zoning of 18-20 Willett Avenue from a C-2 Zoning District to a "DW" Zoning District. Following the meeting, I sent a letter to him dated August 14, 2012, placing our objections in writing. My client objects to the re-zoning for the following reasons:

1. The existing structure was built in 1910, and was built to the property line, therefore, it is non-conforming and will not comply with the "DW" requirement. In addition, we will be unable to conform with the new "DW" parking requirements. Since the Village transferred the Marina Parking Lot to G & S, there is no additional parking available for this building.
2. In recent years the owner has made a large financial investment in the building and all current uses are code-compliant. With the opening of The Willett House in 1989, this property owner contributed greatly to the revitalization of Port Chester as a restaurant town.
3. The border for the "DW" Zone should be Willett Avenue because my client's property is the only property South of Willett Avenue to have a "DW" designation. There are no other properties that would be affected by this request because my client's property is the only one South of Willett Avenue affected.
4. We can see no reason why this parcel was included in the "DW" Zone and not the C-2 Zone; it is much more advantageous to my client to have this building in a C-2 Zone, which would allow more flexibility in renting space in the building. There are much more restrictive uses in the "DW" Zone, especially with regard to parking. This building does not front on the river, but rather is separated by the Marina Parking Lot and the Waterfront Promenade which is in the MUR Zone.

This building was initially built for industrial purposes when the Village was an industrial village. It has since been extensively renovated for more current uses at great cost to the owner.

Village of Port Chester
OCT 25 2012
Planning and Zoning

To be placed in the "DW" Zone would severely restrict the uses for this building, a building which does not lend itself easily to a waterfront use. Therefore, the owner requests that this parcel be maintained in a C-2 Zone and not a "DW" Zone. As stated, this request would only affect this parcel and no other adjacent parcels. It is requested that this written objection be made part of the public record to be considered by the Board in its review of the Comprehensive Zoning Change.

If you require additional information, please feel free to contact me.

Very truly yours,

JOHN B. COLANGELO

JBC:dc

cc: Chris Gomez, Planning Dept.
Anthony Cerreto, Esq.

CL03-01

**RH Consulting**
297 Knollwood Road, White Plains, NY 10607 (914)997-7200 Fax: (914)997-7201
e-mail: pwmrhyman@verizon.net

Richard Hyman, AICP

October 24, 2012

**MEMORANDUM**

TO: Port Chester Village Board

FROM: Richard Hyman

RE: Comments on DGEIS

1. The proposed up-zonings in residential and commercial areas will create many non-conforming and non-complying properties that will need to get Zoning Board approval for even some minor improvements. What mitigation is proposed?

2. The proposed zone for the United Hospital site is too restrictive in terms of FAR. While I think the proposal by Starwood for 820 units – 1.6 FAR resulting in 58 units per acre at 63.5% coverage – is too much for the site, the proposed 0.2 FAR for non-senior residential units results in only about 150± units – 10.6 units per acre – which is too low. The potential addition of senior units on the site -- 200± units at 0.3 FAR – is also too restricting. However, a total 0.5 FAR for all residential units of types to be determined by the developer/marketplace seems a reasonable compromise.

3. The 10% affordable housing set-aside should be applied to all zoning districts permitting multi-family housing which was recommended by both Pat Cleary and LaBerge.

10/31/2012 10:28 FAX 9142859769 BECK LIEBMAN PETRONE, PC 001

CL04-01

All Souls Parish
The Presbyterian Church
55 Parkway Drive
Port Chester, New York 10573
(914) 939-4300

VILLAGE OF PORT CHESTER
OCT 25 2012
RECEIVED VM

October 24, 2012

To: Port Chester Board of Trustees
222 Grace Church St.
Port Chester, NY 10573

Dear Trustees, Mayor, and Village Manager

I am writing to urge the Board of Trustees to include a 10% set aside for Affordable Housing in all zones in the Village of Port Chester. As you consider the adoption of the Comprehensive Plan, the inclusion of a set aside for Affordable Housing is in the best interest of the Village. While Port Chester has included a 10% set aside in residential zones in the past, with the adoption of a Comprehensive Plan the Board can include that set aside Village-wide.

The opportunity for new development of ten units or more in the R zones is limited while development in other Village zones is much more likely. To meet the housing needs of current Port Chester residents we believe that more affordable/work force housing is essential. Such housing enables teachers, the police and fire personnel to reside within the village they serve. Affordable housing also eases pressure on the overcrowded housing which is a concern to us all. Affordable, safe housing should be the expectation of all of our residents, and I therefore urge the Board to include the 10% set aside Village-wide.

J. Bruce Baker

All Souls Presbyterian

www.AllSoulsParish-PortChester.org E-Mail: AllSoulsParish@yahoo.com

**CL05-01**

ZARIN & STEINMETZ
ATTORNEYS AT LAW
81 MAIN STREET
SUITE 415
WHITE PLAINS, NEW YORK 10601

TELEPHONE: (914) 682-7800
FACSIMILE: (914) 683-5490
WEBSITE: WWW.ZARIN-STEINMETZ.NET

DAVID S. STEINMETZ*
MICHAEL D. ZARIN
DANIEL M. RICHMOND
BRAD K. SCHWARTZ

* ALSO ADMITTED IN D.C.
° ALSO ADMITTED IN CT
Δ ALSO ADMITTED IN NJ

MEREDITH BLACK°
DAVID J. COOPER
JODY T. CROSS°
ERIN P. HONAKER
JEREMY E. KOZIN

MARSHA RUBIN GOLDSTEIN
HELEN COLLIER MAUCHΔ
LISA F. SMITH°
OF COUNSEL

October 31, 2012

***Via Overnight Mail***

Hon. Dennis Pilla and
Members of the Village Board of Trustees
Village of Port Chester
222 Grace Church St.
Port Chester, NY 10573

***Re: Proposed Comprehensive Plan And Zoning Amendments***
***Written Comments Regarding The Draft GEIS***

Dear Mayor Pilla and Members of the Village Board:

As you know, we represent TJI Realty ("TJI"), the owner of 25 Abendroth Avenue (the "Property"). In furtherance of the presentation made before your Board at the Public Hearing on October 22, 2012 (the "Hearing"), enclosed please find a Technical Memorandum, prepared by Syrette Dym, AICP relating to her zoning and impact analysis on the Property (the "Memorandum").

Expanding upon the comments at the Hearing, the Memorandum essentially concludes that while the Village, in its Draft Comprehensive Plan, has created a laudable vision for the Central Waterfront subarea encompassing the Property, the proposed rezoning of the subarea from C2 to DW will make that vision difficult to realize. As proposed, the DW District applied to this subarea, with its attendant reduction in height and FAR, as well as a substantial increase in setbacks, would create a building envelope rendering any such development infeasible. As such, and as seemingly acknowledged by Village Staff at the Hearing, the Memorandum suggests that an additional alternative, such as, for example, a DW-2 District, be analyzed by the Village in connection with the FGEIS for the Comprehensive Plan and Rezoning. This further analysis is essential to ensure that any adverse impacts to the Property and subarea resulting from the Comprehensive Plan and the Rezoning are mitigated to the maximum extent practicable.

Mayor Pilla and
Members of the Village Board of Trustees
October 31, 2012
Page 2

If you have any questions, or if you require any additional information, please do not hesitate to contact us. Thank you for your consideration.

Respectfully submitted,

ZARIN & STEINMETZ

By: _____
David S. Steinmetz
Jody T. Cross

cc: Chris Gomez, Director of Planning & Development
Vince Ferrandino, AICP
Sarah Yackel, AICP
Anthony Cerreto, Esq.
Syrette Dym, AICP (w/out encls.)
TJI Realty

**Syrette Dym, AICP**

**52 Wendt Avenue, Larchmont, NY 10538 914-575-9127(cell) sdym@verizon.net**

TO: David Steinmetz, Zarin & Steinmetz
Jody Cross, Zarin & Steinmetz
Kathleen Lanza, TJI Realty Corp.

FROM: Syrette Dym, AICP

RE: Technical Memorandum Zoning Analysis of Village of Port Chester Proposed Rezoning Impact on TJI Realty Property at 25 Abendroth Avenue, Port Chester, NY

DATE: October 31, 2012

TJI Realty Corp. is the owner of an approximately 26,000 square foot parcel in the Village of Port Chester, New York that is currently built with a one-story industrial building covering the majority of the lot that houses a retail and to-the-trade restaurant supply business. Located at the northeast corner of the intersection of Abendroth Avenue and Highland Street, the eastern boundary of the property abuts the Byram River, an underutilized but significant waterfront resource and asset of the village and of the property. Surrounding land uses directly south across the 40 foot right-of-way of Highland Street include a warehouse storage use in an old industrial loft building, the equivalent of six stories in height, with surface parking fronting on Abendroth Avenue, also with frontage on the Byram River. On the same block to its south, is a newly constructed, not yet occupied, five story rental residential apartment building with street wall construction for the remainder of the block south to Willet Avenue. An L-shaped section of the building reaches east with frontage on the Byram River. The remainder of the southeastern portion of the block is occupied by a waterfront bar and restaurant overlooking the river. South across Willet Avenue are the Willet House restaurant and the beginning of the linear waterfront park that continues further south along the river to a section that is currently in disrepair and closed. Directly north of the site is a small one-story industrial building, a parking lot and another one-story building with small parking area at the southeast corner of the T-intersection of Abendroth Avenue and Mill Street.

Directly west of the site across Abendroth Avenue is a mix of the rear of buildings fronting on Main Street, small industrial storage type buildings and small parking areas serving these uses. The building housing the upscale Tarry Lodge restaurant is at the northwest corner of Abendroth Avenue at its T-intersection with Mill Street. Directly north of Mill Street are a series of individual parcels and uses that comprise a superblock with Main Street retail uses on the west, Metro-North railroad tracks on the north, the Byram River on the east and Mill Street on the south. Uses along Mill Street include an automotive repair shop and a restaurant and bar. The entire area is zoned C2, Central Business, a zoning district mapped across the remainder of downtown Port Chester, including the train station, Main Street and a portion of the Westchester Avenue entryway into downtown.

The area described above, in addition to an area reaching south to Purdy Avenue, is identified in the Port Chester Comprehensive Plan Draft of March 21, 2012 as the Central Waterfront subarea, one of three subareas in the plan identified as Higher Intensity Planning Zones. The southern portion of this subarea includes the larger scale new development of Costco, Loews Theater, and associated large store uses. This area south of the Willet House is also characterized by large surface parking areas and the structured parking that serves the Costco, Loews and associated uses. A man-made inlet known as the Cove also exists in this area. This area of large scale uses is currently zoned MUR Marina Urban Redevelopment.

The draft plan recommends a reduction in maximum building height in this Central Waterfront subarea to four stories, or 50 feet, from a current permitted height of eight stories and 70 feet, excluding existing large scale Costco and Loews Theater buildings. A 20 foot setback from the Byram River is suggested to provide for creation of a continuous waterfront walkway along the river, although this is effectively expanded to 30 feet in the DW district which requires a 30 foot rear yard. The plan suggests that new residential uses would be regulated such that unit size would be largely limited to studio and one bedroom units, to limit impacts on schools. The plan proposes elimination of the MUR district, although later proposed map changes do not reflect this. The plan suggests that a new municipal garage should be located in this sub-area. Lastly, the Cove area is recommended as a focal point of the Village's public open space and waterfront.

It should be noted that the draft comprehensive plan makes numerous other recommendation for changes in zoning throughout the village in both commercial and residential districts, that, on one hand reduce permitted density, bulk and height while, on the other hand, increasing these attributes where it deems them more appropriate. In residential districts, the overall strategy is to preserve the integrity of residential neighborhoods threatened by conversions to higher density housing. In all residential districts, FAR is reduced. Out of seven residential districts to remain, five will have FAR reductions of 0.10, one a reduction of 0.15, and one a reduction of 0.50. Height is reduced in two of the three multifamily residential districts; in the RA3 from 8 stories and 70 feet to six stories and 60 feet and in the RA4 district from 10 stories and 95 feet to seven stories and 70 feet. RA3 is mapped in several locations throughout the village and RA4 is mapped on one large built-up location along Westchester Avenue. The PTD Planned Tower Development district is recommended for elimination. A new zoning district is proposed for the former Untied Hospital site to provide for its integrated mixed use redevelopment.

**Table 1. Proposed FAR and Height Changes to Residential Districts**

| Category | District | Existing FAR/Height/ | Proposed FAR/Height |
|---|---|---|---|
| Single Family Residential | R20 One-Family Residence | 0.50 | 0.35 |
| | R7 One-Family Residence | 0.60 | 0.50 |
| | R5 One-Family Residence | 0.70 | 0.60 |
| Two Family Residential | R2F Two-Family Residence | 0.80 | 0.70 |
| Multifamily Residential | RA2 Multifamily Residence | 1.00 | 0.90 |
| | RA3 Multifamily Residence | 1.60(8 stories, 70 ft.) | 1.50 (6 stories, 60 ft.) |

| | | | |
|---|---|---|---|
| | RA4 Multifamily Residence | 2.50 (10 stories, 95 ft. | 2.00 (7 stories, 70 ft.) |

In addition, commercial district building heights will be impacted as seen in the table below:

**Table 2. Proposed FAR and Height Changes to Commercial and Waterfront Districts**

| Category | District | Existing FAR/Height/ Lot Area Per Unit | Proposed FAR/Height/ Lot Area Per Unit |
|---|---|---|---|
| **Commercial** | C1 Neighborhood Retail | 0.35/(2 1/2 stories, 35 ft)./NA | Remains the same |
| | C2 Central Business | 3.30/(8 stories, 70 ft.)/ 750 | District proposed for elimination |
| | C2 Main Street Business | Not Existing | 3.50 (plus potential 0.5 bonus)/5 stories 60 feet/250 |
| | C3 Design Office & Commercial | 3.00 /(NR, 120 ft.)/NR | District Proposed to be Modified as below) |
| | C3 Office & Commercial | Not Existing | 3.00 /(5 stories, 60 ft.)/ NR |
| | C4 General Commercial | 2.00/ (3 stories, 45 ft.) | Eliminate building height bonus of two stories, 30 ft. |
| | C4 General Commercial (Multifamily Dwellings) | 1.50/ (7 stories, 70 ft.)/ 20,000 | District proposed for elimination |
| | PRSP Planned Railroad Station Plaza Development | NS, 235 ft. | District Proposed for elimination |
| | C5 Train Station Mixed Use | Not existing | 4.0 (0.5 bonus available)/ 8 stories, 90 ft., (2 stories 30 ft. bonus avail.)/250 |
| | C5T Downtown Mixed Use Transitional | Not existing | 4.0 (0.5 bonus available)/ 5 stories,60 ft., (one story 10 ft. bonus available)/250 |
| **Waterfront** | DW Design Waterfront | 1.60/( 8 stories, 70 ft.)/ 750 | 1.60/ (4 stories, 50 ft.)/ 750 |

The other focus of the recommended rezoning is the downtown. The current C2 Central Business District will be eliminated and the C2 Main Street Business district will replace it. Text changes will encourage denser residential development by increasing permitted FAR, and reducing required lot area per dwelling from 750 to 250 per unit, significantly increasing permitted residential density. Height will be reduced from eight stories/70 feet to five stories/60 feet. This refined C2 district is proposed for mapping on the existing Main Street C2 district area and a large area currently zoned C4 General Commercial. Several newly created districts are also proposed for mapping. The largest, C5 Train Station Mixed Use, is proposed for mapping on the area surrounding the Metro-North station and a C5T Downtown Mixed Use Transitional district would be mapped on several small pockets directly south of the proposed C5 district, both west

and east of the Metro-North tracks. Both districts permit significant expansions of density over what is currently permitted by mapped districts

These recommendations of the Draft Comprehensive Plan were incorporated into proposed amendments to the Village of Port Chester Zoning Code text and the Schedule of Regulations Tables (Section 345) governing use and dimensional regulations in each district. Both the draft comprehensive plan, the proposed zoning amendments to implement them and the Generic Environmental Impact Statement analyzing their impacts on the Village were all the subjects of a public hearing held and closed in the Village on October 22, 2012. Representatives of TJI Realty Corp. presented testimony at the hearing relative to the analysis in this technical memorandum, asking the Village to rethink the dimensional regulations that would affect this property and those in its immediate vicinity

What follows is a site specific analysis of the impacts of these proposed zoning changes on the subject site, whether they are in keeping with the character of its immediate surrounding area and whether they are consistent with goals of the plan within the context of the overall changes proposed throughout the village, as described above.

**Site Specific Impacts of Proposed Changes**

The approximately 26,000 square foot site shown on the attached survey is proposed for rezoning from the current C2 Central Business District to the DW Design Waterfront District, as modified. This change from existing C2 to DW is proposed for the northern portion of the area described above in the comprehensive plan as Central Waterfront subarea of the Higher Intensity Planning zones. Specifically, the DW district would be mapped on the Willet House restaurant site south of Willet Avenue and on all land north of Willet Avenue and east of Abendroth Avenue up to and including the land to the north of Mill Street, east of Main Street and south of the Metro-North tracks.

While the current C2Central Business district and its use and dimensional regulations are amended to be a new C2 Main Street Business district, to understand the impacts of the proposed changes on the subject site, the change to the amended DW district needs to be compared to the C2 Central Business district with its existing regulations. The DW Design Waterfront district will be analyzed in its proposed amended form that will be mapped on the subject site.

*Proposed Amended Use Regulations and Their Impacts*

Of a total of 60 uses listed in the Schedule of Use Regulations for Nonresidence Districts, Section 345 Attachment #3A of the Proposed Zoning Resolution (one use of which is proposed for elimination), a total of 29 uses will be impacted by the proposed change in mapped zoning district and DW text change. As seen in Table 3, Change in Status of Uses from Existing C2 Central Business to Proposed DW Design Waterfront (as Proposed Amended) District, six uses (three permitted/three special exception) in the current C2 district will be eliminated, seven uses will be changed from permitted to special exception uses, and 16 new uses will be added as special exception uses.

**Table 3.**

| Change in Status of Uses From Existing C2 Central Business District to Proposed DW Design Waterfront District | | | |
|---|---|---|---|
| **Type of Use** | **Uses Eliminated** | **Uses Changed** | **Uses Added** |
| **Residential uses** | | | |
| Multifamily | | | SE |
| **Residential community facilities** | | | |
| Church | | | SE |
| **General community facility** | | | |
| Convalescent Hospital/ Nursing Home | | | SE |
| Membership Club | | | SE |
| School | | | SE |
| Medical/Dental Office | SE to X | | |
| **Business uses** | | | |
| Bank | | P to SE | |
| Bar/Tavern | P to X | | |
| Cabaret | P to X | | |
| Catering & Events Establishment | P to X | | |
| Drive-In Establishment Other than Restaurant | SE to X | | |
| Health Club | SE to X | | |
| Hotel/ Motel | | | SE |
| Marina or Yacht Club | | | SE |
| Theater | | P to SE | |
| Office/Office Building | | | SE |
| Radio Television Station Studio (no transmission tower) | | | SE |
| Radio Television Station Studio (no transmission tower) - Above First Floor | | P to SE | |
| Retail Stores/Personal Service Shop | | P to SE | |
| Veterinary hospital/boarding small animals | | | SE |
| **Industrial uses** | | | |
| Wholesale Business, storage building, warehouse | | | SE |
| Creamery, ice cream or bakery plant | | | SE |
| Laundry/Dry Cleaning Plant | | | SE |
| Non-Nuisance Industry | | | SE |
| Printing Plant | | | SE |
| Research lab | | | SE |
| **Accessory uses** | | | |
| Customary accessory structure or use | | P to SE | |

| | | | |
|---|---|---|---|
| Private Garage/Off-Street Parking Area | | P to SE | |
| Sign | | P to SE | |
| **Total - 29** | **6 Total (3 SE; 3P)** | **7 (P to SE)** | **16 SE** |
| P - Permitted; SE - Special Exception; X - Not permitted | | | |

Of the uses to be eliminated, several could be potential uses for site redevelopment as first floor uses with residential or office uses above, or even as a reuse of the existing building in its current form. These include medical and dental offices as first floor uses in new buildings and health clubs and catering or events establishments in the existing building. However, since all uses would need to meet the required number of on-site parking spaces, they might not be achievable or economically feasible. Their elimination, therefore, does not seem significant. The parking requirement is a possible issue for discussion, since the Central Waterfront subarea was identified as the future location of an additional municipal parking garage. If such garage were to be constructed, it is conceivable that this site could be included in a newly created downtown parking district that would reduce or eliminate the onsite parking requirements in general or in exchange for parking fees in lieu of provision of on-site spaces. This is something that could be raised regarding future requirements should a garage be constructed.

Uses to be changed from permitted to special exception uses will still be allowed, but would need to meet an additional threshold of findings to be approved. This is significant since there are only four permitted uses in the DW district – office, office building (floors above first floor), off-street parking lot or garage, table-service restaurant, and tax preparation office. The general standards that must be met by special exception uses are stated in Section 345-60 General Provisions of the Zoning Code. The Planning Commission is required to make findings in line with the 12 standards listed for approval of a special exception use. In addition, there are four additional standards that must be met for all special exception uses in the DW district. These additional standards include required setbacks of at least 30 feet from the water's edge (moot should the DW dimensional text changes be adopted as described below), no pollution to water bodies, provision of a 20 foot wide landscaped area and public accessway along the water's edge or bulkhead (moot should the DW text changes be adopted as described below), and concern for waterfront enhancement and appropriateness of uses. Of seven now permitted uses to become special exception uses, retail stores and personal service establishments would likely add the most value to the site. The fact that they would now be a special exception rather than permitted use is not deemed significant.

What does appear to have a potentially positive impact on future value of the site are the 16 uses that would now be permitted as special exception uses that were not formerly permitted under the C2 district. Of these uses, five are likely to be most appropriate for the site. Whereas a multifamily use above the first floor is now a permitted special exception use in both districts, such buildings without other first floor uses would now be permitted as a special exception. Convalescent hospital or nursing homes would be permitted as special exception uses. While these would not be ideal uses for this site, the hybrid use of an assisted living facility might be desirable. With a waterfront location adjacent to downtown and relatively low parking requirement and traffic generation, assisted living facilities could be an ideal use for this site and could add value. Existing zoning definitions of the permitted uses do not appear to encompass assisted living facilities. A recommendation could be made that such a use should be added to

the code and that such use should be a special exception use in the DW district. The third valuable use is that of hotel or motel. Just as for an assisted living facility, a hotel could be a perfect use for this corner waterfront lot adding value to the site as well as adding support to the health and economic vitality of downtown uses. The fourth use is office and office building use, including on the first floor. It is not clear what the office market is in Port Chester, but as a first floor use, it could certainly add value. As will be seen, however, the economic feasibility of constructing these uses within the constraints of the proposed dimensional regulations is questionable, impacting goals of both the property owner and the Village. Also, the 30 foot setback requirement for special exception uses on the water might need rethinking for this site and others in its vicinity, as seen below.

An additional significant positive impact is that the existing wholesale restaurant supply business and building, both of which are pre-existing nonconforming uses in the C2 district, would become conforming in the DW district. Wholesale businesses, storage buildings and warehouses are not permitted in the C2 district, but are listed as special exception uses in the DW district.

Based on the above, it would appear that there is a net benefit in terms of additional, high value permitted uses to be experienced by the property relative to rezoning from the existing C2 district to the proposed amended DW district. Again, the question is whether the proposed dimensional regulations prevent the development of these uses and achievement of Village goals in support of its downtown Main Street.

*Proposed Amended Dimensional Regulations and Their Impacts*

The change in zone from the existing C2 to the proposed modified DW district will have a significant impact on the permitted bulk, density and height of permitted uses on the subject site. A comparison of the change is dimensional regulations is seen below. The proposed new C2 district regulations are shown only as an example of the regulations that will govern in the area immediately adjacent and to the west of the subject site and its surrounding uses.

**Table 4.**

| **Schedule of Regulations for Nonresidence Districts Part 2, Dimensional Regulations** | | | |
|---|---|---|---|
| | **Districts** | | |
| **Type of Use** | **C2 Central Business(1)** | **C2 Main Street Business** | **DW Design Waterfront** |
| **Maximum Floor Area Ratio** | 3.3 | 3.5 (0.5 FAR bonus available) | 1.6 |
| **Maximum Floor Area Ratio for 1 Story** | NR | NR | 0.4 |
| **Minimum Size of Lot:** | | | |
| Area, nonresidential (square feet) | NR | NR | 10,000 |
| Area per dwelling unit (square feet) | 750 | 250 | 750 |
| Width (feet) | 40 | 40 | 40 |
| Depth ( feet) | NR | NR | NR |

| | | | |
|---|---|---|---|
| **Minimum Yard Dimensions:** | | | |
| Front (feet) | NR | NR | 20 |
| Side | | | |
| One (feet) | NR(a) | NR (a) | ( c) |
| Total of 2 on interior lot (feet) | NR (a) | NR (a) | ( c) |
| Rear (feet) | 20 | 20 | 30 |
| **Maximum Height of Building:** | | | |
| In stories | 8 | 5 | 4 |
| in feet | 70 | 60 | 50 |
| **Minimum Usable Open Space on Lot:** | | | |
| For each dwelling unit (square feet) | 100 | 50 | 100 |
| (1) To be eliminated (a) If provided, at least ten(10) feet per yard; ( c) Each twenty-five (25) feet or one-half height of the building whichever is greater; NR - non required | | | |

First, the FAR (Floor Area Ratio) permitted in the DW district (1.60) is less than half that of the existing C2 district (3.3). For the approximately 26,000 square foot site, this means that the maximum permitted building square footage is 41,600 square feet, compared with 85,800 square feet, a loss of 52 percent or 44,200 square feet. For the first floor, the C2 had no required FAR compared with a maximum 0.40 FAR in the DW district. Since the existing FAR is close to 1.0, this would make the existing building a pre-existing non-conforming building subject to all restrictions on such uses in the future.

A significant dimensional requirement that does not change from the existing C2 to the DW district is the required 750 square feet of lot area per unit. In both cases this requirement translates into a maximum of approximately 35 residential units on the site. An average unit size would normally be assumed at 1,000 square feet per unit assuming 50 per cent 800 square feet one-bedroom units and 50 per cent 1,200 square feet two bedroom units. However, since the comprehensive plan indicated a preference for smaller units in this district, an assumed average could be 800 square feet for combined mainly studio and one bedroom units. At this number, 35 units would require 28,000 square feet of building space, making it hard to achieve even this low maximum permissible FAR. The new C2 district triples permitted density by reducing lot area per dwelling unit to 250, as does the new C5 and C5T from what will be permitted in the DW on the subject site.

The yard requirements of the DW district incorporate the standards of the special exception uses for all permitted uses. Of all DW uses, only office, parking lots/garages, table service restaurants and tax preparation offices are the permitted uses that would not be affected by these greater restrictions. Therefore, if rear yard requirements of the DW are considered for modification, special exception regulations relative to water setbacks for uses on this site and those around it also need reconsideration. However, compared with the only C2 yard requirement of a 20 foot rear yard, DW yard and setback requirements severely impact site development potential. Existing building footprint is approximately 220 feet by 125 feet; the permitted building footprint would be reduced by 50 feet in width (125 -50 = 75)) and 50 feet in length (240-50= 190), for a maximum footprint of 14,250. This is the case whether the lot is defined as a corner lot with two rear yards or as a through lot with one rear and two side yards.

This is a reduction of about 11,750 square feet. Still, when multiplied by the new maximum permitted four stories, at 57,000 feet, it is significantly greater floor area than is permitted by the district. What these required yards may do, is make it economically infeasible to construct efficient building configurations.

The last significant dimensional change is from a permitted height at 8 stories, 70 feet in the existing C2 district to four stories 50 feet in the DW district. While the new C2 district also has a reduced height from existing 8 stories and 70 feet to 5 stories and 60 feet, the DW mapping would create an even greater reduction in height. However, as seen above, as significant as this reduction in height appears, so is the reduction of reduced FAR. All these combined dimensional reductions have a significant impact on the subject site, and certainly if some are reduced, other requirements should be expanded so mutual property owner and Village economic development goals can be met.

**Comparison of Impacts of Zone Change on Subject Site compared with Other Sites in the Central Waterfront Sub Area Proposed for Rezoning to C2**

The parcels in the northern portion of the Central Waterfront subarea of the comprehensive plan will be rezoned to DW from C2. Parcels south of the Willet House restaurant will remain MUR Marina Urban Renewal.

As seen in the photographs at the end of this technical memorandum, parcels south of the site are not likely to be subject to the greater restrictions that will be imposed by the rezoning. The soon to be occupied residential building is five stories in height, with no street setback, limited waterfront setback and very high coverage and FAR. The industrial loft building to its north with parking area fronting Abendroth Avenue is the equivalent of six stories in height and provides no side or waterfront setbacks. Given the restrictions in FAR and height of the rezoning, it is likely this building will be maintained even if its use changes over time. An adaptive reuse to office or residential use to take advantage of the waterfront location is a potential future scenario, parking requirements being the main limitation. Therefore, the subject site and low rise or parking uses to its north are likely to be most impacted by the new regulations.

**Impact of Site Zone Changes Compared with Villagewide Impacts on Other Sites**

The proposed Zoning Code Amendments for the 2012 Comprehensive Plan include:

- *Residential Zones*
  - o Five strategic upzonings
  - o Floor area ratio (FAR) reductions to all residential districts
  - o Maximum building height reduction in the RA3 and RA4 districts
  - o Eliminate PT Planned Tower Development District

- *Non-Residential Zones (Commercial)*
  - □ **C1 Neighborhood Retail district** □ **No changes**
  - □ **C2 Central Business district** □ **New C2: Main Street** Business District

Waterfront Development

• *Former United Hospital site*
□□**New PMU Planning Mixed Use district**

FAR and height modifications are proposed for all of the Village's residential districts, as shown in earlier Table 1.

Offsetting these reductions in density are increases in FAR and height in newly created downtown districts meant to concentrate transit oriented development around the train station.

As analyzed in a villagewide build-out scenario in the Comprehensive Plan DGEIS, there is a net decrease of 712 units villagewide due to upzonings (decrease in density) and a net increase of 470 dwelling units due to downzonings (net increase in density). Therefore, there is a net decrease of 242 units villagewide resulting from the proposed comprehensive plan and implementing zoning.

Due to these villagewide reductions and area specific reductions, it is hard to make the case on a villagewide basis that the subject site and those in the Central Waterfront area are singularly impacted.

However, when the focus is on the Abendroth Avenue corridor, a more compelling case for modifications in the proposed changes can be made.

**Potential Changes for DW District**

*How Site DW Area Differs From Other DW Areas*

The DW district is being mapped on three new areas where it does not currently exist. The impacts on each of these areas differ significantly. A large parcel zoned R7 One Family Residence 7,500 square feet minimum lot located adjacent to the existing Fox Island DW district is proposed to be rezoned to DW. The permitted density under the R7 is 5.8 units per acre while under the DW district it would be 10 times that number at 58 units per acre. Clearly, the DW mapping has the potential to add significant value to that parcel.

The second area to be rezoned to DW is a group of interior parcels predominately zoned M1 Light Industrial, with a small number of lots zoned MUR Mixed Urban Redevelopment. The area is adjacent to the DW district that hugs the Byram River shoreline south of the downtown

redevelopment area of Costco and Loews theaters. Parcels subject to this rezoning would benefit significantly with regard to expansion and redirection of permitted uses and granting of additional permitted FAR and height. The impact of rezoning to DW will have a generally beneficial impact on permitted uses. Only two uses currently permitted in the M1 district will not be permitted in the DW – catering/events establishments and heating, air conditioning and plumbing businesses. All other permitted uses will be permitted, but will become special exception uses. These include those uses generally considered more industrial in nature, so existing uses will not become pre-existing non-conforming uses. Currently permitted office buildings above the first floor will stay a permitted use, and permitted full office buildings will become special exception uses. A positive impact is that a long list of desirable uses not currently permitted including hotel/motel, theater, marina, parking garages, retail stores, multifamily dwellings, convalescent/nursing homes, and schools, will be permitted as special exception uses. Additional density will be permitted, changing from an FAR of 1.00 in the M1 district to an FAR of 1.60 in the DW, and an allowable increase in height from 2 stories 40 feet to 4 stories 50 feet, respectively.

So, it would seem that the only area where rezoning to DW will have an adverse impact on future development potential is in the DW district that encompasses the subject site.

**Potential Future Treatment of DW Districts**

The DW district has been painted with a broad brush over several large areas along the waterfront that have very different characteristics beyond their waterfront location. If these differences are recognized, a case could be made for more than one DW district, each with differing dimensional regulations in response to differing land use circumstances. This would be similar to the now proposed seven differentiated C Commercial districts.

As proposed by the comprehensive plan, there would be three distinct DW districts. The first would be the existing district mapped on Fox Island, proposed to be expanded onto a portion of and adjacent R7 One Family Residence District 7,500 square feet minimum lot. The second would be the existing DW district located south of the MUR district, expanded significantly west to include M1 Light Industrial areas and a small slice of the MUR district below and adjacent to the MUR district. The third area is its mapping on the previously described area that contains the subject site.

Both the Fox Island area and the central DW district are adjacent to single family residential neighborhoods. The Fox Island area in particular has limited access and is more isolated from core downtown functions than the other two areas. The central DW district is adjacent to large scale shopping center type uses. The subject site, on the other hand, is part of a limited area largely within one block of the waterfront that is adjacent to Main Street, all of which are proposed for zoning that permits denser development. Of two major blockfronts in the district, one is already developed with pre-existing uses at a significantly higher FAR and height than will be permitted by the subject zoning.

The block on which the subject lot sits, has two prominent entryway corners, one at Abendroth Avenue and Highland Street and one at Abendroth and Mill Street. Abendroth Avenue and Mill

Street are major through streets during AM and PM peak traffic hours for cars traveling to and from Connecticut. The Mill Street corner also lies across the street from the now prominent Tarry Lodge restaurant. As gateways, the block ends of this block, at a minimum, could be designated for greater height and density than other DW districts or possibly their midblock to encourage gateway redevelopment. In addition, since the subject site and that at Mill Street are located on existing mapped and built streets, there is a built-in setback from adjacent uses and protected view corridors to the water. Specialized regulations allowing for these area specific conditions could be incorporated into a new DW2 district, limited to this area adjacent to the downtown.

All DW-2 parcels or corner entryway parcels could have an increased height limit similar to the 5 story 60 feet limit of the adjacent C2 district, and/or be eligible for a height bonus.

Higher FARs could be offered outright or as a bonus for uses deemed to have low parking demand, trip generation and community facility impacts. Such uses could include age-restricted housing or assisted living facilities that could be added to definitions and the list of permitted uses and residential uses with smaller units and hotels..

Several other dimensional features could be applied to a DW-2 district limited to the area in question. Since the area is one block deep with frontage on the Byram River, each waterfront parcel is required to have a 20 foot waterfront setback and additional 10 feet for total 30 foot rear yard requirement for provision of a waterfront esplanade. This requirement is also incorporated into the special exception use standards. These sets backs could rationally be reduced and, under any scenario of setback requirement, the minimum usable open space required per residential unit of 100 square feet should be reduced or eliminated.

An additional modification could be made with regard to parking. Current residential parking requirements are 1.5 spaces per multifamily dwelling unit. Since apartments are to be targeted to smaller households and due to proximity to mass transit, parking requirements could be lowered. This would make granting of a higher FAR feasible, with or without other DW modifications

**Potential Impacts of Specialized DW-2 District Uses**

The DGEIS for the comprehensive plan identified an overall net reduction of 242 units based on a theoretical build-out scenario of the proposed zone changes villagewide. While a detailed analysis of the difference in number of units that might be generated by the proposed modifications to the DW district and the incremental additional units they might add is not within the scope of this assignment, there is definitely some room for added density without increasing impacts above existing conditions for traffic and schools. A DW-2 alternative analysis in the FGEIS could identify this potential and suggest a scope of modification consistent with no additional significant adverse impacts.

**Summary and Conclusions**

The above analysis leads to the following summary of findings and conclusions regarding the proposed zone changes and their impact on the subject site.

*Areawide Conclusions*

1. Modifications to use and bulk regulation are comprehensive in their scope and do not target any specific zone or location
2. Reductions in FAR and height are not unique to the DW district or the subject site, although the magnitude of such reductions do differ

*Site Specific Conclusions*

1. Rezoning to the DW district will beneficially result in a net increase in special exception uses (permitted use) on the subject site and make the existing use and building a special exception rather than pre-existing non-conforming use.
2. Rezoning to DW will substantially reduce maximum permitted bulk, FAR and height for all parcels in the Central Waterfront subarea rezoned to DW, including the subject site. This will not be the case for two other areas identified for rezoning to DW, where additions to maximum permitted FAR, bulk and height will occur..
3. An argument could be made that the area surrounding the subject site differs from the two other areas designated for new mapping of DW districts and that modified dimensional regulations are appropriate and supportable.
4. Modifications to the DW district or creation of a DW-2 district limited to mapping on the northern portion of the Central Waterfront subarea, with increased FAR and height, reduced yards and setbacks and reduced lot area per unit could positively impact the buildability of the subject site without significantly adding to villagewide impacts.
5. Reductions in parking requirements for multifamily units for smaller units and differing unit types could positively impact site development potential without negatively impacting parking availability.

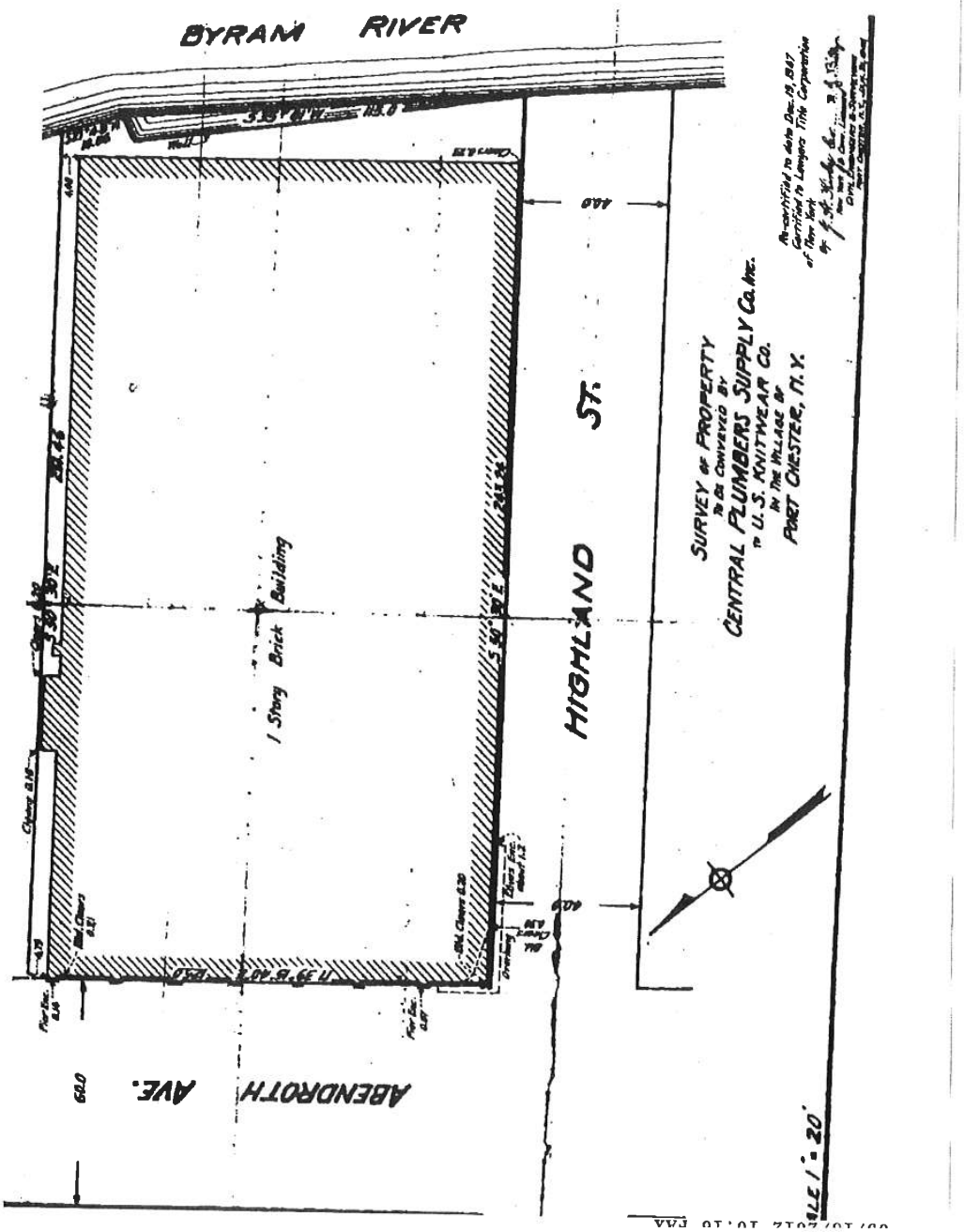
BYRAM RIVER
HIGHLAND ST.
ABENDROTH AVE.
1 Story Brick Building
SURVEY OF PROPERTY
TO BE CONVEYED BY
CENTRAL PLUMBERS SUPPLY Co. INC.
TO U.S. KNITWEAR CO.
IN THE VILLAGE OF
PORT CHESTER, N.Y.
SCALE 1" = 20'

Photo #1. The subject one-story lot line building fronting Abendroth Avenue and Highland Street is viewed relative to two buildings to the south.

Photo #2. Highland Street provides secondary frontage and separates the site from uses to the south.

Photo #3: The self-storage building is equivalent to six stories in height.

Photo #4. The new apartment building starts at a half-story higher elevation than the loft building, increasing its visual height along Abendroth Avenue.

Photo #5. The subject building's waterfront location is an asset for future redevelopment.

Photo #6. Looking north from Willett Avenue, a 5-story skyline dominates the waterfront view.

Photo #7. The linear waterfront park south of Willett Avenue will be continued north beyond the site.

Photo #8. The new apartment building is a strong street wall presence along Abendroth Avenue.

Photo #9. Low scale uses characterize both sides of Abendroth Avenue north of the site and at its intersection with Mill Street.

**CL06-01**

CUDDY & FEDER LLP

445 Hamilton Avenue, 14th Floor
White Plains, New York 10601
Tel 914.761.1300 Fax 914.761.5372
www.cuddyfeder.com

**VIA ELECTRONIC MAIL**
**and VIA HAND DELIVERY**
November 1, 2012

Mayor Dennis Pilla
and Members of the Board of Trustees
Village of Port Chester
222 Grace Church Street
Port Chester, New York 10573

Re: Village of Port Chester Draft Generic Environmental Impact Statement
2012 Comprehensive Plan and Zoning Code and Map Amendments

Dear Mayor Pilla and Members of the Board of Trustees:

Reference is made to the Village of Port Chester Draft Generic Environmental Impact Statement ("DGEIS") that has been prepared for the proposed 2012 Comprehensive Plan and Zoning Code and Map Amendments. We are land use counsel for affiliates of Starwood Capital Group (hereinafter referred to as "Starwood"), the owner of premises located at 406 Boston Post Road. As the owner of the former United Hospital site, Starwood has a significant interest in the growth and development of the Village of Port Chester and since the publishing of the draft Comprehensive Plan in January 2012, we have been appearing at every Board public hearing, at work sessions with the Board and at meetings with Village Staff in connection with this matter. Starwood has a large stake in how the Board ultimately defines the goals set forth in its Comprehensive Plan and in what ultimately is adopted in its revisions to the Zoning Code and Map. We respectfully submit this letter as Starwood's comments on the proposed 2012 Comprehensive Plan and Zoning Code and Map Amendments DGEIS, specifically as it relates to the draft Planned Mixed Use ("PMU") zoning which applies only to the United Hospital site.

PMU Zoning Code and Map Amendments

Reference is made to proposed Section 345-62, the proposed Planned Mixed Use ("PMU") Zoning District Text Amendment. The Village is proposing to rezone the United Hospital property from a Two Family Residential ("R2F") Zoning District to the proposed, new PMU District. The successful redevelopment of the United Hospital site will be dependent on economic feasibility and factors such as market conditions, demand drivers, and financing conditions. Accordingly, we respectfully suggest the Board make the following revisions to the proposed PMU Zoning Text:

- The proposed bulk regulations for the PMU District must be revised to increase the Floor Area Ratio ("FAR") to 1.60 in order to meet current and anticipated economic/market conditions and make the redevelopment of the United Hospital property viable.

- In the alternative, should the Board decide not to increase the FAR to an as-of-right 1.60, it can maintain the presently proposed FAR of 0.80, but must eliminate the PMU FAR Bonus 0.20 cap.[1]

A revision reflected in either of these first two bullet points would be consistent with the proposed Comprehensive Plan and leave the Board with control and complete discretion over any proposed density increases that would be available under the proposed Floor Area Bonus Program.[2] As more fully discussed in the attached addendum prepared by VHB Engineering, rigid language describing FAR limitations for different uses was properly removed from the Village's draft Comprehensive Plan and similarly should be removed from proposed Section 345-62 as the DGEIS does not provide any evidence justifying the inclusion of these unprecedented development limitations. Either requested revision hereinabove would permit the Board to evaluate Starwood's proposal and concept on its merits and not in a vacuum and further make a determination based on the proposed design, mitigation of potential impacts, a review of market conditions and good planning.

In addition to these first two essential modifications relative to the PMU density requirements, we also strongly suggest that the following changes be made to the proposed Zoning Text in order to achieve the foregoing goals, as well as those set forth in the Comprehensive Plan:

- The PMU FAR should not be dissected (as proposed) based on individual uses as factors of a total FAR, but rather propose a single maximum FAR for the entire parcel consistent with the existing zoning of the Hospital site, as well as every other zoning district in the Village, regardless of which FAR scenario the Board adopts.[3]
- Similarly, a single maximum PMU building height of 8 stories/85 feet should also be adopted, rather than the dissected approach of maximum permitted heights based on individual uses. In accordance with the proposed Comprehensive Plan, this revision to the proposed zoning text would foster innovative building design consistent with "Village" character.
- The Board should consider a broader density program that permits the acceptance of a "community facility" and/or land in lieu of, or in addition to, a monetary contribution in exchange for such floor area or height bonus that is now contemplated to maintain the maximum flexibility in the future.
- "Ground floor office as accessory to multi-family development " should be a Permitted Principal Use in the PMU District as opposed to a Special Exception Use. The PMU text

[1] See Footnote 5 in Section 345 Attachment 3B, Schedule of Regulations for Nonresidential Districts Part 2, Dimensional Regulations. Please note that the only property in the entire Village that this FAR bonus density cap will be applicable to is the United Hospital property.
[2] See Floor Area Bonus Program available pursuant to proposed Zoning Code Section 345-16.
[3] Indeed, the only property in the entire Village that this apportioned FAR and building height approach will be applicable to is the United Hospital property.

C&F: 2019956.3

proposes to permit "office, office building…" as a Principally Permitted Use. We do not see the distinction between these two uses, particularly given the lack of Code definitions distinguishing between them. Nor can we find any justification for such distinction in the DGEIS. This lack of distinction could lead to an ambiguous and arbitrary interpretation of the these two effectively equivalent uses and the imposition of an additional layer of processing that might not be warranted. Accordingly, the "ground floor office as accessory to multi-family development" must be eliminated as a specially permitted use.

Materials In Support of Revisions to Draft Zoning Text Amendments

Enclosed please find the following materials in support of the foregoing requested revisions to the proposed Zoning Text:

Exhibit A: Addendum providing comments on the Village's DGEIS, prepared by VHB Engineering, Surveying and Landscape Architecture, P.C.;

Exhibit B: "Redlined" copies of the Village of Port Chester draft Zoning Text Amendments to Sections 345-16, 345-62 and 345 Attachment 3B of the Zoning Law, which contain Starwood's requested revisions;

Exhibit C: Preliminary Fiscal and Socioeconomic Impact Assessment, prepared by VHB Engineering, Surveying and Landscape Architecture, P.C.; and

Exhibit D: Preliminary Traffic Analysis, prepared by TRC Engineers, Inc.

Conclusion

We look forward to appearing before the Board of Trustees to continue to discuss the current status of Starwood's proposed development plans and the foregoing comments in more detail at future meetings of the Board. We strongly encourage the Board to amend the proposed text of the 2012 Port Chester Planned Mixed Use ("PMU") Zoning District to address the above mentioned revisions. Thank you for your continued consideration.

Very truly yours,

Anthony B. Gioffre III

Enclosures

CUDDY& FEDER LLP

Mayor Dennis Pilla
And Members of the Board of Trustees
November 1, 2012
Page 4

cc: Christopher D. Steers, Village Manager
Anthony M. Cerreto, Esq., Village Attorney
Christopher Gomez, Village Planner
Frank Fish, BFJ Planning
Vincent Ferrandino, Ferrandino & Associates
Evan Crandall, Starwood Capital Group
James E. Raved, Esq.
Maria Rigopoulos, Mill Creek Residential Trust, LLC
David Smith, Vanasse Hangen Brustlin
Joseph P. Carlucci, Esq.
Anthony F. Morando, Esq.

# EXHIBIT A

VHB Engineering, Surveying and Landscape Architecture, P.C. | Affiliated with Vanasse Hangen Brustlin, Inc.

Planning
Transportation
Land Developme
Environmental

October 31, 2012

Mayor Dennis Pilla
and Members of the Board of Trustees
Village of Port Chester
222 Grace Church Street
Port Chester, New York 10573

Re: Village of Port Chester Draft Generic Environmental Impact Statement
2012 Comprehensive Plan and Zoning Code and Map Amendments

Dear Mayor Pilla and Members of the Board of Trustees:

The following is provided on behalf of Starwood Capital and Mill Creek Residential Trust as interested parties relative to the redevelopment of the former United Hospital site on the DGEIS for the Village of Port Chester, New York Comprehensive Plan and Zoning and Map Amendments.

1. To properly assess the potential impacts associated with the rezoning of the United Hospital site, the GEIS needs to recognize the impacts associated with the former hospital use. Instead, the DGEIS draws comparisons only to certain residential and residential/mixed use alternatives. It is noted that the United Hospital facility was in operation for more than 90 years at its present location and the Hospital facility grew in size and scope as the surrounding infrastructure was upgraded to accommodate it and other areas of the Village and County. The approximately 600,000 s.f. facility at one point employed an estimated 633 employees and serviced approximately 16,000 emergency room visits annually along with its other patient workload. This type of activity generates specific impacts to the surrounding neighborhood. It has been estimated that the Hospital during operation generated approximately 184,000 gallons of water usage, produced 166,000± gallons of sewage and generated approximately 418 trips in the AM peak, 527 trips in the PM peak and 448 in the Saturday Peak. Further the property contains some 10.24± acres of impervious surface. It is these thresholds relative to its prior use that should be used to evaluate and compare impacts going forward relative to the analysis in the GEIS. It is further noted that the hospital is still presently a specially permitted use with the existing infrastructure to support such use and accordingly the evaluation should take this into account rather than consider this to be vacant land. It is suggested that this evaluation be specifically applied to the utilities and traffic evaluations identified in the GEIS. Without this comparative analysis, the conclusions presented in the DGEIS are devoid of proper support and justification.

50 Main Street, Suite 360
White Plains, New York 10606
914.761.3582 | FAX 914.761.375
email: info@vhb.com
www.vhb.com

As a comparison, it is projected that the Village's proposed PMU Scenario would generate approximately 1,242 net new vehicle trips in the PM hour compared to the Increased Overall Density Scenario estimate at 269 net new trips in the PM peak hour. The 269 net new vehicle trips as referenced in the DGEIS is below that previously estimated activity generated by United Hospital. Similarly Starwood's proposed redevelopment, which is defined in the DGEIS as the Increased Overall Density Scenario, is anticipated to generate approximately 148,300 gallons per day in sewage flow, which is less than the former United Hospital usage of 166,000 gpd.

2. Further revisions should be made to the proposed Zoning Text Amendments, including the elimination of the overly restrictive FAR requirements proposed in Section 345-62(E) (i.e., the proposed 0.20 cap on residential and commercial FAR), which effectively discourages the feasible and innovative development of the vacant Hospital site. Rigid language describing FAR limitations for different uses was properly removed from the draft Comprehensive Plan and similarly should be removed from this Section. The DGEIS does not provide a basis for this rigid FAR regulation, nor does it identify or support significant adverse impacts associated with permitting a greater residential or commercial FAR. Indeed, there is actually evidence to the contrary. In a "Preliminary Fiscal and Socioeconomic Impact Assessment," prepared by this office, the initial findings demonstrate that the "PMU – Increased Overall Density Scenario" (as described in the DGEIS) may actually result in substantial positive fiscal impacts on all affected taxing districts.[1] Moreover, certain impacts, as noted above, such as traffic are considerably lower with an increased FAR scenario compared to, for example, the PMU Scenario – Maximum Residential with 432 residential units and 336,000 s.f. of non-residential development.[2] The Board should also consider that the 0.20 cap on residential FAR in the proposed amendment is significantly lower than other proposed and existing residential/mixed-use zones in the Village, as well as the permitted as-of-right residential FAR for the existing R2F zoning of the Hospital site. In other words, a reduction in the existing permitted FAR is not justified, or beneficial to the Port Chester community. As indicated in Preliminary Fiscal and Socioeconomic Impact Assessment provided as Exhibit C of the Cuddy & Feder submission there are substantial fiscal benefits to redeveloping the property as currently proposed by Starwood Capital and Mill Creek Residential Trust.

3. The impact analysis starting on page 128 of the DGEIS, reflects anticipated impacts associated with school age child generation. The DGEIS references the use of the 2006 Rutgers University demographic multipliers. However, it is noted that the Rutgers Study also recommends supplementing analysis with the use of localized survey data to assist in the evaluation of potential impacts. Starwood Capital and Mill Creek Residential Trust have submitted localized survey data that indicates potential impacts resulting from other comparable projects would generate significantly less school age children. The GEIS should reflect that the localized survey data demonstrates a result below that anticipated using just the outdated Rutgers figures.

---

[1] For the Board's convenience, enclosed please find a copy of the "Preliminary Fiscal and Socioeconomic Impact Assessment," which we request be included in the record of the DGEIS.

[2] See Table 24 on Page 109 of the DGEIS for a comparison of various PMU Scenarios.

4. The redevelopment of the United Hospital site has some particularly beneficial impacts related to other surrounding land uses, namely downtown retailers and the Kohl's Shopping Center. Starwood's proposal of 820 new households will provide an estimated $39 million in disposable income to the local economy. Given the presence of the shopping center directly across the street, it stands to reason that this facility would gain considerably. Additionally, other areas like downtown Rye would also capture some portion of this discretionary spending. As noted above, additional economic factors have been analyzed in the "Preliminary Fiscal and Socioeconomic Impact Assessment.

5. With respect to Table 3 on Page 160 of the DGEIS, it appears that the last scenario in this table should be reworded to reflect its designation as Increased Overall Density Scenario, which includes 820 residential units and 20,000 s.f. of retail space. Further, it is unclear, if this is now a comparison between Maximum Residential Scenario and Increased Overall Density Scenario, how the same FAR ratio could be used given that the gross square footage per residential unit for both scenarios would be below acceptable industry standards and effectively render the units non-marketable.

We appreciate the opportunity to provide comments to the DGEIS.

Kind regard,

David B. Smith
Sr. Development Advisor
VHB, Engineering, Surveying and Landscape Architecture, PC

Cc: Evan Crandall, Starwood Capital Group
James E. Raved, Esq.
Maria Rigopoulos, Mill Creek Residential Trust, LLC
Anthony Gioffre, Esq.
Joseph P. Carlucci, Esq.
Anthony F. Morando, Esq.

# EXHIBIT B

No lighting devices shall employ exposed light sources. They shall be so designed and located that the light directed therefrom shall not extend beyond the particular billboard boundary, and in no case shall the light source or the beams therefrom be directed into adjoining residential properties or into public streets.

**§ 345-16. Building Height and Floor Area Bonus Program**

A.

Purpose.

The purpose of the Building Height and Floor Area Bonus Program is to permit increases in allowable density and/or height in exchange for providing a designated community benefit.

B.

General regulations.

(1)

The bonus program is available in the C2 Main Street Business, C5 Train Station Mixed Use. C5T Downtown Mixed Use Transitional and PMU Planned Mixed Use districts (see *Schedule of Regulations for Nonresidence Districts, Attachment 3B*), and is subject to approval by the Village Board of Trustees.

(2)

Only new developments are eligible for the bonuses unless otherwise approved by the Village Board of Trustees.

(3)

Projects in the C5 Train Station Mixed Use, C5T Downtown Mixed Use Transitional, and PMU Planned Mixed Use districts are permitted to use both the building height and floor area option (see *Schedule of Regulations for Nonresidence Districts, Attachment 3B*).

(4)

Buildings using bonus floor area must not exceed the maximum height limits in the applicable district unless eligible for bonus height (see *Schedule of Regulations for Nonresidence Districts, Attachment 3B*).

C.

Bonus floor area option.

C&F: 1992023.1

In the C2 Main Street Business, C5 Train Station Mixed Use, CST Downtown Mixed Use Transitional, and PMU Planned Mixed Use districts, additional development potential in the form of floor area can be earned for a project when the project includes any of the specified provisions listed herein. The bonus floor area amount is additional to the maximum floor area ratio in the respective district (see *Schedule of Regulations for Nonresidence Districts, Attachments 3B*).

(1)

Open space provision.

In the eligible zoning districts specified herein, proposals that include an open space monetary contribution in addition to the minimum usable open space requirement of the respective district can receive bonus floor area, as specified in the *Schedule of Regulations for Nonresidence Districts, Attachment 3B* and subject to approval by the Village Board of Trustees. The payment in lieu shall be calculated at 10 percent of the assessed value of the bonusable floor space, as determined by the Village Assessor.

(2)

"Housing Rehabilitation Program" provision.

In the eligible zoning districts specified herein, an applicant who contributes a monetary contribution to the Village Housing Rehabilitation Program can receive bonus floor area for the proposed development, as specified in the *Schedule of Regulations for Nonresidence Districts. Attachment 3B* and subject to approval by the Village Board of Trustees. The payment in lieu shall be calculated at 10 percent of the assessed value of the bonusable floor space, as determined by the Village Assessor.

(3)

"Funding for Downtown Public Parking Garage" provision.

In the eligible zoning districts specified herein, an applicant who contributes a monetary contribution to a Village-designated program used to fund the construction of a public parking garage in the downtown can receive bonus floor area for the proposed development, as specified in the *Schedule of Regulations for Nonresidence Districts, Attachment 3B* and subject to approval by the Village Board of Trustees. The payment in lieu shall be calculated at 10 percent of the assessed value of the bonusable floor space, as determined by the Village Assessor.

(4)

All three funds listed in § 345-67.C.(1), (2) and (3) above shall be kept by the Village as dedicated funds in a separate account to be used only for their respective purposes of open space, housing rehabilitation and public parking.

C&F: 1992023.1

(5). New developments that propose a community benefit other than a monetary contribution to one of the funds specified hereinabove are also eligible and can receive bonus floor area for the proposed development. Such non-monetary community benefit contribution can be in the form of a community facility or land contribution..

D.

Bonus building height option.

Bonus building height is also earned in the C5 Main Street Business. C5T Downtown Mixed Use Transitional, and PMU Planned Mixed Use districts in addition to the bonus floor area achieved through the provisions established in §345-67.C. Bonus height is in addition to the maximum building height in the respective district, as specified in the *Schedule of Regulations for Nonresidence Districts, Attachment 3B*. Bonus height is earned by contributing to any of the three provisions specified in § 345-67.C.(1), (2) and (3) above.

Provide control of any such uses through the Planning Commission under § 345-59D(2).

(2)

In addition to the general standards, set forth in §§ 345-59 and 345-60, for the granting of a special exception use, the Planning Commission shall also consider the following criteria:

(a)

The relationship of the proposed or existing multifamily use, including, but not limited to:

[1]

Size of the parcel;

[2]

Nature of the structure;

[3]

Nature of the occupancy;

[4]

Sufficient off-street parking for both the multifamily and office use must be provided in accordance with § 345-14:

[5]

Adequacy and ease of access to the space.

## ARTICLE XI
## Planned Mixed Use District

### § 345-62. Planned Mixed Use District

A.

Purpose of district.

(1)

It is the purpose of the Planned Mixed Use (PMU) District to provide the opportunity for creation of an environmentally sound and visually attractive mixed use area to replace the de-commissioned hospital located at 406 Boston Post Road (Section 141.052, Block 1. Lot 2) and

the adjacent 12-story residential apartment building located at 999 High Street (Section 141.052. Block 1. Lot 2). This section provides the criteria so that such mixed use development, incorporating a variety of commercial, office, residential and community facility uses, may be planned and developed in a unified manner. The creation of a mixed use development shall be comprised of one or a combination of the following uses:

B.

Permitted principal uses.

(1)

Multi-family dwellings containing efficiency, one-bedroom and two-bedroom units only: age restricted housing (e.g.. 55+; convalescent home or nursing home.

(2)

Hotel or motel.

(3)

Bar or tavern; catering and events establishment; cabaret; table service restaurant, no drive-in, open front, fast-food or curb service types.

(4)

Assembly hall; membership club, fraternal organization or similar social institution not operated for a profit.

(5)

Health club, including racquetball facilities and indoor swimming pools: commercial indoor athletic training facility; bowling alley.

(6)

Theater.

(7)

Retail store or personal service shop.

(8)

Office, office building; ground-floor office as accessory use to multi-family development; bank, excluding drive-in.

(9)

Off-street parking lot or garage for motor vehicles; minimum requirements shall be in accordance with §345-14.

C.

Permitted accessory uses.

(1)

Private garage or private off-street parking area, in accordance with § 345-14.

(2)

Sign, in accordance with § 345-15.

D.

Special Exception Uses.

(1)

Church or other place of worship, parish house, rectory. Sunday school, convent, seminary; customary accessory structure or use, including cultural, recreational or athletic facility, meeting room or similar accessory structure or use related to a school, church or other place of worship.

(2)

Hospital; medical and dental offices; ethical pharmacy.

(3)

School, elementary or high, public, private or parochial, having a curriculum equivalent to that ordinarily given in public schools; nursery school, day camp or day-care center.

(4)

Funeral home.

(5)

Radio or television station studio, excluding transmission tower.

(6)

Veterinary hospital or board and care of small animals.

~~(7)~~

~~Ground-floor office as accessory use to multi-family development.~~

E.

Dimensional standards and requirements.

(1)

The maximum floor area ratio (FAR) for all uses shall be ~~0.80~~1.60.~~, excluding any incentive density increases which may be granted pursuant to the requirements set forth in §345-67 and with approval by the Village Board of Trustees.~~

(2)

~~The maximum floor area ratio (FAR) for hotel /conference uses shall be 0.40.~~

~~(3)~~

~~The maximum floor area ratio (FAR) for commercial uses shall be 0.20.~~

~~(4)~~

~~The maximum floor area ratio (FAR) for residential uses shall be 0.20.~~

~~(5)~~

~~The maximum floor area ratio (FAR) for age restricted (e.g., 55+) and/or assisted living uses shall be 0.30.~~

~~(6)~~

~~The maximum floor area ratio (FAR) for community facility uses shall be 0.10.~~

~~(7)~~

The maximum site coverage (buildings, access roads and parking, but excluding walkways) shall be seventy percent (70%).

(~~3~~8)

The maximum building height ~~for hotel uses~~ shall be eight (8) stories or eighty-five (85) feet.

~~(9)~~

~~The maximum building height for mixed use (commercial/residential) structures shall be five (5)~~

~~stories or fifty-five (55) feet. A maximum building height of eight (8) stories, or eighty-five (85) feet shall be allowable by special exception, subject to approval by the Village Board of Trustees and excluding any incentive density increases which may be granted pursuant to the requirements set forth in §345-67.~~

~~(10)~~

~~A building height bonus of two (2) stories, or fifteen (15) feet over the maximum building height allowable by special exception is available pursuant to the requirements set forth in §345-67 and with approval by the Village Board of Trustees.~~

~~(11)~~

~~With respect to mixed use (commercial/residential) structures. the ground floor space shall consist only of commercial uses; upper floor space shall consist only of residential uses.~~

ZONING

*345 Attachment 3B*

**Village of Port Chester**

**Schedule of Regulations for Nonresidence Districts**

**Part 2, Dimensional Regulations**

| | Districts | | | | | | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Type of Use | C1 Neighborhood Retail § 345-47 | ~~C2 General Business § 345-48~~ | C2 Main Street Business § 345-48 | C3 Design-Office & Commercial § 345-49 | C4[3] General Commercial § 345-50 | ~~C4T General Commercial (Multifamily Dwelling) § 345-50~~ | CS Train Station Mixed Use § 345-50.1 | C5T Downtown Mixed Use Transitional District § 345-50.2 | CD Design Shopping Center § 345-51 | CDS Special Designed Commercial § 345-52 | Special Exception Uses[4] | PD Design Professional Building § 345-53 | OW Design Waterfront § 345-54 | M1 Light Industrial § 345-55 | M2 General Industrial § 345-56 | ~~PRSA Planned Railroad Station Mixed Development § 345-57~~ | PMU Planned Mixed Use § 345-57 |
| Maximum Floor Area Ratio (See definition, § 345-2) | 1.00 | ~~0.2~~ | 3.50[1] | 3.00 | 2.00 | ~~1.50~~ | 4.00[2] | 4.00[2] | 1.00 | 1.00 | ~~0.35[5]~~ | 1.00 | 1.60 | 1.00 | 2.00 | | 0.8[1] |
| Maximum Floor Area Ratio For 1 Story | 0.35 | ~~NR~~ | NR | 0.60 | NR | — | NR | NR | 0.35 | NR | ~~0.35[5]~~ | NR | 0.40 | 0.50 | 0.70 | | |
| Minimum Site of Lot: | | | | | | | | | | | | | | | | | |
| Area, nonresidential (square feet) | NR | ~~NR~~ | NR | NR | NR | ~~20,000~~ | NR | NR | 21,780 | 65,340 | — | 21,780 | 10,000 | NR | NR | | |
| Area per dwelling unit (square feet) | NR | ~~750~~ | 250 | NR | NR | ~~750~~ | 250 | 250 | NR | NR | — | NR | 750 | NR | NR | | |
| Width (feet) (c) (e) | 40 | ~~40~~ | 40 | 40 | 40 | ~~100~~ | 40 | 40 | 40 | NR | ~~150[5]~~ | 40 | 40 | 40 | 40 | | |
| Depth (feet) | NR | ~~NR~~ | NR | NR | NR | ~~100~~ | NR | NR | NR | NR | — | NR | NR | NR | NR | | |
| Minimum Yard Dimensions: | | | | | | | | | | | | | | | | ~~See §345-62~~ | See §345-62 |
| Front (feet) | NR | ~~NR~~ | NR | 10 | 10 | 25 | NR | NR | 30 | 60 | ~~150[5]~~[6] | 10 | 20 | 25 | 10 | | |
| Side | | | | | | | | | | | | | | | | | |
| One (feet) | NR(a) | ~~NR(a)~~ | NR(a) | (b) | NR(a) | 20 | NR(a) | NR(a) | 30 | 50 | ~~(a)~~[5] | 20 | (c) | 20 | 10 | | |
| Total of 2 on interior lot (feet) | NR(a) | ~~NR(a)~~ | NR(a) | (b) | NR(a) | — | NR(a) | NR(a) | 60 | 100 | ~~(a)~~[5] | 40 | (c) | 40 | 20 | | |
| Rear (feet) | 30 | ~~20~~ | 20 | 20 | 20 | 30 | 20 | 20 | 30 | 50 | ~~30[5]~~ | 30 | 30 | 20 | 20 | | |
| Maximum Height of Building: | | | | | | | | | | | | | | | | | |
| In stories | 2½ | ~~3~~ | 5 | NR 5 | 3 | 7 | 8[3] | 5[4] | 3 | 3 | ~~4[5]~~ | 5 | 8 4 | 2 | 8 | | |
| In feet | 35 | ~~40~~ | 60 | 220 60 | 45 | 70 | 90[3] | 60[4] | 45 | 45 | ~~45[5]~~ | 60 | 70 50 | 40 | 70 | | |
| Minimum Usable Open Space on Lot: | | | | | | | | | | | | | | | | | |
| For each dwelling unit (square feet) | 1,200 | ~~1,200~~ | 500[4] | NR(d) | NR | ~~2,000[5]~~ | 500[4] | 50[4] | NR | NR | — | 100(d) | 100(d) | NR | NR | | 100 |

NOTES:

(a) If provided at least ten (10) feet per yard.

(b) One-half (½) the height of the building to which the yard is related, but not greater than twenty (20) feet.

(c) Each twenty-five (25) feet or one-half (½) the height of the building, whichever is greater.

(d) Twenty (20) square feet for each patient bed in a sanatorium, convalescent home or nursing home.

~~(e) In the event that the site of a special exception use is partially within the Village of Port Chester and partially within the Town of Rye, the maximum floor area ratio may be increased by fifty hundredths (0.50) within the Village of Port Chester, provided that the floor area ratio for the entire site both within the Village of Port Chester and within the Town of Rye does not exceed thirty hundredths (0.30). [Amended 5-8-1985 by L.L. No. 3-1985]~~

~~(f) On a site on a county road or highway or shall be contiguous to and in common ownership with a site which shall have said minimum frontage.~~

~~(g) Other than office buildings.~~

~~(h) Applicable only in the event that the site of a special exception use is partially within the Town of Rye and partially within the Village of Port Chester, provided that the site is developed as an integrated, multiple-use development and that the site contains a minimum of five acres and provides for at least two of the following uses: retail, office, residential, hotel, recreation, open space and parking. In addition, the applicant shall submit to the Planning Commission, for its review and approval, a master plan for the development of the site, which plan shall show the location of all buildings and uses, the number of dwelling units, the number of hotel rooms, the square footage of retail and office space, the location of all parking areas, the number of parking spaces, the location of all recreation areas and facilities, the location of all open space and landscaped areas and the location of all vehicular and pedestrian circulation systems. Improved exterior spaces, such as courts, swimming pools, decks, areas of the like may, upon approval by the Planning Commission, be included as open space calculations.~~

(i) (e) Must be maintained from the minimum front yard depth to the rear lot line. ~~[Added 4-27-1988 by L.L. No. 6, 1988]~~

[1] A floor area ratio (FAR) bonus of 0.5 is available in accordance with §345-16. ~~[Added 4-27-1972 by L.L. No. 3-1972]~~

[2] A floor area ratio (FAR) bonus of 0.5 is available in accordance with §345-16. ~~[Added 10-28-1975 by L.L. No. 11-1975]~~

[3] A building height bonus of 2 stories (30 feet) is available in accordance with §345-16. ~~[Added 10-28-1975 by L.L. No. 11-1975]~~

[4] A floor area bonus of 0.20 is available in accordance with §345-16. See any mixed use (commercial/residential) structure, a building height bonus of 2 stories (15 feet) is available in accordance with §345-16.

~~See §345-7.E. [Added 12-30-1987 by L.L. No. 20-1987]~~

[5] A building height bonus of 1 story (10 feet) is available in accordance with §345-16.

NR = none required

RENVIVE

# EXHIBIT C

VHB

*Engineering, Surveying and Landscape Architecture, P.C.*

## Executive Summary

The following report has been prepared as a preliminary assessment of the anticipated fiscal and socioeconomic impacts from a proposed redevelopment plan to replace the abandoned United Hospital buildings at 406 Boston Post Road with a new mixed-use commercial, community facility, and residential development. The current plan proposes redeveloping the vacant property with approximately 20,000 square feet of ground floor commercial space, and 820 new multifamily apartments in 5- and 6-story residential structures (hereinafter the "Project"). The following analysis includes and relies on information provided by PC BPR 406, LLC (the "Applicant") related to Project details, anticipated property tax revenue, community benefit package, and anticipated rental profile and associated school children generation. As the Project moves through the SEQRA process, this analysis would be updated and refined for inclusion in the associated environmental review documents. Furthermore, there is no active submittal or proposal for the adjacent 999 High Street site; yet at the request of the Village Administration, anticipated revenues associated with the possible renovation of the existing adjacent 999 High Street building have also been identified in this preliminary assessment. Please refer to the supplemental analysis on page 21 for information concerning 999 High Street. The 999 High Street alternative is discussed herein for purposes of the fiscal analysis only, and is not part of the United Hospital Project.

As illustrated by this preliminary analysis, the return of this currently underutilized and deteriorating property to productive use would result in substantial positive fiscal impacts for both the Village of Port Chester and the School District. In addition, both the construction and operation phases of the Project would result in significant contributions to the local economy.

Key fiscal impacts from the Project include:

- Combined first year revenues of approximately $2.25 million to local taxing jurisdictions once both redevelopment phases associated with the United Hospital site are fully operational. This includes approximately $600,000 for the Village, which represents a net increase of approximately $470,000 over existing Village tax generation from the site.
- An approximately $1 million increase over existing annual revenues to the School District, resulting in a positive net annual fiscal impact of approximately $698,600 for the School District.
- Revenues over 20-year period totaling approximately $49 million, including approximately $29 million for the School District and $13 million for the Village.
- A community benefits package generating up to an additional $9.5 million in value.
- Generation of approximately 17-23 schoolchildren.

Key socioeconomic benefits from the Project include:

- Investment of approximately $250.5 million for project development and construction.
- This construction investment would support approximately:
  - 1,327 total direct construction and related services jobs.
  - 647 total jobs in supporting industries.
- Project operations would support approximately 90 permanent jobs, including approximately 64 permanent on-site jobs.

- Expansion of the local customer pool by approximately 820 households, creating an additional consumer demand for neighborhood retail, restaurants and services. This expansion of local market demand would help sustain and support Port Chester's downtown businesses, enhancing the Village's economic vitality.
- Approximately $39 million in additional economic output and support for an additional 218 jobs related to household spending.
- The development of a new residential product that would enhance housing diversity and opportunity within the Village.

In summary, the Project will have a substantial and sustained positive tax impact on all affected taxing districts, including the local school district. The community benefits package will provide additional resources for Village enhancements. In addition, the proposed development will help to revitalize the Port Chester economy. It will bring new jobs to the Village during the construction and operations phases and would bring new purchasing power to the Village in support of local businesses when it is fully occupied. Impacts such as traffic, when measured against the operation of the former hospital, are not significant. Redevelopment would also have a positive impact on community character by eliminating a high-profile vacancy at a key gateway to the Village and reinvigorating an underutilized property with an active and attractive use.

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## Project Description and Purpose

### Proposed Development

PC BPR 406, LLC (an affiliate of Starwood Capital Group) is seeking municipal approvals that would allow for the redevelopment of the 14.5-acre former United Hospital site located at 406 Boston Post Road into a mixed-use development comprised of a combination of multifamily residential, commercial, office and community facility uses. The proposed plan will require zoning text and map amendments to reclassify the United Hospital property to a new Planned Mixed Use (PMU) Zoning District. The proposed plan seeks to replace the abandoned United Hospital buildings with a new mixed-use development consisting of approximately 20,000 SF of ground floor retail fronting the site entrance on Boston Post Road (directly across from the entrance to the Kohl's Shopping Center site) and approximately 820 new multifamily apartments in 5- and 6-story residential structures. Retail and residential parking would be provided via a combination of surface parking and structured parking located under the buildings. The development would be constructed in two phases.

The attached conceptual site plan demonstrates that the development is specifically designed to present a harmonious street presence on Boston Post Road. The development would feature a new high quality streetscape designed to engage the street along the site's frontage on Boston Post Road and create a pleasant and safe pedestrian experience. The ground floor retail will front Boston Post Road at the site's main entrance and will be designed to complement and provide ancillary retail to the existing Kohl's Shopping Center and future home to the new Whole Foods grocery anchor, as well as provide supporting retail to the development's on-site residential population.

The attached rendering demonstrates that the development will be designed to retain a traditional residential feel, with elevations that are both distinctive and integrate well into the larger community. The buildings will be modern in sensibility and yet clearly anchored to a more traditional residential vernacular, with classic rooflines, large paned windows, and balconies. The building façades will be an attractive mix of brick, siding, and architectural panels. Contrasting brick color bands and panels will introduce a variety of detail to the pedestrian walking by. Residential balconies and roofline silhouettes will further modulate the elevations and create a residential village-like impression.

The development would replace a predominantly impervious site with landscaped courtyards, attractive building perimeters, and an enhanced streetscape. The apartments are designed around landscaped courtyards. The courtyards will serve as common space with such site amenities as swimming pools, and gathering areas for community residents. The courtyards and grounds will be adorned with plantings, ornamental shrubs and canopy trees. These plantings will give a sense of scale and separation from the individual structures.

The anticipated residential unit mix would be 5% studios, 48% one bedrooms and 47% two bedrooms, with approximately 20,000 SF of ground floor retail (see proposed Building Program table below). The product is designed to attract the emerging market segment called "Lifestyle

Renters" - usually a mix of young childless professionals and empty nesters. This market segment typically includes higher-income households that choose a multifamily unit for its lifestyle, including ease of maintenance, desirable location, convenience, amenities, and access to new technology.

**Proposed Building Program**

| Residential Units | Number of Units | % of Unit Mix |
|---|---|---|
| Studio / Jr. One Bedroom Units | 41 | 5% |
| One-Bedroom Units | 394 | 48% |
| Two-Bedroom Units | 385 | 47% |
| **Total Residential** | **820** | **100%** |
| **Retail** | **20,000 SF** | |

Project amenities for on-site residents would include 8,000-10,000 square feet of leasing and clubhouse amenity space, including resident lounge, 24-hour state-of-the-art fitness center, internet café, game room/ and business/computer center. The development would also feature swimming pools with sundecks, outdoor grilling areas, and outdoor fire pits. The buildings would be managed and serviced by a professional on-site management and maintenance team and have controlled access entry to the building, amenities, and garage.

The apartments would have standard 9' ceilings, as well as vaulted ceilings in some top floor units. All apartments will feature gourmet kitchens with breakfast bars and/or islands, wall-to-wall carpeting, central HVAC, walk-in closets, and full-size washers and dryers. All apartments will be pre-wired with cable and high-speed internet connections (in several locations within in the apartment). The buildings will also have Wi-Fi available to residents.

The site location, building architecture and landscaping treatments will provide an attractive residential development appropriately situated and well served by necessary transportation and infrastructure. The proposed development would set a new standard for mixed-use development at the southwestern gateway to the Village.

**Draft Comprehensive Plan:**

As reflected in the Draft 2012 Comprehensive Plan (the "Comp Plan"), the proposed United Hospital redevelopment will enhance the immediate area with a permanent, high quality mixed-use development. The proposed zoning amendments will provide a permanent, beneficial use to an underutilized property in conformance with the new vision articulated by the Village – mixed-use development and high quality residential housing. In particular, the proposed development will address many of the Comp Plan's goals and recommendations including:

- Redevelopment of the underutilized, vacant United Hospital Site.
- Encourage a balanced range of housing types and densities in the Village.
- Maintain homeownership and rental opportunities for a diverse housing market including specialized housing requirements for the elderly, handicapped and young adult population.

- Promote walking for commuting, recreation and other trips by creating safe, pedestrian friendly environments throughout the Village (improve streetscape, continuous and safe sidewalks along major roads).
- Support design excellence to protect and restore the character of the Village's neighborhoods.
- Connect neighborhoods, parks and the waterfront through a network of pedestrian and bicycle friendly streets and trails.
- Enhance and maintain a sustainable high quality parks and recreation system.
- Encourage the development of a skilled workforce that matches the employment opportunities in the Village by focusing on workforce needs for advancement.

**Purpose, Need, and Benefits**

The proposed development will redevelop a commercial site, without the significant traffic generation that accompanies commercial uses. There would be significant aesthetic improvements to the site through architectural design, materials and detailing, and landscaping. The transit-oriented development is well situated, with frontage on U.S. Route 1 (Boston Post Road) and direct access to Interstate 287 and Interstate 95. The site is situated on the Bee Line (bus service) and less than a mile from two Metro-North train stations (Port Chester and Rye), which provide train service to Grand Central Station in Manhattan within 40 minutes, thereby reducing potential vehicle trips. The development, by virtue of its close proximity to the Port Chester and Rye Metro-North train stations, should be particularly attractive to affluent young workers who are employed in Manhattan but who have been priced out of Manhattan's superheated housing market.

The demographics of Westchester County suggest that there will be strong demand in the coming decade for new rental housing with modern features and amenities. As the "echo boomers", those born between 1977 and 1994, enter their prime household formation years and as the leading edge of the baby boomers, those born between 1946 and 1964, begin to downsize their housing, the demand for such rental units will escalate.

The development is expected to attract single and married professionals working in and around Westchester and Fairfield County and commuting into New York City, as well as empty-nesters and "baby boomers" who are down-sizing from larger single-family homes and want to remain in the area to be near family and friends. The development would also attract the "echo boomer" population. This technology savvy generation was brought up on the Internet and electronics and demands modern features and amenities such as wireless/hi-speed internet access and state-of-the-art fitness centers. Single-person households, empty nesters, and couples without children make up the new majority in American households. This combined target market is attracted to social environments and downtowns and will patronize local businesses and restaurants. They represent "renters by choice", who want the maintenance-free lifestyle that new luxury rental communities offer, including access to new amenities and new technologies. Considering the targeted market segment, and with 53% of the apartments as studios and one-bedroom units, the potential for generation of school children is low.

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The proposed development will have both immediate short-term as well as long-term benefits for the Port Chester community. These benefits include:

- Providing needed new, quality rental housing to both young professionals and empty nesters.
- Replacing the blighted and vacant hospital compound with handsome, aesthetically pleasing structures, and thus creating a sense of place at the gateway to the Village.
- Often described as the gravity principle or the hub and spoke principle, a positive development spurs the owners of neighboring properties to renovate their properties and create greater values and rental desirability.
- Encouraging the opening of new businesses and making existing local businesses more profitable, such as cleaners, eateries and cafes, pharmacies and general merchandise and therefore creating a more vital community.
- Moving toward the national trend of creating walkable communities and away from the past approach of sprawling housing complexes.
- Creating a next generation of rental housing that is constructed to meet all the current safety driven building codes, with desirable amenities.
- Adding to the property tax rolls of all levels of local government without adding to the demand for services, thereby easing the tax burden to the current community. A major component of the championed "Smart Growth" movement.
- Acting as a spark to encourage other commercial owners to improve their properties, assuring that empty nesters remain close to their families, and religious and social institutions.
- Bringing an infusion of new consumer dollars to the Village as the residents patronize local convenience, service, and retail stores and enjoy local restaurant establishments, helping to support and reenergize downtown Port Chester. Potential residents of the proposed rental units will also bring considerable purchasing power to the community.

The proposed development would set a new standard for residential construction in the Village with its exceptional design, amenity package, garage parking, and landscaped courtyards and streetscaping. The proposed development would be an active residential anchor that will contribute to the revitalization of the downtown Village of Port Chester.

Rental housing market fundamentals remain strong due to the following reasons:

- The demand for new, multifamily rental housing has long been a major underserved need throughout Westchester County. Currently the rental apartment

vacancy rate in Westchester County as a whole is 2.9% compared to a vacancy rate of 3.3% in the Northeast and 4.7% nationally (REIS MetroTrend Futures 2nd Quarter 2012.)

- While the Village of Port Chester has a greater percentage of rental housing than other communities, that existing housing stock is old and functionally obsolete. About 35% of the housing stock was built before 1940 and another 43% was built between 1940 and 1970. There is still a tremendous demand for new, highly-amenitized rental communities designed to meet the needs of smaller households such as working professionals and downsizing baby boomers.

- The current high cost of home ownership has priced many Westchester residents out of the market, resulting in an even higher demand for rental housing.

- Due to the sub-prime lending crisis that occurred in the summer of 2007, lenders have become and still remain much more stringent in mortgage lending standards, thereby narrowing the pool of qualifying home buyer applicants and further softening the for-sale housing market. Historically, weakness in the for-sale market results in greater demand for rental housing.

- The location of United Hospital site will be very desirable to commuting residents based on its close proximity to excellent mass transit and vehicular access.

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## Public School Impacts

Whenever multifamily housing is proposed, there is concern about how many school-age children will be generated and about the resulting fiscal impact on the local school district. This concern is understandable given the misconception that multifamily rental housing generates a high number of school-age children. However, it is important to understand changes in demographics, the resulting changes in housing preferences, and the proposed development target market in order to accurately project the number of school age children likely to be generated by this planned development of 820 apartments.

### Demographic Shifts and Target Market

Long-term demographic trends will lead to unusually strong apartment demand for at least the next 10 years. These trends also demonstrate a shift in the make-up of the average household. According to U.S. Census data, the number of households with children is decreasing. In 1960, 50% of households had children. In 2000, the number of households with children decreased to 33%. Trends through 2025 forecast that households with children will decrease further to 28%.

| | Demographic Trends | |
|---|---|---|
| **Households** | **2000** | **2025** |
| **With Children** | **33%** | **28%** |
| **Without Children** | **67%** | **72%** |
| **Single** | **26%** | **28%** |

As the people born between 1977 and 1994 enter their household formation years and the people born between 1946 and 1964 begin to downsize their housing, the number of households without children will grow and rapidly increase the demand for multifamily housing. The proposed development will attract young professional singles, couples who have not yet started a family, and empty-nesters whose family-rearing responsibilities have ended. All groups will likely have few or no school-aged children.

In June 2006, the Rutgers University Center for Urban Policy Research published a study titled "Residential Demographic Multipliers – Estimates of the Occupants of New Housing," which addresses the potential number of public school-age children for different types of rental units. The study, authored by Robert W. Burchell and David Listokin, contains information on demographic multipliers, including the average number of people, the average number of school-age children, and the average number of public school children found in newly built housing units of different types and sizes. This Rutgers study includes New York State specific residential demographic multipliers, which are derived from the 2000 U.S. Census.

The demographic fields shown in the report are differentiated by housing type, housing size, housing price, and housing tenure. The housing or structure types include the following: single-family detached; single-family attached (town homes); larger multi-family buildings (5 or more units); and smaller multi-family structures (2 to 4 units). The 2000 census does not have information on the

number of stories in a housing structure, therefore the multiplier presentations cannot disaggregate multifamily housing into garden, mid-rise, and high-rise categories. There is further differentiation of the demographic profiles by housing value or gross rent. Gross rent is defined as "the contract rent plus the estimated average monthly cost of utilities (electric, gas, water, and sewer)."

In the report, Burchell and Listokin found that statewide in New York, renters of one-bedroom apartments renting for more than $1,000 monthly in structures containing five or more rental units generated only 0.07 public school children per unit. Renters of two-bedroom apartments renting for more than $1,100 in structures containing five or more rental units generated only 0.16 public school children per unit. Renters of three-bedroom apartments renting for more than $1,250 in structures containing five or more rental units generated 0.63 public school child per unit.

In this report, Listokin indicates that the multipliers are only a snapshot in time and need to be continuously updated, refined and tested to reflect new trends, and that the most recent data available should be utilized. Listokin further recognizes that statewide average benchmark data can only go so far in accurately predicting the actual demographic impact of housing development in a specific community. For example, a given community may attract more or fewer public school children per housing unit because of differences in geography and locale (e.g. urban versus suburban or proximity to mass transportation). Additionally, based on the quality of the local school district, households with more children may disproportionately choose to live in communities with high-quality school systems.

In November 2006, recognizing that Rutgers studies and data were being widely applied throughout the United States and producing inaccurate data, Listokin, under the Center for Urban Policy Research Edward J. Bloustein School of Planning and Public Policy and Rutgers University, published "Who Lives in New Jersey Housing – A Quick Guide to New Jersey Residential Demographic Multipliers." This report acknowledges that "the practice of using existing published Rutgers studies produces an erroneous overstatement of the population generated by new development in New Jersey, especially housing with a strong transit orientation and infrastructure in place."

This overstatement of projected school children generation is not surprising given the fact that the standard Rutgers multipliers did not take into account various factors such as project location, recent demographic trends, proximity to mass transit, type of structure (mid-rise or hi-rise), and quality of the local school district. Similarly, the expected target market of young professional singles and couples and empty-nesters are likely to have relatively few school age children. The authors go on to write that the multifamily data, based on census information, cannot differentiate low-rise buildings from high-rise apartments. According to the report, "anecdotal evidence and historical data indicate that high-rise development has lower household size and school children generation relative to low-rise development."

The "Quick Guide" report provides new averages, based on 2000 Census data, of the numbers of people, school-age children, and public school children that tend to locate in different types of development, such as single-family, multifamily, above- and below- median value homes, and proximity to transit. The following table illustrates overall demographic data for multifamily units differentiated by Housing Tenure and Value.

**Revised General Multi-family Multipliers (Above Median)**

| Multi-family (5+ Units) | Price | Housing Size | School-Age Children in Public Schools Per Household |
|---|---|---|---|
| Studio and One Bedroom | Above Median | 1.644 | 0.051 |
| Two Bedroom | Above Median | 2.107 | 0.115 |

Source: "Who Lives in New Jersey Housing – A Quick Guide to New Jersey Residential Demographic Multipliers," Center for Urban Policy Research Edward J. Bloustein School of Planning and Public Policy and Rutgers University

Importantly, the "Quick Guide" also speaks to data resulting from exploratory analysis of Transit-oriented developments (TOD) within NYC metropolitan area suburbs, which suggests that each TOD unit generates only about 0.02 public school children. In other words, for every 100 units in a TOD, on average only 2 public school children are generated. This was based on a "real world" study of 10 apartment communities representing a sample size of 2,183 units. Based on data from local school districts, it was determined that only 47 public school children were generated, far less than the 285 which would have been projected by the generalized multipliers. Therefore, the authors indicate that generalized multipliers should not be used for specialized housing, such as transit oriented development and proximity to strong infrastructure, as they may grossly overestimate school children. Since the United Hospital site has similar characteristics (e.g., an infill location in a metropolitan New York suburb, proximity to transit) the Quick Guide multipliers have been applied to the proposed redevelopment. As discussed below, these multipliers have been supplemented and confirmed through research of school children generation rates from other local examples.

Listokin recommends that state-level data should be supplemented by local analysis, including a study of public school generation of occupied housing developments comparable in character (i.e.: type, size, price, and tenure) and location to the subject development being considered by the analyst.

For this study, actual public school enrollment data from eight comparable multifamily developments in neighboring municipalities such as White Plains, Stamford and Norwalk were obtained from their respective school districts. These municipalities are the closest communities to Port Chester that have recently experienced new construction of high value, amenity rich multifamily developments. The identified projects are similar to the proposed development in that they are newer developments with upscale and high quality design, comparable rent ranges, similar resident amenity packages, and proximity to downtowns. In the aggregate, they contained a total of 2,390 apartment units and generated 67 school children. This is equivalent to a ratio of 0.028 children per unit, that is, for every 100 units, on average only 2.8 public school children were generated.

These findings are summarized in the table below. It is noted that several of the identified comparables include three-bedroom units, which tend to generate more school children than smaller units. The United Hospital redevelopment Project is proposing to not include any three-bedroom units. Therefore, the school children generation ratio is likely conservative.

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**School-Age Children in Selected Comparable Multi-Family Rental Developments**

| Development | Location | Year Built | Description | Unit Mix | Total Units | School-Age | Ratio | Source of Data |
|---|---|---|---|---|---|---|---|---|
| **Bank Street Commons** | White Plains, NY | 2003 | High-rise | 1-br, 2-br | 502 | 10 | 0.02 | White Plains |
| **Avalon White Plains** | White Plains, NY | 2008 | High-rise | Studio, 1-br, 2-br, 3-br, townhome | 407 | 15 | 0.037 | White Plains |
| **One City Place** | White Plains, NY | 2004 | High-rise | 1-br, 2-br, 3-br | 311 | 14 | 0.045 | White Plains |
| **The Boulevard** | Stamford, CT | 2011 | Mid-rise | 1-br, 2-br | 94 | 1 | 0.011 | Stamford Public |
| **Avalon at Greyrock** | Stamford, CT | 2001 | Mid-rise | 1-br, 2-br, 3-br | 306 | 11 | 0.036 | Stamford Public |
| **Avalon on Stamford** | Stamford, CT | 2003 | Mid-rise | Studio, 1-br, 2-br, 3-br | 323 | 8 | 0.025 | Stamford Public |
| **Jefferson @ 55/77** | Norwalk, CT | 2007 | Mid-rise | 1-br, 2-br | 136 | 1 | 0.007 | Norwalk School |
| **Avalon Norwalk** | Norwalk, CT | 2009 | Mid-rise | Studio, 1-br, 2-br, 3-br | 311 | 7 | 0.020 | Norwalk School |
| **Total** | | | | | **2,390** | **67** | **0.028** | |

Source: Data collected by Mill Creek Residential Trust from various school districts/Superintendents in January 2012.

## Estimated School-Age Children

The following table illustrates an estimate of public school children generated by the proposed development using Rutger's recent TOD data and using comparable "real world" apartment market data. Using these ratios, the 820 proposed apartment units would generate between 17 and 23 public school age children. Phase I, consisting of about 410 units would generate between 7 and 12 public school age children.

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**Potential School Children Generation**

| Proposed Development | Public School Children Generation Ratios | School-Age Children in Public Schools Per Household 820 Units | School-Age Children in Public Schools Per Household Phase 1- 410 Units |
|---|---|---|---|
| Rutgers TOD data | 0.021 | 17 | 7 |
| Comparable Rental Market data | 0.028 | 23 | 12 |

Source: Alan M. Vorhees Transportation Center at Rutgers University and the Office of Smart Growth

## Financial Impact on the Port Chester – Rye Union Free School District

This site is located in the Port Chester-Rye Union Free School District. The 2012-2013 budget for the Port Chester - Rye Union Free School District is $81,320,560, of which $56,725,495 (or approximately 70%) comes from the local property tax levy[1]. According to the Westchester Putnam School Board Association 2012-2013 Property Tax Report Card Data for the Port Chester-Rye Union Free School District, enrollment for 2012-2013 is anticipated to be 4,300 students (an increase from 4,231 during the 2011-2012 school year). With a current enrollment of 4,300 students, total budgeted expenditures per pupil are therefore approximately $18,912. The total budgeted cost per student funded by the local property tax levy is $13,192. While the average total per-pupil costs are useful metrics for certain tasks, such as overall district budgeting, it is not appropriate for evaluating the marginal cost of educating a new student in situations where no new facility construction is required. (The Project-generated school children would represent approximately ½% of the district's enrollment.) This is because the average cost includes fixed administrative and capital expenditures that are not affected by the introduction of new students (e.g., superintendent salary, building maintenance and service costs, debt service, etc.) These fixed costs will not vary with the projected small changes in school enrollment. Program costs provide a more accurate assessment of the incremental cost of educating additional students generated by new residences, although it is still conservative as costs do not increase in a direct ratio. Program costs as identified in the district budget account for approximately $61,984,038 (76%) of the total budget; a cost per pupil of approximately $14,415.

As noted above, only a portion of this cost is currently paid for from the local property tax levy (see table below). The portion of the program costs paid by the local real estate property tax is approximately $10,055 per pupil. State and federal aid make up approximately 20% of the school district's revenue. However, it is recognized that due to the State's challenging fiscal and budget conditions, the amount of State Aid that will be provided to school districts is in flux. Therefore, in order to be conservative, this analysis utilizes the total per pupil instructional costs, rather than only the portion currently paid by local property tax dollars. With potentially 17-23 new students and an average program cost of approximately $14,415, the annual cost to educate the Project-generated students would likely range from $245,053 to $331,542. (As indicated above, the tax levy for the 2012-2013 budget accounts for $56,725,495, or 70% of the budget revenues. Assuming relatively

[1] Port Chester-Rye Union Free School District, 2012-2013 Proposed Budget.

constant State Aid, the total cost paid by the local real estate property tax would range from approximately $170,938 to $231,269.) Phase I, consisting of approximately 410 units, would cost between $100,904 to $172,979 for the projected 7 – 12 students.

**Sources of Revenue, Port Chester - Rye UFSD, 2012-13 School Year**

| Revenue Source | Amount | Percent Distribution |
|---|---|---|
| Local Tax Revenue | $50,325,495 | 61.89% |
| Star Program Revenue | $6,400,000 | 7.87% |
| **Taxation and Star Program Revenues** | **$56,725,495** | **69.76%** |
| State and Federal Aid | $15,955,584 | 19.62% |
| Revenue Local Sources | $5,839,482 | 7.18% |
| Revenue Fund Balance | $2,800,000 | 3.44% |
| **Revenues- Excluding Taxation and Star Program** | **$24,595,066** | **30.24%** |
| **Total Revenue** | **$81,320,560** | **100.00%** |

Source: Port Chester Public Schools published 2012 – 2013 budget.

## Property Tax/PILOT

The proposed development will bring increased property tax revenues to the Village of Port Chester, the Port Chester - Rye Union Free School District and other local taxing districts. The developer will require financial assistance from the Port Chester Industrial Development Agency in the form of mortgage recording tax exemption, sales and use tax exemption and a modest structured real property tax abatement included as part of a payment in lieu of taxes (PILOT). Without this financial assistance, it is impossible for the United Hospital site to be redeveloped.

Revenue generated by the development would result in projected taxes equal to about 3x more than the real property taxes currently being paid by the existing commercial development on the site. This multiplier would increase in the out years. This differential will more than compensate the Village for any quantifiable impact on the Village related to increased municipal service costs.

### Existing Property Tax Revenue

The 14.15-acre former United Hospital site is comprised of two tax lots: section/block/lot 141-52-1-2 and 141-52-1-2.4. The Assessed Value for purposes of tax assessments for the United Hospital site have been steadily declining over the past several years, as seen on the following chart:

| Assessment Year | 406 Post Road | | Total Assessed Value |
|---|---|---|---|
| | 141.52-1-2 | 141-52-1-2.4 | |
| 2009 | $22,350,000 | $1,649,500 | $23,999,500 |
| 2010 | $20,562,500 | $1,649,500 | $22,212,500 |
| 2011 | $17,550,300 | $1,568,700 | $19,119,000 |
| 2012 | $12,079,100 | $1,568,700 | $13,647,800 |

Based on the 2012 Assessment Year, the 2013 – 2014 existing tax liabilities for the property are estimated to be:

**Anticipated Tax Assessments (2013- 2014) – Existing Condition**

| | 406 Post Road (141.52-1-2) | 406 Post Road (141.52-1-2.4) | Combined | % Allocation |
|---|---|---|---|---|
| **2012 Assessed Value** | **$12,0079,100** | **$1,568,700** | **$13,647,800** | |
| General Taxes | $57,294.41 | $7,440.76 | **$64,735.17** | 12.89% |
| Village of Port Chester | $121,460.15 | $15,773.90 | **$137,234.05** | 27.32% |
| Port Chester – Rye Union Free School District | $265,872.56 | $34,528.59 | **$300,401.50** | 59.80% |
| **Total Taxes** | **$444,388.47** | **$57,712.26** | **$502,100.72** | 100.00% |

Source: Tax data provided by PC 406 BPR LLC for current 2013-2014 General and Village tax bills for 141.52-1-2 and 141.52-1-2.4. School District taxes projected by trending the tax rate 2% over the 2011 assessment year.

### Certiorari Property Tax Refunds

The New York Real Property Tax Law (RPTL) authorizes a property owner to petition the court for relief in the case of property assessments that it believes are inaccurate. Property owners who pursue this relief may obtain a court settlement, known as a Certiorari Tax Refund Judgment. PC 406 BPR, LLC has petitioned the court for relief for the Town of Rye's 2009, 2010, and 2011 assessments, based on a third-party appraiser's conclusions of market value for the vacant site. It is anticipated that the final settlement will necessitate a tax refund to PC 406 BPR, LLC from the respective taxing authorities in the range of $750,000 to $1,000,000.

### Proposed Development: Projected PILOT/Tax Revenues

The development's real property tax abatement will be structured so as to generate PILOT payments/property tax revenue that will substantially exceed the potential impact that the development would have upon the Port Chester – Rye Union Free School District. Projected payments in the first full year would more than triple the real property taxes currently being paid by the existing commercial development on the site. This differential will more than compensate the Village for any quantifiable impact on the Village utilities and services. Tax revenues would increase in the out years, escalating approximately 3% per year. The table below presents anticipated revenue by taxing district, assuming each district's proportionate share of the total tax bill remains the same as it is presently. Overall payments during the 20-year PILOT period would total approximately $49 million, including approximately $29 million allocated for the School District and $13 million for the Village. The following anticipated revenue and community benefit package projections are based upon the current development program. If the program (e.g. unit count) is modified, there would be an associated change in revenues for the Village.

| Projected Tax Revenues – First Year Operations | Phase I 420 units & 20,000sf Retail Year 1 of Operation | Phase II 420 units Year 1 of Operation | Total Tax Revenue – Year 1 of Operation |
|---|---|---|---|
| General (12.886%) | $146,192 | $140,535 | **$286,8726** |
| Village of Port Chester (27.317%) | $309,911 | $297,919 | **$607,831** |
| Port Chester – Rye Union Free School District (59.797%) | $678,397 | $652,146 | **$1,330,543** |
| **Total Tax Revenues** | **$1,134,500** | **$1,090,600** | **$2,225,100** |

Note: Projected revenues are presented for first-year operation of each phase. By the time of occupancy of Phase II, actual Phase I revenues will actually be slightly higher as that phase would have been operational and experienced revenue escalation of approximately 3% per year.

The combined first year operating tax revenues for both phases would total approximately $2.25 million. Factoring the anticipated 3% annual increase tax trending for Phase I, upon completion of Phase II, the Project would be expected to generate approximately $2.5 million annually in revenue. The following chart compares this projected revenue with the existing property tax generation from the site in its current condition. Redevelopment would result in a net increase of approximately $1.7 million in annual revenue compared to the existing condition. The School District would be the largest beneficiary, experiencing an approximately $1 million annual net increase.

**Comparison of Existing Tax Revenues to Complete First Year Operations**

| | 406 Post Road 2013-2014 Taxes | **Proposed Taxes First Year Operating (Both Phases)** | $ Increase over 2013- 2014 | % Increase over 2011-2012 |
|---|---|---|---|---|
| General Tax | $64,735 | **$286,8726** | $221,991 | 343% |
| Village of Port Chester | $137,234 | **$607,831** | $470,597 | 343% |
| Port Chester – Rye Union Free School District | $300,401 | **$1,330,543** | $1,030,142 | 343% |
| Total Tax Revenues | **$502,370** | **$2,225,100** | **$1,722,730** | **343%** |

Source: Tax data provided by PC 406 BPR LLC.

When calculating the potential net fiscal impacts to the School District, the expected cost to the school district generated by the development was deducted from the total projected school tax revenues generated by the proposed development. Based on this calculation, shown in the table below, the annual net fiscal benefit to the school district for the development for the first operating year with both phases would be $698,600.

**Net Fiscal Impact – School District**

| | |
|---|---|
| Projected Combined 1st year tax revenues to Port Chester – Rye Union Free Schools | **$1,330,543** |
| Less: Projected Additional Cost of school children (Phase I & II) | ($331,542) |
| Less: 2013 – 2014 estimated tax revenues to Port Chester – Rye Union Free Schools | ($300,401) |
| Net Potential Benefit to Port Chester – Rye Union Free Schools | **$698,600** |

## Community Benefits Package

The Applicant also anticipates entering into a Community Benefits Agreement that would result in additional improvements and/or contributions into a fund for use by the Village (and/or potentially the School District) to support community enhancements. As currently conceived the Community Benefits Package would total approximately $9.5 million, phased and implemented in concert with the construction phasing. The specific timing and triggers for the phasing of the Community Benefits Package would be further delineated as the Project moves through the environmental review and local approval process.

## Socioeconomic Benefits

This section assesses the direct and indirect socioeconomic benefits associated with the redevelopment of the former United Hospital site. Project development and construction would require an estimated total investment of approximately $250.5 million, which will provide a significant benefit to the local, regional, and state economies. The investment in the redevelopment, during both construction and operation, would also result in significant secondary economic benefits. As worker wages and payments to suppliers are spent and recirculated in the area economy, additional jobs, income and revenue will be created in a variety of industries, such as eating and drinking establishments, retail stores, wholesalers, and service providers. In the short-term, it is expected that a total of 1,974 jobs would be supported by the construction of the Project (an average of 395 full-time annual jobs during the 5-year construction period). This includes 1,327 total direct construction and related services jobs, as well as an additional 647 jobs in supporting industries. Once completed, operation of the Project would support a total of approximately 90 jobs, including approximately 64 permanent on-site jobs.

### Employment Impacts

*Construction Period*

The proposed redevelopment would involve two phases of construction. Phase I would include the development of 410 residential units and 20,000 square feet of retail space. Phase II would consist of an additional 410 units.

An input-output (I/O) methodology employing IMPLAN software (V.3 2008 multipliers2) developed by the U.S. Government and the University of Minnesota was used to determine the economic and impact of the Project on the Westchester County economy. The IMPLAN model was chosen because of its ability to construct a model using data from Westchester County while maintaining rich detail on impacts for hundreds of industrial sectors. In addition to being widely used in regional economic analysis, the model and its methodology have been extensively reviewed in professional and economic journals.

Input-output models, such as the IMPLAN software, map the linkages of inter-industry purchases and economic output within a given region. These models trace the inputs necessary to produce a dollar of output for a specified industry in a given economy. This linked spending can be tracked through multiple rounds of spending to estimate the cumulative effect of a specific project or change in industry activity on a region's total output, earnings, and employment. The model factors how much of the required inputs can be supplied locally from within the study area and tracks spending until all money related to the original purchasing has been leaked out of the region or removed from the economy by savings, taxes and profits.

In addition to the direct spending activity that is required to produce a dollar amount of a given product or service, economic impacts also occur as a result of "indirect" purchases that businesses and organizations make from other local industries using revenue gained from the initial direct spending. This is often referred to as "indirect spending." "Induced spending" includes the purchases made by individuals and households within the study area as a result of the income they receive from the direct and indirect activity in the region. Input-output models yield "multipliers" that are used to calculate the total direct, indirect and induced effect on jobs, income and output resulting from a dollar of spending on goods and services in the study area.

The model has been applied to each Project phase's construction budget, assuming a total 5-year construction period (2.5 years per phase.) The model indicates that the overall direct construction expenditures would result in a total output of approximately $333 million in the local economy, including approximately $119 million in indirect and induced economic output (production) effects.

In addition to the direct construction employment impacts of 1,327 jobs, the indirect and induced economic activity resulting from Project construction expenditures would be expected to support another 647 jobs (299.5 indirect and 347.2 induced) across a number of industries in the local economy (e.g., real estate establishments, food and drinking places, retail stores, wholesale trade). The overall job impacts related to construction activity would be substantial and total 1,974 full-time jobs during the 5-year construction period.

[2] Minnesota IMPLAN Group, Inc., IMPLAN System (2008 data and software), 1725 Tower Drive west, Suite 140, Stillwater, MN 55082, www.implan.com, 2009.

**Construction Period Economic Impacts**

| Impact Type | Employment | Labor Income | Total Value Added | Output |
|---|---|---|---|---|
| Direct Effect | 1,327.4 | $99,752,225 | $101,516,499 | $213,500,000 |
| Indirect Effect | 299.5 | $23,726,929 | $36,524,445 | $56,989,088 |
| Induced Effect | 347.2 | $20,748,977 | $40,202,637 | $62,035,123 |
| Total Effect | 1,974.1 | $144,228,132 | $178,243,581 | $332,524,211 |

*Operations Period*

As described previously, the Project is a mixed-use redevelopment including a residential and a retail component. Both components would be expected to support permanent employment in the Village. The residential component would include approximately 14 full-time, on-site property management and maintenance positions, with an annual payroll of approximately $788,000. The following table provides a breakdown of the types of jobs and payroll for a typical operating year.

**On-Site Employment – Residential Component**

| Position | Compensation (inc. Bonus) | Number | Payroll |
|---|---|---|---|
| Property Manager | $102,000 | 1 | $102,000 |
| Assistant Manager | $78,000 | 1 | $78,000 |
| Marketing Manager | $66,000 | 1 | $66,000 |
| Leasing Consultant | $44,000 | 4 | $176,000 |
| Maintenance Manager | $71,500 | 1 | $71,500 |
| Maintenance Tech | $55,000 | 4 | $220,000 |
| Maintenance/Porter | $37,400 | 2 | $74,800 |
| Total | NA | 14 | $788,300 |

In addition, the Project will contract with local businesses for site maintenance services such as common area cleaning, landscaping, extermination, snow removal, apartment turnover services, and maintenance and repairs. The Applicant estimates that this would be an additional $984,000 of expenditures, which would contribute additional activity to the local economy.

The retail space would also generate employment. Based on a standard multiplier of 2.5 employees/1,000 square feet[3], the Project's 20,000 square feet retail component could support approximately 50 jobs.

As with the construction spending, the spending and income associated with activity during the operation of the Project also recirculates through the local economy creating additional secondary impacts. The anticipated direct and secondary economic effects from the Project at full operation are summarized in the following table, which identifies the IMPLAN model estimates of the secondary economic activity resulting from the direct on-site employment of 50 commercial/retail workers and 14 residential support workers, and the contracted services expenditures. As indicated, the annual

[3] Development Impact Assessment Handbook, ULI, 1994.

employment impact would total approximately 90 jobs. This consists of the 64 on-site jobs, an additional 7-8 jobs supported by the contracted services work, and 19 jobs supported by the secondary indirect and induced spending in industries such as maintenance, real estate establishments, and food service and drinking places. The total labor income from these positions would total approximately $4.6 million annually. Total regional economic production resulting from facility operations would be approximately $11.3 million annually.

**Annual Economic Impact from Project Operation**

| Impact Type | Employment | Labor Income | Total Value Added | Output |
|---|---|---|---|---|
| Direct Effect | 71.6 | $3,386,538 | $5,078,563 | $7,746,203 |
| Indirect Effect | 7.4 | $605,103 | $1,040,446 | $1,612,511 |
| Induced Effect | 11.2 | $671,838 | $1,301,931 | $2,009,009 |
| Total Effect | 90.3 | $4,663,480 | $7,420,940 | $11,367,724 |

### Resident Spending Power

The residential component of the redeveloped property would expand the local customer pool by approximately 820 households. This would create an additional demand for neighborhood retail, restaurants and services.

Minimal annual income requirements based on the projected rent levels have been estimated by the Applicant to be approximately $66,000 for studios, $85,800 for one-bedroom units, and $109,320 for two-bedroom units. With the proposed unit mix, this would translate to a total annual income for Project households of approximately $78.6 million. Household discretionary income available for spending after accounting for deductions such as personal taxes, social security, and transportation costs is available for consumer spending in the local economy. The IMPLAN model estimates that approximately 50% of estimated household income would be discretionary income available to be spent on consumer goods and services (such as food, apparel, household furnishings/equipment, personal services, healthcare, entertainment, etc.) Therefore, the Project residents would have the potential to inject an additional $39 million in discretionary consumer spending into the economy, or an average of approximately $47,523 per household.

Given the site's location, it is likely that a substantial portion of this resident spending would be captured by the Kohls Shopping Center and downtown Port Chester. This spending potential would provide an additional source of support for local retailers and restaurants and help strengthen the Village's economic vitality. As with the construction spending, the household spending also recirculates through the local economy creating additional secondary impacts.

The estimated household income from the Project was also applied to the IMPLAN model for Westchester County. The model indicates that at full operation, this household spending would generate approximately $39 million in additional economic output and support an additional 218 jobs.

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**Annual Economic Impact from Resident Spending**

| Impact Type | Employment | Labor Income | Total Value Added | Output |
|---|---|---|---|---|
| Direct Effect | n/a | n/a | n/a | n/a |
| Indirect Effect | n/a | n/a | n/a | n/a |
| Induced Effect | 218 | $13,050,871 | $25,259,099 | $38,969,090 |
| Total Effect | 218 | $13,050,871 | $25,259,099 | $38,969,090 |

*The model does not output direct or indirect effects since the household income is assumed to be labor income and this spending impact is, by definition, the induced effect.

## Summary

In conclusion, the proposed redevelopment will have a substantial and sustained positive tax impact on all affected taxing districts, including the local school district. The community benefit package would provide a substantial additional resource for Village enhancements. In addition, the proposed Project will help to revitalize the Port Chester economy. It will bring new jobs to the Village during the construction and operations phases and would bring new purchasing power to the Village in support of local businesses when it is fully occupied.

VHB

*Engineering, Surveying and Landscape Architecture, P.C.*

## Supplemental Analysis - 999 High Street

The Applicant also controls the adjacent 133-unit residential building at 999 High Street. This residential building provided a housing resource for United Hospital staff under the Mitchell-Lama program and is now only partially occupied (approximately 47 units out of 133 units). At the request of the Village Administration, anticipated revenues associated with the possible renovation of the existing adjacent 999 High Street building have also been identified in this preliminary assessment. There is no active submittal or proposal for the adjacent 999 High Street site. This alternative is discussed for purposes of the fiscal analysis only, and is not part of the United Hospital Project. The following section indicates the likely impacts related to schoolchildren generation and property tax revenue in the event that this building were to be renovated in a manner consistent with the residential product and amenities proposed for the United Hospital site and targeting a similar market.

Although not part of the subject Project, in the event that the adjacent 999 High Street building were to be renovated/redeveloped, key fiscal impacts could include:

- First year revenues of approximately $354,000 to the local taxing jurisdictions. Combined annual revenues with the United Hospital site could possibly total approximately $2.75 million.
- Annual revenue of approximately $212,000 for the School District, resulting in an annual net fiscal benefit for the District ranging between $154,000 and $168,000.
- A community benefits package of approximately $500,000, generating a combined value with the United Hospital Project of approximately $10 million.
- Combined overall revenues over 20-year period totaling approximately $56 million, including approximately $33 million for the School District and $15 million for the Village.

The following table breaks out the estimated annual revenues expected to be generated by a renovated and reoccupied 999 High Street.

| **Projected Tax Revenues – First Year Operations** | **999 High Street** |
|---|---|
| General (12.886%) | $45,588 |
| Village of Port Chester (27.317%) | $96,642 |
| Port Chester – Rye Union Free School District (59.797) | $211,550 |
| **Total** | **$353,780** |

The following table identifies total anticipated tax revenue for the Year 2020 from a hypothetical situation assuming operation of both the redeveloped United Hospital site and a renovated and reoccupied 999 High Street. In total, the combined revenues would be estimated at approximately $2.75 million.

VHB

*Engineering, Surveying and Landscape Architecture, P.C.*

| Projected Tax Revenues – Full Buildout of United Hospital and 999 High | Phase 1 420 units & 20,000sf retail | Phase II 420 units | 999 High Street 133 units | Total Tax Revenue - |
|---|---|---|---|---|
| General (12.886%) | $164,540 | $144,751 | $45,588 | **$354,879** |
| Village of Port Chester (27.317%) | $348,808 | $306,857 | $96,642 | **$752,307** |
| Port Chester – Rye Union Free School District (59.797%) | $763,542 | $671,710 | $211,550 | **$1,646,802** |
| **Total Tax Revenues** | **$1,276,890** | **$1,123,318** | $353,780 | **$2,753,998** |

Note: Assumes occupancy of renovated 999 High Street in 2020. Revenues for Phase I and Phase II account for 3% annual escalation.

As detailed above, the project's location and product-type suggests that schoolchildren generation would be fairly limited. Using the Rutgers Quick Guide multipliers described previously, a renovated and fully occupied 999 High Street building would only be expected to include approximately 3-4 public school children.

**Potential School Children Generation – 999 High Street**

| 999 High Street | Public School Children Generation Ratios | School-Age Children in Public Schools Per Household 133 Units |
|---|---|---|
| **Rutgers TOD data** | **0.021** | **3** |
| **Comparable Rental Market data** | **0.028** | **4** |

At an average program cost of approximately $14,415, the annual cost to educate the likely schoolchildren generated by a renovated and reoccupied 999 High Street would likely range from $43,245 to $57,660. However, the building would also generate additional revenue for the School District. The Applicant estimates that a renovated building would have a total property tax payment of approximately $353,780, of which approximately $211,550 would be allocated to the School District. This would result in an annual net fiscal benefit for the District ranging between $153,890 and $168,305.

# EXHIBIT D

TRC

7 Skyline Drive
Hawthorne, NY 10532

914.592.4040 PHONE
914.592.5046 FAX

www.TRCsolutions.com

March 21, 2012

Mr. Evan Crandall
Starwood Capital Group
591 West Putnam Avenue
Greenwich, CT 06830

Ms. Maria Rigopoulos, Managing Director
Mill Creek Residential Trust, LLC
15 Old Danbury Road, Suite 100
Wilton, CT 06897

Re: Preliminary Traffic Analysis
Gateway
Port Chester, New York

Dear Evan and Maria:

TRC Engineers, Inc. (TRC) previously prepared a detailed Traffic Impact Study (TIS) dated July 12, 2010 as part of a Draft Environmental Impact Statement (DEIS) in conjunction with the proposed Gateway Project at the former United Hospital site at the intersection of US Route 1 (Boston Post Road) and High Street in the Village of Port Chester. At that time, the Project was proposed to consist of 762 Residential dwelling units (222 Low-Rise and 540 High-Rise apartment units), 138,942 square feet (sf) of Retail space and 115,261 sf of general Office space.

It is now being considered to replace the previously proposed mixed commercial/residential high-rise proposal with an 820-unit, all residential, mid-rise apartment proposal. This Preliminary Traffic Analysis reviews the beneficial impact of the new development program which has a lower traffic generation than the original mixed-use program to see if the previously determined roadway mitigation could be reduced.

The following is a summary of our findings of the Preliminary Traffic Analysis:

**Access**

Existing access to the United Hospital site consists of one entrance only driveway on Route 1 and two driveways on High Street. Since the Hospital's closing in 2005, only the westernmost driveway on High Street remains open. This driveway provides access to the existing residential building (999 High Street). Access to the Project site is to be provided via a new driveway on Route 1 opposite the existing signalized Kohl's shopping center driveway and via the existing western driveway on High Street.

**Original Study Locations**

For the original TIS and DEIS, the following study locations were identified. Those locations indicated in **bold** previously required improvements and thus, are analyzed in this Preliminary Traffic Study. The locations that did not previously require improvements were not re-studied.

1. US Route 1 (Boston Post Road) and Slater Street (signalized)
2. **US Route 1 (Boston Post Road) and Pearl Street (signalized)**
3. **US Route 1 (Boston Post Road) and South Regent Street (signalized)**
4. **US Route 1 (Boston Post Road) and Kohl's Shopping Center Driveway/Proposed Site Driveway (signalized)**
5. **US Route 1 (Boston Post Road) and High Street (signalized)**
6. US Route 1 (Boston Post Road) and I-287 Westbound On-ramp/I-95 Northbound Off-ramp (unsignalized)
7. **US Route 1 (Boston Post Road) and I-287 Eastbound Off-ramp/I-95 Southbound On-ramp (signalized)**
8. US Route 1 (Boston Post Road) and Hillside Road (unsignalized)
9. **High Street and Site Access - existing Hospital/Apartment Driveway (unsignalized)**
10. Ridge Street and High Street (signalized)
11. High Street and Grandview Avenue (unsignalized)
12. High Street and Evergreen Avenue (unsignalized)
13. US Route 1 (Boston Post Road) and Cedar Street (signalized)
14. US Route 1 (Boston Post Road) and Peck Avenue (signalized)
15. **Peck Avenue and Midland Avenue (signalized)**
16. Hillside Avenue and Purchase Street/Wappanocca Avenue (unsignalized)
17. Hillside Avenue and Grandview Avenue (unsignalized)
18. US Route 1 (Boston Post Road) and Grace Church/South Main Street (signalized)

**Traffic Counts/Volume Projections**

TRC conducted manual turning movement counts in 2009 at study locations 1 through 10 and in 2010 at study locations 11 through 18.

The traffic counts were tabulated and the Peak Hours were determined to be as follows:

AM Peak Hour - 7:30 AM to 8:30 AM
PM Peak Hour - 5:00 PM to 6:00 PM
Saturday Peak Hour - 12:30 PM to 1:30 PM

The year 2015 previously was identified as the year in which the Project would be fully built and occupied. To account for anticipated increases in background traffic, the existing traffic counts were projected to the year 2015 utilizing an annual compounded growth rate of 1.0 percent which was based on historical traffic count data. Traffic from the various minor adjacent developments was considered to be included in the growth rate.

It should be noted that since the previous Traffic Study, the Restaurant Depot opened on South Regent Street replacing a vacant warehouse, McDonald's has filed a minor application that is currently being reviewed by the Village, and the A&P Supermarket in the Kohl's Shopping Center has closed and will eventually be replaced in 2013 by a Whole Foods.

**Project-Generated Traffic Volumes**

The purpose of this Study is to identify the impact of the proposed residential development on the study area intersections. The ability of any roadway network to accommodate anticipated traffic is measured by comparing Peak Hour traffic volumes to roadway capacities. Thus, it is essential to determine the hourly traffic volumes to be generated by the Project. The Project-generated traffic volumes were estimated based on the Institute of Transportation Engineers' (ITE) "Trip Generation" report, (8th Edition). To be conservative, and due to the limited data available for mid-rise apartments, general apartments were used in the trip generation calculations. Mid-rise apartments generally have a lower trip rate and thus these volumes are conservative.

TRC applied an adjustment factor of 15% to the Project's residential trips to account for the use of mass transit. The 15% factor was applied to the residential exiting trips during the Peak AM Hour and to the residential entering trips during the Peak PM Hour, to reflect typical commuter directional peaks.

Table 1 in Attachment A summarizes the estimated trip generations for the Project in comparison to the previously proposed trip generation. As indicated in the Table, the Project will generate a total of 357 trips (compared to 634 new trips) during the Peak AM Hour, 423 trips (compared to 847 new trips) during the Peak PM Hour and 355 trips (compared to 1,049 new trips) during the Peak Saturday Hour.

The trips were then distributed to the roadway network based upon the previously determined arrival/departure distributions.

The Site-Generated Volumes for the new Project size are shown on Figures 1 and 2 for the AM and PM Peak Hours and Saturday Peak Hour, respectively. The Site-Generated traffic for the proposed Project was added to the 2015 No-Build traffic volumes, resulting in the 2015 Build traffic volumes, shown in Figures 3 and 4 for AM and PM Peak Hours and Saturday Peak Hour, respectively.

**Summary of Intersection Improvement Recommendations**

The previous TIS indicated that improvements would be needed at some locations under Existing and/or No Build conditions, particularly the intersection of US Route 1 and South Regent Street. TRC previously identified various solutions that would alleviate existing and future operational deficiencies based upon the previously proposed project size.

The following summarizes the previous improvement recommendations at each study location and the recommended changes based upon the new project size, as indicated in *italics*:

1. **High Street and Proposed Site Driveway**

   a. Widen existing driveway to provide one entering lane and two exiting lanes (a left-turn lane and a right-turn lane)

   *This improvement is no longer necessary. Based on the new proposed land use of 820 rental dwelling units, it is anticipated that the site will be adequately accommodated by the existing single-lane per direction driveway. It should be noted that during the Saturday Peak Hour there is a change in the overall intersection Level of Service associated with the implementation of the proposed Project; however the increase in delay is minimal, 2.8 sec/veh.*

2. Route 1 & Slater Street

   a. No improvements previously required

3. **Route 1 & Pearl Street**

   a. Modify the traffic signal to provide a right-turn arrow on Pearl Street during the Northbound ROW phase

b. Adjust Signal Timings

*This improvement has been implemented by the New York State Department of Transportation (NYSDOT), which has jurisdiction over Route 1, and as a result, this intersection will operate at appropriate Levels of Service with the inclusion of the proposed Project.*

4. **Route 1 & South Regent Street**

a. Widen South Regent Street to provide separate left and right turn lanes, if Right-of-Way is available

b. Modify the traffic signal to provide a right-turn arrow on the South Regent Street approach to operate during the Northbound ROW phase

c. Adjust Signal Timings

*The proposed Project has minimal impacts at this intersection. The impact at this intersection is significantly reduced by the proposed project land use changes thus improvements are not necessary specifically for the Project. However, there are existing poor Levels of Service experienced on the Eastbound approach during the AM, PM and Saturday Peak Hours and on the Northbound approach during the Saturday Peak Hour; therefore the Village or the NYSDOT may still require the installation of improvements to mitigate the overall condition..*

5. **Route 1 & Kohl's Driveway/Proposed Site Driveway**

a. Re-stripe Route 1 to provide a Northbound Left-Turn Lane

b. Widen Route 1 southbound to provide a right-turn lane

c. Re-stripe the Kohl's Driveway exiting approach to allow for a through movement

d. Construct the Site Driveway to provide three exiting lanes and two entering lanes

e. Modify the traffic signal to accommodate the new driveway approach and geometry modifications

*These improvements can be reduced to the following:*

a. *Re-stripe the northbound Route 1 approach to accommodate a shared left-turn/through lane, a through lane, and a channelized right-turn lane*

b. *Re-stripe the southbound Route 1 approach to accommodate a left-turn lane, a through lane, and a shared through/right-turn lane*

c. *Re-stripe the Kohl's Driveway exiting approach to accommodate a left-turn lane, a shared left-turn/through lane, and a right-turn lane*

d. *Construct the Site Driveway to provide two exiting lanes (a shared left-turn/through lane and a right-turn lane) and two entering lanes*

e. *Modify the traffic signal to accommodate the new driveway approach*

*It should be noted that the suggested improvements do not geometrically change and/or widen the existing intersection legs, and thus no widening is now proposed along Route 1. The overall Levels of Service (LOS) during each peak hour is decreased from a "B" to a "C". This change in LOS is attributed to higher delays experienced on the westbound Kohl's Driveway approach and on the eastbound Site Driveway approach. Thus, the Village or NYSDOT may still mandate some additional improvements to mitigate the increase in delay times.*

6. **Route 1 & High Street**

a. Widen High Street to provide separate 12-foot left- and right-turn lanes

b. Modify the traffic signal to provide a right-turn arrow during the Route 1 northbound ROW phase

*The improvements at this intersection can be minimized to signal timing adjustments. This eliminates the need for widening and new signal equipment. Adjusting signal timing yields Levels of Service similar to that of the No-Build condition. High Street will continue to experience delays. It should be noted that due to the proximity to the adjacent signals the Village or NYSDOT may limit signal timing adjustments to ensure progression through the Route 1 corridor.*

7. Route 1 and I-287 WB On-Ramp/ I-95 NB Off-Ramp

a. No improvements previously required

8. **Route 1 & I-287 EB Off-Ramp/ I-95 SB On-Ramp**

   a. Modify the traffic signal to provide an additional protected phase (lag phase) for the southbound approach.

   b. Adjust Signal Timings

   *Due to the existing lengthy delays and the increase in delays associated with the proposed Project, it is recommended that the above-noted improvements are implemented. Widening or modifications to the ramp are not being recommended.*

9. Route 1 & Hillside Road

   a. No improvements previously required

10. Ridge Street & High Street

    a. No improvements previously required

11. High Street & Grandview Avenue

    a. No improvements previously required

12. High Street & Evergreen Avenue

    a. No improvements previously required

13. US Route 1 & Cedar Street

    a. No improvements previously required

14. US Route 1 & Peck Avenue

    a. No improvements previously required

15. **Midland Avenue & Peck Avenue/Credit Union Driveway**

    a. Modify traffic signal to provide a protected lead phase for the Peck Avenue approach.

    *Currently, the eastbound Peck Avenue approach exhibits lengthy delays. As a result the City of Rye has proposed an improvement on Peck Avenue to improve Levels of Service and associated delay times along this approach. The proposed Project has minor impacts at this intersection and the improvement is not being recommended as part of the Project. With implementation of the City's improvement, this intersection will continue to operate at acceptable Levels of Service.*

16. Purchase Street & Hillside Road/Wappanocca Avenue

    a. No improvements previously required

17. Grandview Avenue & Hillside Road

    a. No improvements previously required

18. US Route 1 & Grace Church Street/Purdy Avenue

    a. No improvements previously required

**Conclusions**

As detailed in the traffic analyses in this Study, improvements are needed at some locations to alleviate existing delays. In the future, the combination of background traffic growth and traffic from the Port Chester Gateway Development will add to the delays at these locations and may impact traffic flow at other study locations, unless certain measures are implemented. However, with the reduction in Project size, there will be a significant reduction in the improvements required, particularly, we are not recommending any physical widening. However, at some of the locations where we are recommending reduced improvements, there is always the possibility that the Village or the NYSDOT could require additional modifications, particularly at the intersection along with the new Site Driveway opposite the Kohl's Driveway. In addition, as the traffic counts are several years old, and traffic has not significantly changed in the area, new

Mr. Evan Crandall
Ms. Maria Rigopoulos
March 21, 2012
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traffic counts could result in different results than the ones determined in this Preliminary Traffic Study.

Very truly yours,

**TRC Engineers, Inc.**

Kenneth Mackiewicz, P.E.
Principal

KM/bz
Attachments

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**ATTACHMENT A**

**TABLES**

Attachment A

**Table 1**
***ITE Trip Generation Calculations***

| Land Use | ITE Code | Amount | Unit | AM Peak Hour | | | PM Peak Hour | | | SAT Peak Hour | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | | | | *IN* | *OUT* | *TOTAL* | *IN* | *OUT* | *TOTAL* | *IN* | *OUT* | *TOTAL* |
| Apartment | 220 | 820 | Dwellings | 81 | 325 | 406 | 305 | 164 | 469 | 178 | 177 | 355 |
| Mass Transit Factor = 15% | | | | n/a | 49 | 49 | 46 | n/a | 46 | n/a | n/a | n/a |
| **Total New Site Generated Trips** | | | | **81** | **276** | **357** | **259** | **164** | **423** | **178** | **177** | **355** |
| Previously Proposed Site Generated Trips | | | | 362 | 272 | 634 | 376 | 471 | 847 | 567 | 482 | 1,049 |
| **NET DIFFERENCE** | | | | **-281** | **4** | **-277** | **-117** | **-307** | **-424** | **-389** | **-305** | **-694** |

Source: Table prepared by TRC Engineers, Inc., utilizing trip generation rates contained in the ITE "Trip Generation" Manual, 8th Edition.

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Attachment A

**TABLE 2**
**Overall LOS Summary**

| Intersection | Peak AM Hour | | | | Peak PM Hour | | | | Peak Saturday Hour | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | 2010 Existing | 2015 No-Build | 2015 Build | 2015 Bld w/Imp. | 2010 Existing | 2015 No-Build | 2015 Build | 2015 Bld w/Imp. | 2010 Existing | 2015 No-Build | 2015 Build | 2015 Bld w/Imp. |
| High Street & Site Driveway | b 10.8 | b 11.0 | b 13.1 | N/A | b 11.7 | b 11.9 | b 14.5 | N/A | b 12.1 | b 12.4 | c 15.2 | N/A |
| Route 1 & Pearl Street | C 22.4 | C 23.2 | C 23.8 | B 20.0 | C 26.3 | C 28.4 | C 30.9 | C 22.3 | C 29.8 | C 34.0 | D 36.5 | C 24.5 |
| Route 1 & South Regent Street | E 65.1 | E 73.5 | E 73.0 | B 18.4 | C 33.1 | D 38.1 | D 41.1 | B 17.8 | C 23.3 | C 27.0 | C 30.0 | B 19.8 |
| Route 1 & Kohl's Driveway/Proposed Site Driveway | A 9.8 | B 10.1 | C 23.6 | B 17.1 | B 13.1 | B 13.4 | C 24.6 | C 25.4 | B 14.7 | B 15.0 | C 24.5 | C 27.8 |
| Route 1 & High Street | A 7.5 | A 7.9 | B 13.0 | B 13.1 | B 10.9 | B 12.7 | C 24.2 | C 29.5 | A 9.3 | B 11.0 | C 21.1 | C 22.9 |
| Route 1 & I-287 EB Off-Ramp/I 95 SB On-Ramp | C 30.2 | C 34.1 | D 38.4 | C 32.3 | D 41.2 | D 49.2 | E 64.3 | D 37.0 | C 28.0 | C 32.4 | D 41.7 | D 40.2 |
| Midland Avenue & Peck Avenue/Credit Union Driveway | C 25.7 | C 27.3 | C 28.3 | N/A | C 27.6 | C 29.9 | C 31.9 | C 27.4 | C 32.6 | D 37.1 | D 40.4 | C 28.8 |

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Attachment A

**TABLE 3**
**High Street & Site Driveway**

***Peak AM Hour***

| Approach | 2010 Existing LOS (Delay) | 2015 No-Build LOS (Delay) | 2015 Build LOS (Delay) |
|---|---|---|---|
| High Street | | | |
| Eastbound Left/Through | a 7.6 | a 7.6 | a 7.7 |
| Site Driveway | | | |
| Southbound Left | N/A | N/A | N/A |
| Southbound Right | N/A | N/A | N/A |
| Southbound Left/Right (Overall) | b 10.8 | b 11.0 | b 13.1 |

***Peak PM Hour***

| Approach | 2010 Existing LOS (Delay) | 2015 No-Build LOS (Delay) | 2015 Build LOS (Delay) |
|---|---|---|---|
| High Street | | | |
| Eastbound Left/Through | a 7.6 | a 7.6 | a 7.9 |
| Site Driveway | | | |
| Southbound Left | N/A | N/A | N/A |
| Southbound Right | N/A | N/A | N/A |
| Southbound Left/Right (Overall) | b 11.7 | b 11.9 | b 14.5 |

***Peak Saturday Hour***

| Approach | 2010 Existing LOS (Delay) | 2015 No-Build LOS (Delay) | 2015 Build LOS (Delay) |
|---|---|---|---|
| High Street | | | |
| Eastbound Left/Through | a 7.8 | a 7.8 | a 8.1 |
| Site Driveway | | | |
| Southbound Left | N/A | N/A | N/A |
| Southbound Right | N/A | N/A | N/A |
| Southbound Left/Right (Overall) | b 12.1 | b 12.4 | c 15.2 |

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| TABLE 4<br>Route 1 & Pearl Street<br>*Peak AM Hour* | | | | |
|---|---|---|---|---|
| Approach | 2010 Existing LOS (Delay) | 2015 No-Build LOS (Delay) | 2015 Build LOS (Delay) | Build w/ Imp. (1) LOS (Delay) |
| Pearl Street | | | | |
| Eastbound Left | C 24.9 | C 25.1 | C 25.1 | C 25.1 |
| Eastbound Right | C 32.9 | C 34.9 | D 35.3 | B 14.3 |
| Eastbound Overall | C 29.9 | C 31.3 | C 31.5 | B 18.3 |
| Route 1 | | | | |
| Northbound Left | B 12.8 | B 13.2 | B 13.8 | B 13.8 |
| Northbound Through | B 17.2 | B 18.0 | B 19.8 | B 19.8 |
| Northbound Overall | B 16.0 | B 16.7 | B 18.2 | B 18.2 |
| Southbound Through/Right | C 24.6 | C 24.8 | C 25.0 | C 25.0 |
| **Overall** | **C 22.4** | **C 23.2** | **C 23.8** | **C 20.0** |

| *Peak PM Hour* | | | | |
|---|---|---|---|---|
| Approach | 2010 Existing LOS (Delay) | 2015 No-Build LOS (Delay) | 2015 Build LOS (Delay) | Build w/ Imp. (1) LOS (Delay) |
| Pearl Street | | | | |
| Eastbound Left | C 23.2 | C 23.5 | C 23.5 | C 26.5 |
| Eastbound Right | D 40.2 | D 44.6 | D 47.4 | B 15.6 |
| Eastbound Overall | D 36.1 | D 39.3 | D 41.6 | B 18.2 |
| Route 1 | | | | |
| Northbound Left | C 22.5 | C 28.3 | D 38.9 | C 24.3 |
| Northbound Through | B 18.7 | B 19.9 | C 21.2 | B 16.9 |
| Northbound Overall | B 19.8 | C 22.4 | C 26.4 | B 19.0 |
| Southbound Through/Right | C 27.6 | C 28.3 | C 29.3 | C 29.3 |
| **Overall** | **C 26.3** | **C 28.4** | **C 30.9** | **C 22.3** |

| TABLE 4 (cont.)<br>Route 1 & Pearl Street<br>*Peak Saturday Hour* | | | | |
|---|---|---|---|---|
| Approach | 2010 Existing LOS (Delay) | 2015 No-Build LOS (Delay) | 2015 Build LOS (Delay) | Build w/ Imp. (1) LOS (Delay) |
| Pearl Street | | | | |
| Eastbound Left | C 24.0 | C 24.1 | C 24.1 | C 28.1 |
| Eastbound Right | D 45.6 | D 52.7 | E 55.3 | B 16.2 |
| Eastbound Overall | D 39.5 | D 44.8 | D 46.7 | B 19.5 |
| Route 1 | | | | |
| Northbound Left | C 28.8 | D 40.7 | D 51.1 | C 28.0 |
| Northbound Through | C 23.5 | C 26.4 | C 29.7 | C 20.5 |
| Northbound Overall | C 24.9 | C 30.2 | D 35.2 | C 22.4 |
| Southbound Through/Right | C 29.0 | C 30.0 | C 30.8 | C 30.8 |
| **Overall** | **C 29.8** | **C 33.6** | **D 36.5** | **C 24.5** |

(1) Provide Eastbound Right-Turn Arrow during Northbound R.O.W. Phase & Additional Green Time during Peak PM & Saturday Hours

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**TABLE 5**
**Route 1 & South Regent Street/Mavis Tire Driveway**

*Peak AM Hour*

| Approach | 2010 Existing LOS (Delay) | 2015 No-Build LOS (Delay) | 2015 Build LOS (Delay) | Build w/ Imp. (1) LOS (Delay) |
|---|---|---|---|---|
| S. Regent Street/Mavis Driveway | | | | |
| Eastbound Left//Right | F 209.0 | F 238.2 | F 240.8 | N/A |
| Eastbound Left | N/A | N/A | N/A | C 31.0 |
| Eastbound Right | N/A | N/A | N/A | C 32.7 |
| Eastbound Overall | N/A | N/A | N/A | C 32.3 |
| Westbound Left/Right | C 27.4 | C 27.4 | C 27.4 | C 27.4 |
| Route 1 | | | | |
| Northbound Left/Through/Right | A 7.2 | A 8.2 | B 10.1 | B 10.1 |
| Southbound Left/Through/Right | B 17.4 | B 17.8 | B 17.9 | B 17.9 |
| **Overall** | **E 65.1** | **E 73.5** | **E 73.0** | **B 18.4** |

*Peak PM Hour*

| Approach | 2010 Existing LOS (Delay) | 2015 No-Build LOS (Delay) | 2015 Build LOS (Delay) | Build w/ Imp. (1) LOS (Delay) |
|---|---|---|---|---|
| S. Regent Street/Mavis Driveway | | | | |
| Eastbound Left//Right | F 105.0 | F 124.6 | F 133.1 | N/A |
| Eastbound Left | N/A | N/A | N/A | F 431.0 |
| Eastbound Right | N/A | N/A | N/A | C 22.7 |
| Eastbound Overall | N/A | N/A | N/A | C 31.4 |
| Westbound Left/Right | C 27.4 | C 27.4 | C 27.4 | C 32.0 |
| Route 1 | | | | |
| Northbound Defacto Left | B 17.7 | C 23.6 | C 34.6 | B 16.9 |
| Northbound Left/Through/Right | A 8.1 | A 9.2 | B 10.4 | A 4.6 |
| Northbound Overall | B 10.2 | B 12.3 | B 15.6 | A 7.2 |
| Southbound Left/Through/Right | C 20.3 | C 21.0 | C 22.0 | C 22.0 |
| **Overall** | **C 33.1** | **D 38.1** | **D 41.1** | **B 17.8** |

**TABLE 5 (cont.)**
**Route 1 & South Regent Street/Mavis Tire Driveway**

*Peak Saturday Hour*

| Approach | 2010 Existing LOS (Delay) | 2015 No-Build LOS (Delay) | 2015 Build LOS (Delay) | Build w/ Imp. (1) LOS (Delay) |
|---|---|---|---|---|
| S. Regent Street/Mavis Driveway | | | | |
| Eastbound Left//Right | D 48.1 | D 53.7 | E 56.6 | N/A |
| Eastbound Left | N/A | N/A | N/A | D 39.8 |
| Eastbound Right | N/A | N/A | N/A | C 20.8 |
| Eastbound Overall | N/A | N/A | N/A | C 29.9 |
| Westbound Left/Right | C 27.4 | C 27.4 | C 27.4 | C 32.0 |
| Route 1 | | | | |
| Northbound Defacto Left | D 37.0 | E 58.5 | E 79.8 | C 30.0 |
| Northbound Left/Through/Right | A 8.4 | A 9.5 | B 10.9 | A 4.8 |
| Northbound Overall | B 14.5 | B 19.9 | C 25.4 | B 10.1 |
| Southbound Left/Through/Right | C 22.9 | C 24.2 | C 25.2 | C 25.2 |
| **Overall** | **C 23.3** | **C 27.0** | **C 30.0** | **B 19.8** |

(1) Widen Eastbound Approach to provide dedicated Right-Turn & Left-Turn Lanes & provide Eastbound Right-Turn Arrow during Northbound R.O.W. Phase.

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**TABLE 6**
**Route 1 & Kohl's Driveway/Proposed Site Driveway**
*Peak AM Hour*

| Approach | 2010 Existing LOS (Delay) | 2015 No-Build LOS (Delay) | 2015 Build w/ Imp. [1] LOS (Delay) | 2015 Build w/ Imp. [2] LOS (Delay) |
|---|---|---|---|---|
| **Kohl's Drwy/Proposed Site Drwy** | | | | |
| Eastbound Left | N/A | N/A | N/A | D 46.7 |
| Eastbound Left/Through | N/A | N/A | D 38.8 | D 46.4 |
| Eastbound Right | N/A | N/A | D 40.8 | D 46.6 |
| Eastbound Overall | N/A | N/A | D 40.0 | D 46.6 |
| Westbound Left | C 28.7 | C 28.8 | C 34.6 | C 34.6 |
| Westbound Left/Through | N/A | N/A | C 32.8 | C 34.4 |
| Westbound Right | C 28.4 | C 28.5 | C 33.2 | C 26.2 |
| Westbound Overall | C 28.7 | C 28.7 | C 34.3 | C 32.9 |
| **Route 1** | | | | |
| Northbound Left | N/A | N/A | N/A | A 9.7 |
| Northbound Through | B 14.7 | B 15.1 | N/A | B 14.4 |
| Northbound Left/Through | N/A | N/A | C 31.7 | B 14.4 |
| Northbound Overall | N/A | N/A | N/A | B 14.2 |
| Southbound Left | A 7.6 | A 7.8 | B 15.5 | A 9.4 |
| Southbound Through | A 4.0 | A 4.1 | N/A | B 14.7 |
| Southbound Through/Right | N/A | N/A | B 13.0 | A 3.8 |
| Southbound Overall | A 4.1 | A 4.2 | B 13.1 | B 14.3 |
| **Overall** | **A 9.8** | **B 10.1** | **C 23.6** | **B 17.1** |

**TABLE 6 (cont.)**
**Route 1 & Kohl's Driveway/Proposed Site Driveway**
*Peak PM Hour*

| Approach | 2010 Existing LOS (Delay) | 2015 No-Build LOS (Delay) | 2015 Build w/ Imp [1] LOS (Delay) | 2015 Build w/ Imp. [2] LOS (Delay) |
|---|---|---|---|---|
| **Kohl's Drwy/Proposed Site Drwy** | | | | |
| Eastbound Left | N/A | N/A | N/A | D 43.3 |
| Eastbound Left/Through | N/A | N/A | D 45.5 | D 43.2 |
| Eastbound Right | N/A | N/A | D 49.2 | D 37.1 |
| Eastbound Overall | N/A | N/A | D 47.8 | D 39.5 |
| Westbound Left | C 31.7 | C 31.9 | D 40.3 | C 34.0 |
| Westbound Left/Through | N/A | N/A | D 39.9 | C 33.7 |
| Westbound Right | C 30.4 | C 30.5 | D 36.9 | C 22.1 |
| Westbound Overall | C 31.4 | C 31.6 | D 39.4 | C 31.1 |
| **Route 1** | | | | |
| Northbound Left | N/A | N/A | N/A | B 14.9 |
| Northbound Through | B 14.5 | B 14.9 | N/A | C 24.8 |
| Northbound Left/Through | N/A | N/A | C 34.0 | C 24.8 |
| Northbound Overall | N/A | N/A | N/A | C 24.0 |
| Southbound Left | A 9.3 | A 9.9 | B 19.8 | C 25.5 |
| Southbound Through/Right | A 3.8 | A 3.9 | N/A | C 24.3 |
| Southbound Right | N/A | N/A | A 6.8 | A 7.7 |
| Southbound Overall | A 4.6 | A 4.8 | A 8.7 | C 23.4 |
| **Overall** | **B 13.1** | **B 13.4** | **C 24.6** | **C 25.4** |

**TABLE 6 (cont.)**
**Route 1 & Kohl's Driveway/Proposed Site Driveway**
*Peak Saturday Hour*

| Approach | 2010 Existing LOS (Delay) | 2015 No-Build LOS (Delay) | 2015 Build w/ Imp. [1] LOS (Delay) | 2015 Build w/ Imp. [2] LOS (Delay) |
|---|---|---|---|---|
| **Kohl's Drwy/Proposed Site Drwy** | | | | |
| Eastbound Left | N/A | N/A | N/A | D 41.3 |
| Eastbound Left/Through | N/A | N/A | D 45.7 | D 41.2 |
| Eastbound Right | N/A | N/A | D 51.0 | C 33.6 |
| Eastbound Overall | N/A | N/A | D 48.9 | D 36.6 |
| Westbound Left | C 33.5 | C 34.0 | D 48.1 | D 45.9 |
| Westbound Left/Through | N/A | N/A | D 46.9 | D 41.9 |
| Westbound Right | C 31.8 | C 32.0 | D 38.5 | C 23.8 |
| Westbound Overall | C 33.1 | C 33.5 | D 45.3 | D 38.9 |
| **Route 1** | | | | |
| Northbound Left | N/A | N/A | N/A | B 13.1 |
| Northbound Through | B 13.5 | B 13.8 | N/A | C 23.7 |
| Northbound Left/Through | N/A | N/A | C 23.2 | C 23.7 |
| Northbound Overall | N/A | N/A | N/A | C 23.0 |
| Southbound Left | B 10.4 | B 12.0 | C 31.7 | C 29.9 |
| Southbound Through/Right | A 3.7 | A 3.7 | N/A | C 24.1 |
| Southbound Right | N/A | N/A | A 7.1 | A 7.1 |
| Southbound Overall | A 5.2 | A 5.6 | B 12.5 | C 24.8 |
| **Overall** | **B 14.7** | **B 15.0** | **C 24.5** | **C 27.8** |

(1) Provide 2-Lane Exit from Site Driveway (Left-Turn/Through Lane & Right-Turn Only). Re-Stripe Northbound Through Lane to Left-turn/Through Lane. Re-Stripe Southbound Through Lane to Through/Right-Turn Lane. Re-Stripe Westbound Double Left-Turn Lanes to Left-Turn Only & Left/Through Lane.

(2) Provide 3-Lane Exit from Site Driveway (Left-Turn Only, Left-Turn/Through Lane & Right-Turn Only). Widen to provide Northbound Left-Turn Only Lane. Widen to provide Southbound Right-Turn Only Lane. Re-Stripe Westbound Double Left-Turn Lanes to Left-Turn Only & Left/Through Lane.

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**TABLE 7**
**Route 1 & High Street**
*Peak AM Hour*

| Approach | 2010 Existing LOS (Delay) | 2015 No-Build LOS (Delay) | 2015 Build LOS (Delay) | Build w/ Imp. (1) LOS (Delay) | Build w/ Imp. (2) LOS (Delay) |
|---|---|---|---|---|---|
| High Street | | | | | |
| Eastbound Left/Right | D 39.5 | D 40.4 | E 71.9 | D 39.6 | N/A |
| Eastbound Left | N/A | N/A | N/A | N/A | C 34.9 |
| Eastbound Right | N/A | N/A | N/A | N/A | C 28.1 |
| Eastbound Overall | N/A | N/A | N/A | N/A | C 30.3 |
| Route 1 | | | | | |
| Northbound Left/Through | A 1.6 | A 2.4 | A 3.4 | A 7.8 | A 5.7 |
| Southbound Through | A 6.8 | A 8.5 | A 9.0 | B 12.3 | A 9.8 |
| Southbound Right | B 12.1 | A 9.0 | A 9.0 | B 10.8 | A 9.4 |
| Southbound Overall | A 8.8 | A 8.5 | A 9.0 | B 12.2 | A 9.8 |
| **Overall** | **A 7.5** | **A 7.9** | **B 13.0** | **B 13.1** | **B 10.7** |

*Peak PM Hour*

| Approach | 2010 Existing LOS (Delay) | 2015 No-Build LOS (Delay) | 2015 Build LOS (Delay) | Build w/ Imp. (1) LOS (Delay) | Build w/ Imp. (2) LOS (Delay) |
|---|---|---|---|---|---|
| High Street | | | | | |
| Eastbound Left/Right | E 62.0 | E 71.9 | F 135.4 | D 45.6 | N/A |
| Eastbound Left | N/A | N/A | N/A | N/A | D 41.6 |
| Eastbound Right | N/A | N/A | N/A | N/A | C 31.8 |
| Eastbound Overall | N/A | N/A | N/A | N/A | C 34.7 |
| Route 1 | | | | | |
| Northbound Left/Through | A 2.0 | A 3.6 | B 12.6 | C 31.9 | A 8.6 |
| Southbound Through | A 7.2 | A 9.1 | A 9.5 | C 23.7 | A 9.5 |
| Southbound Right | B 12.5 | A 9.0 | A 9.1 | B 15.8 | A 9.1 |
| Southbound Overall | A 9.1 | A 9.0 | A 9.5 | C 23.1 | A 9.5 |
| **Overall** | **B 10.9** | **B 12.7** | **C 24.2** | **C 29.5** | **B 12.4** |

**TABLE 7 (cont.)**
**Route 1 & High Street**
*Peak Saturday Hour*

| Approach | 2010 Existing LOS (Delay) | 2015 No-Build LOS (Delay) | 2015 Build LOS (Delay) | Build w/ Imp. (1) LOS (Delay) | Build w/ Imp. (2) LOS (Delay) |
|---|---|---|---|---|---|
| High Street | | | | | |
| Eastbound Left/Right | D 45.5 | D 48.4 | F 85.6 | D 52.4 | N/A |
| Eastbound Left | N/A | N/A | N/A | N/A | D 47.6 |
| Eastbound Right | N/A | N/A | N/A | N/A | C 20.3 |
| Eastbound Overall | N/A | N/A | N/A | N/A | C 33.2 |
| Route 1 | | | | | |
| Northbound Left/Through | A 2.5 | A 6.7 | B 19.7 | C 21.0 | A 8.8 |
| Southbound Through | A 6.9 | A 9.1 | A 9.4 | B 19.3 | B 18.1 |
| Southbound Right | B 14.5 | A 9.5 | A 9.6 | B 14.8 | B 14.2 |
| Southbound Overall | B 10.2 | A 9.1 | A 9.5 | B 18.8 | B 17.7 |
| **Overall** | **A 9.3** | **B 11.0** | **C 21.1** | **C 22.9** | **B 15.5** |

(1) Signal timing modification.
(2) Widen Eastbound approach to provide dedicated Right-Turn & Left-Turn Lanes & provide Eastbound Right-Turn Arrow during Northbound R.O.W. Phase

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Attachment A

**TABLE 8**
**Route 1 & I-287 EB Off-Ramp/I-95 SB On-Ramp**

*Peak AM Hour*

| Approach | 2010 Existing LOS (Delay) | 2015 No-Build LOS (Delay) | 2015 Build LOS (Delay) | 2015 Build w/ Imp. [1] LOS (Delay) |
|---|---|---|---|---|
| I-287 WB Off-Ramp | | | | |
| Eastbound Left | C 27.8 | C 29.2 | C 30.9 | C 27.9 |
| Eastbound Right | D 47.5 | E 56.9 | E 56.9 | D 45.6 |
| Eastbound Overall | D 38.5 | D 44.3 | D 44.7 | D 37.3 |
| Route 1 | | | | |
| Northbound Through | C 22.9 | C 23.0 | C 23.1 | C 33.0 |
| Southbound Defacto Left | C 27.8 | C 31.7 | D 51.4 | C 34.8 |
| Southbound Through | B 12.0 | B 12.1 | B 12.5 | B 14.0 |
| Southbound Overall | C 20.7 | C 23.0 | C 34.5 | C 25.8 |
| **Overall** | **C 30.2** | **C 34.1** | **D 38.4** | **C 32.3** |

*Peak PM Hour*

| Approach | 2010 Existing LOS (Delay) | 2015 No-Build LOS (Delay) | 2015 Build LOS (Delay) | 2015 Build w/ Imp. [1] LOS (Delay) |
|---|---|---|---|---|
| I-287 WB Off-Ramp | | | | |
| Eastbound Left | C 25.1 | C 25.9 | C 30.1 | C 33.7 |
| Eastbound Right | C 24.1 | C 24.7 | C 24.7 | C 26.8 |
| Eastbound Overall | C 24.7 | C 25.4 | C 27.9 | C 30.8 |
| Route 1 | | | | |
| Northbound Through | C 24.7 | C 25.0 | C 25.3 | C 33.7 |
| Southbound Defacto Left | F 103.8 | F 135.7 | F 194.6 | E 70.0 |
| Southbound Through | B 12.9 | B 13.2 | B 13.5 | B 11.9 |
| Southbound Overall | E 61.9 | E 79.1 | F 112.3 | D 43.6 |
| **Overall** | **D 41.2** | **D 49.2** | **E 64.3** | **D 37.0** |

*Peak SAT Hour*

| Approach | 2010 Existing LOS (Delay) | 2015 No-Build LOS (Delay) | 2015 Build LOS (Delay) | 2015 Build w/ Imp. [1] LOS (Delay) |
|---|---|---|---|---|
| I-287 WB Off-Ramp | | | | |
| Eastbound Left | C 26.7 | C 27.8 | C 31.3 | D 49.5 |
| Eastbound Right | C 23.0 | C 23.5 | C 23.5 | C 24.4 |
| Eastbound Overall | C 25.2 | C 26.1 | C 28.4 | D 41.0 |
| Route 1 | | | | |
| Northbound Through | C 25.5 | C 25.7 | C 26.0 | C 34.8 |
| Southbound Defacto Left | D 53.3 | E 74.0 | F 115.1 | E 72.5 |
| Southbound Through | B 12.9 | B 13.1 | B 13.4 | B 13.1 |
| Southbound Overall | C 32.2 | D 42.1 | E 63.2 | D 42.5 |
| **Overall** | **C 28.0** | **C 32.4** | **D 41.7** | **D 40.2** |

(1) Provide SB ROW Lead & Lag Phase

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Attachment A

**TABLE 9**
**Midland Avenue & Peck Avenue/Credit Union Driveway**

| *Peak AM Hour* | | | | |
|---|---|---|---|---|
| Approach | 2010 Existing LOS (Delay) | 2015 No-Build LOS (Delay) | 2015 Build LOS (Delay) | Build w/ Imp. LOS (Delay) |
| Peck Avenue/Credit Union Driveway | | | | |
| Eastbound Left/Through/Right | C 27.9 | C 29.4 | C 31.6 | N/A |
| Westbound Left/Through/Right | B 15.7 | B 15.7 | B 15.7 | N/A |
| Midland Avenue | | | | |
| Northbound Left/Through/Right | C 28.0 | C 31.0 | C 31.4 | N/A |
| Southbound Left/Through/Right | C 21.9 | C 22.6 | C 22.9 | N/A |
| **Overall** | **C 25.7** | **C 27.3** | **C 28.3** | N/A |

| *Peak PM Hour* | | | | |
|---|---|---|---|---|
| Approach | 2010 Existing LOS (Delay) | 2015 No-Build LOS (Delay) | 2015 Build LOS (Delay) | Build w/ Imp. (1) LOS (Delay) |
| Peck Avenue/Credit Union Driveway | | | | |
| Eastbound Left/Through/Right | D 37.8 | D 42.7 | D 46.7 | C 32.5 |
| Westbound Left/Through/Right | B 16.3 | B 16.4 | B 16.4 | C 31.8 |
| Midland Avenue | | | | |
| Northbound Left/Through/Right | B 18.6 | B 19.1 | B 19.3 | C 20.2 |
| Southbound Left/Through/Right | C 22.3 | C 23.0 | C 23.9 | C 25.0 |
| **Overall** | **C 27.6** | **C 29.9** | **C 31.9** | **C 27.4** |

| *Peak Saturday Hour* | | | | |
|---|---|---|---|---|
| Approach | 2010 Existing LOS (Delay) | 2015 No-Build LOS (Delay) | 2015 Build LOS (Delay) | Build w/ Imp. (1) LOS (Delay) |
| Peck Avenue/Credit Union Driveway | | | | |
| Eastbound Left/Through/Right | D 48.6 | E 58.5 | E 65.6 | C 32.6 |
| Westbound Left/Through/Right | B 16.1 | B 16.2 | B 16.2 | C 30.6 |
| Midland Avenue | | | | |
| Northbound Left/Through/Right | C 20.5 | C 21.3 | C 21.5 | C 25.4 |
| Southbound Left/Through/Right | C 21.5 | C 22.1 | C 22.6 | C 26.0 |
| **Overall** | **C 32.6** | **D 37.1** | **D 40.4** | **C 28.8** |

(1) Provide EB ROW Lead Phase

**ATTACHMENT B**

**FIGURES**

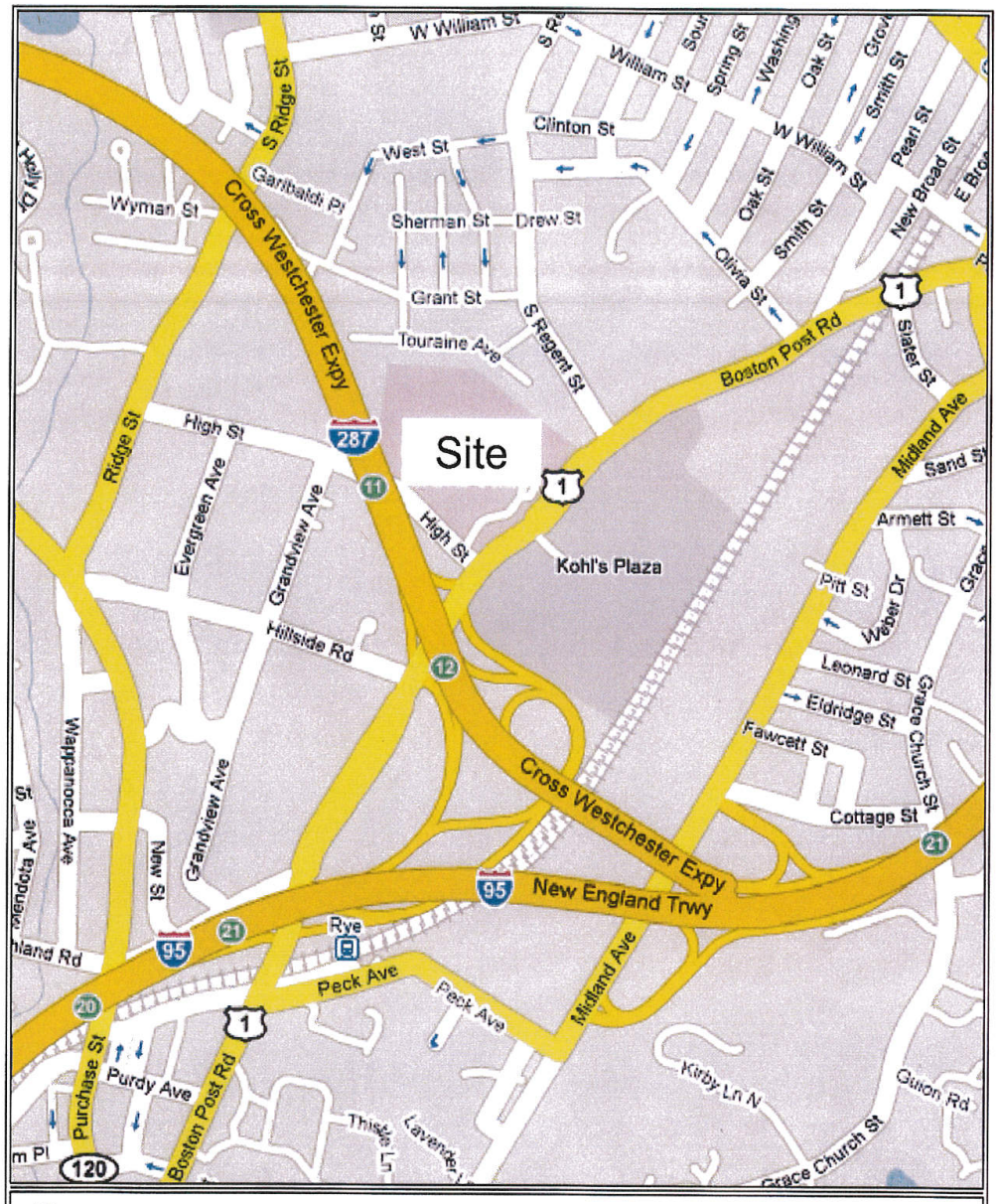


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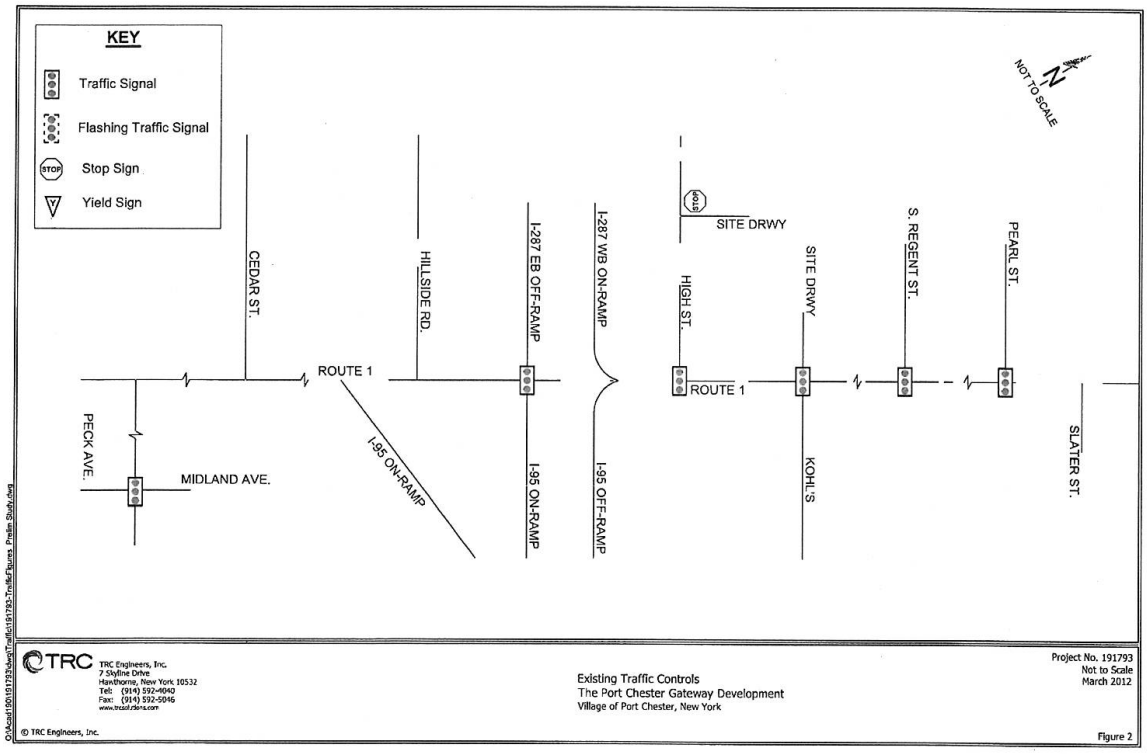
Figure 1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Existing Traffic Controls
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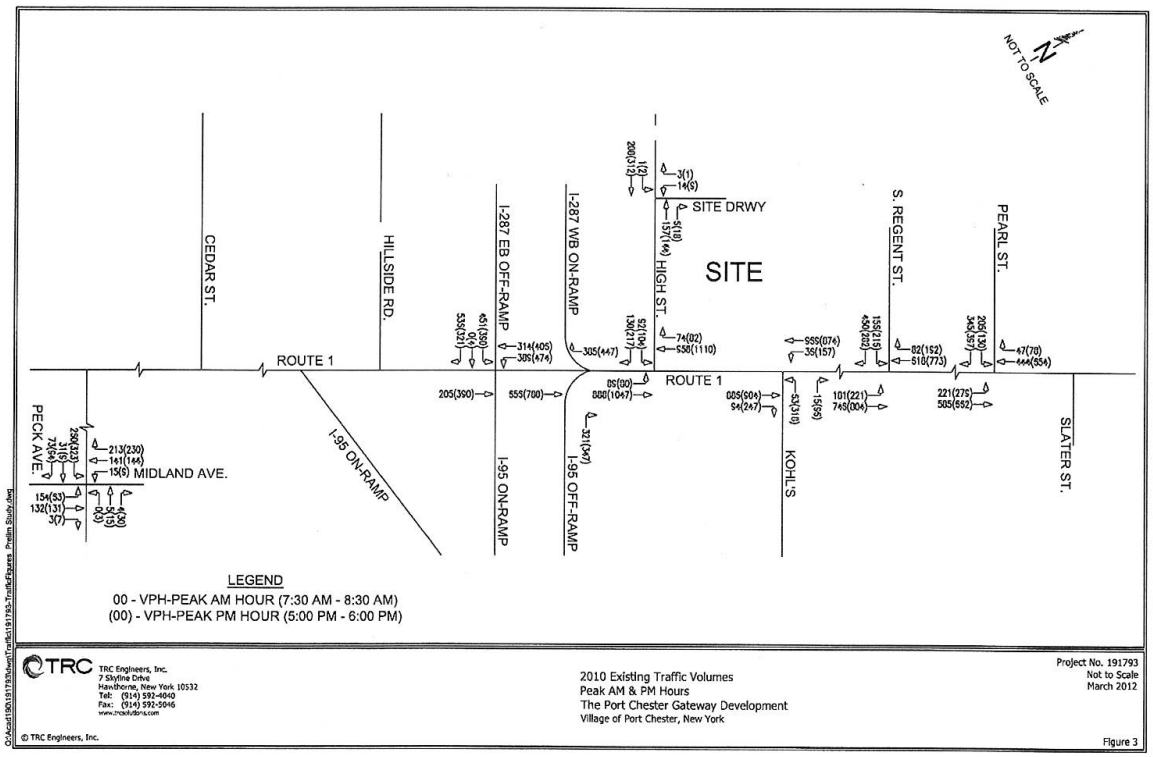
Figure 2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2010 Existing Traffic Volumes
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Figure 3

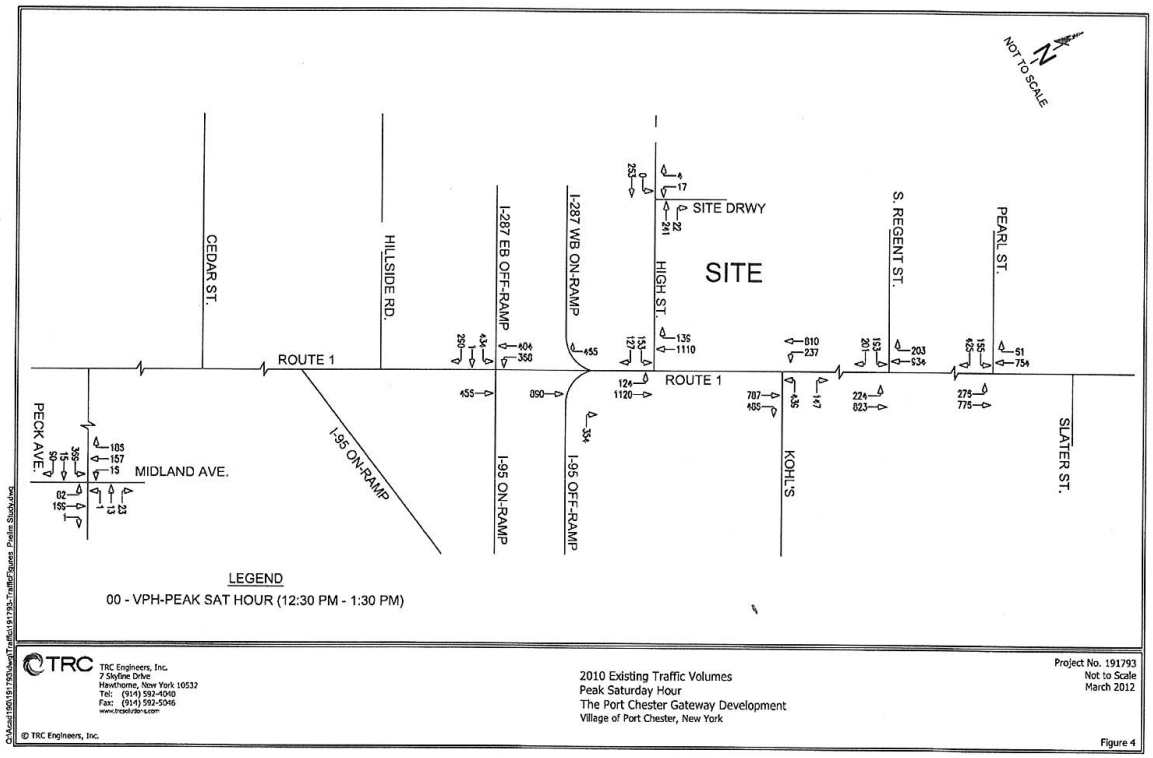
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Figure 4

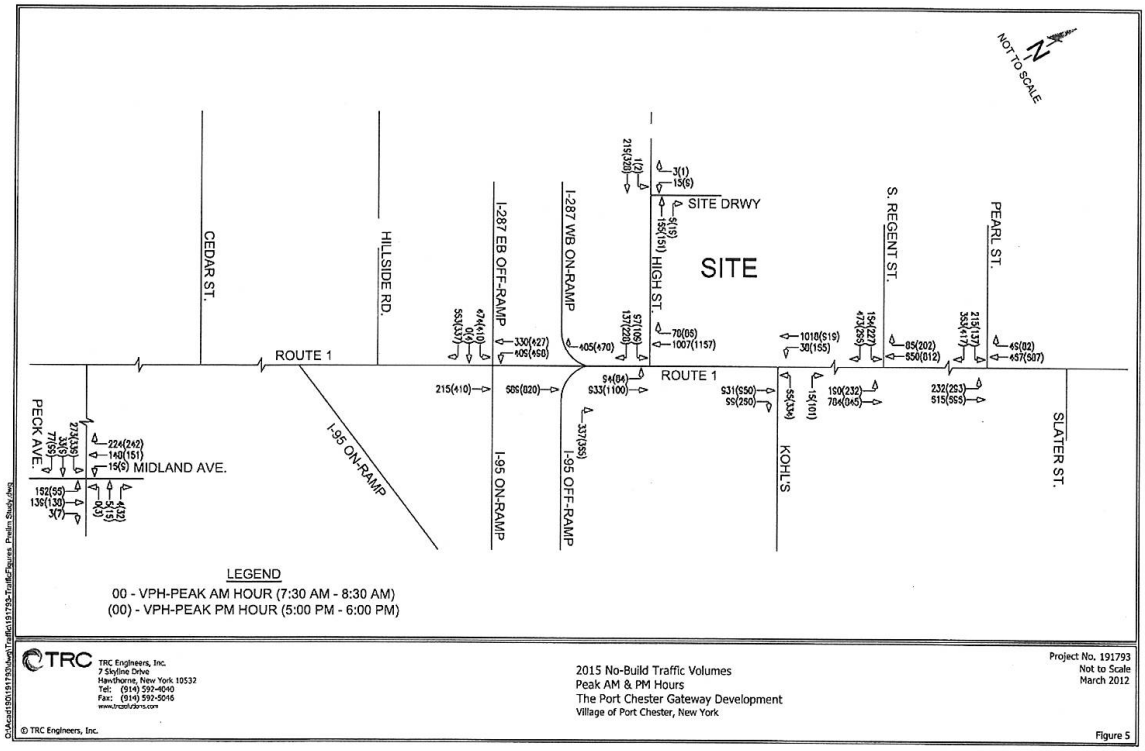
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Figure 5

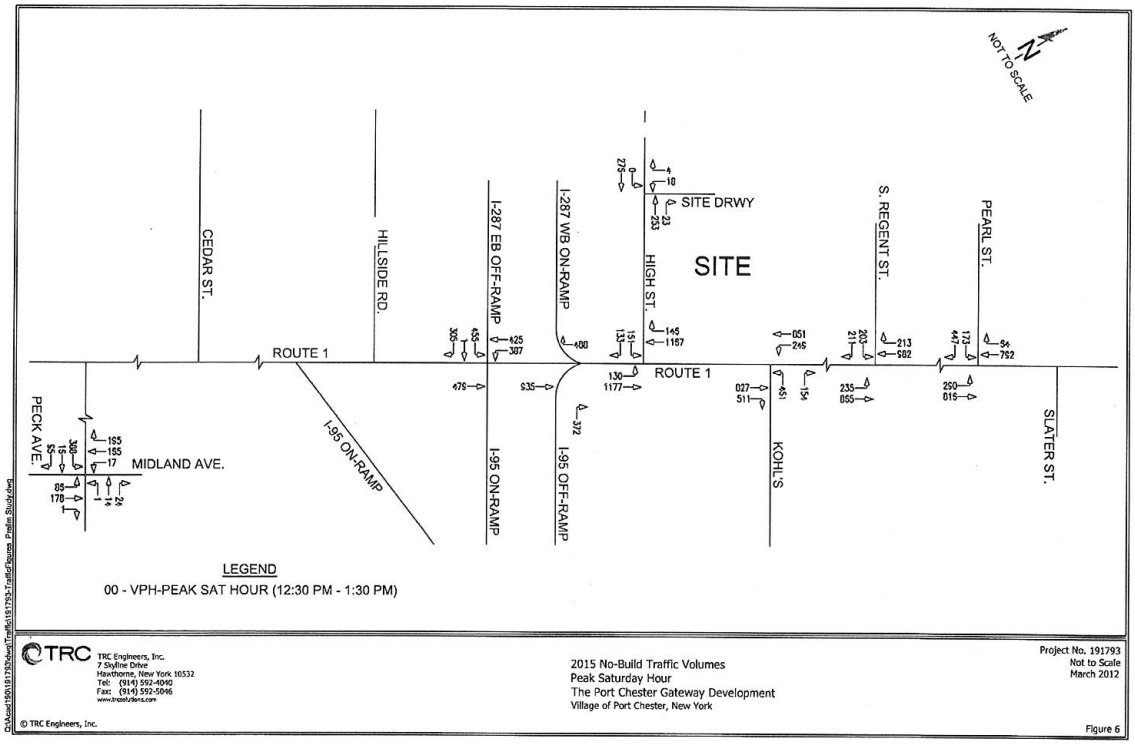
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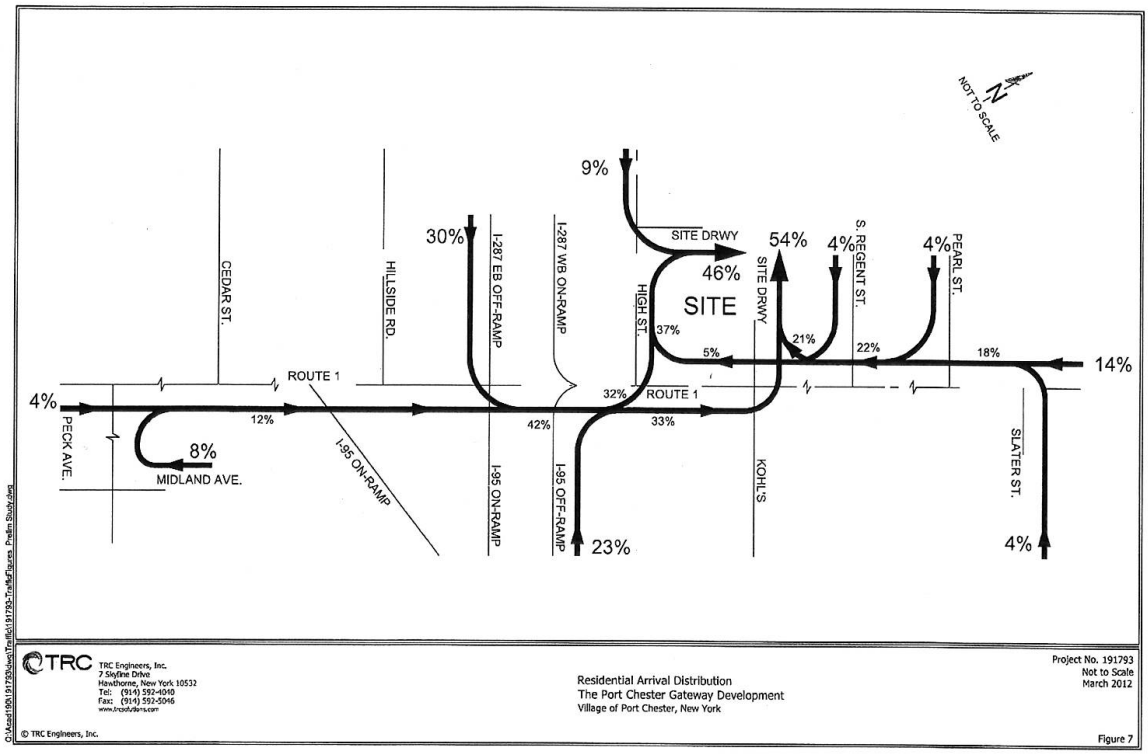
Figure 6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Residential Arrival Distribution
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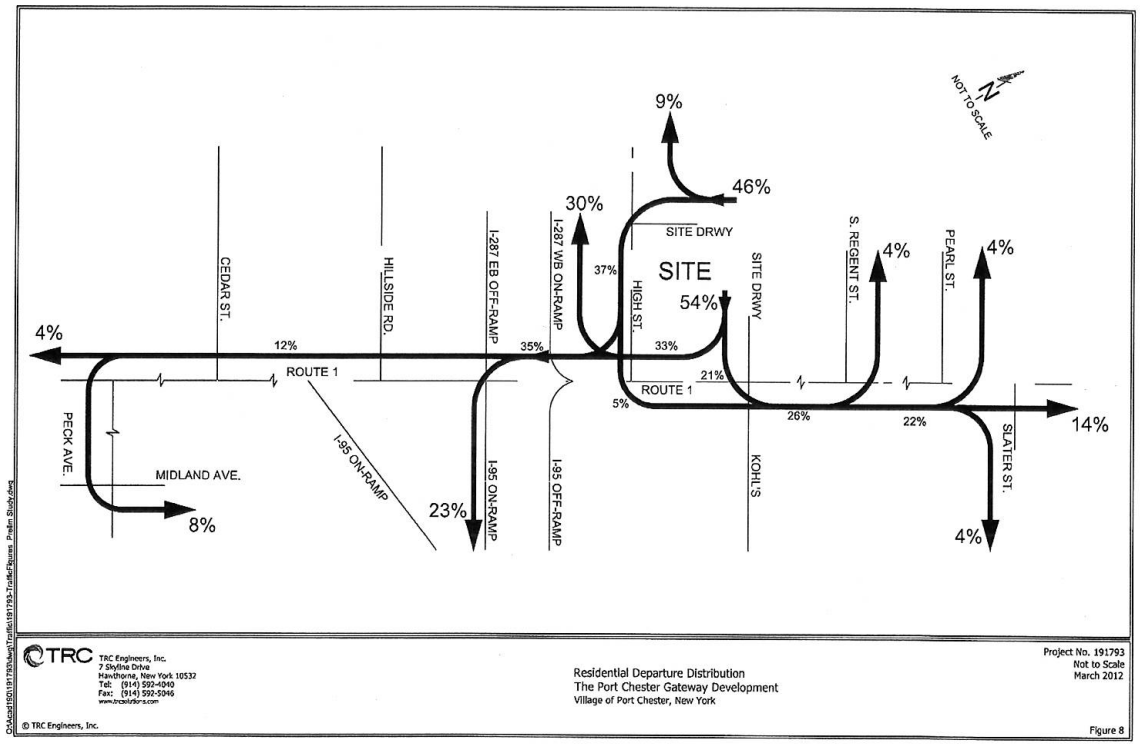
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Residential Departure Distribution
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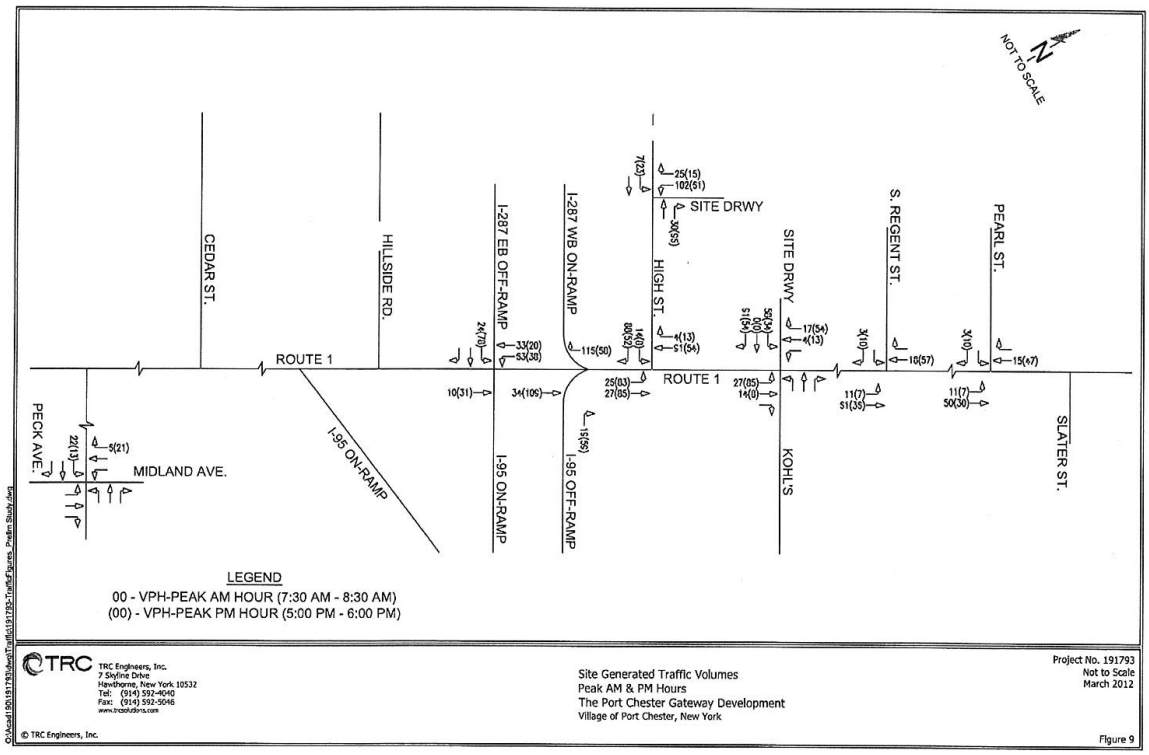
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Site Generated Traffic Volumes
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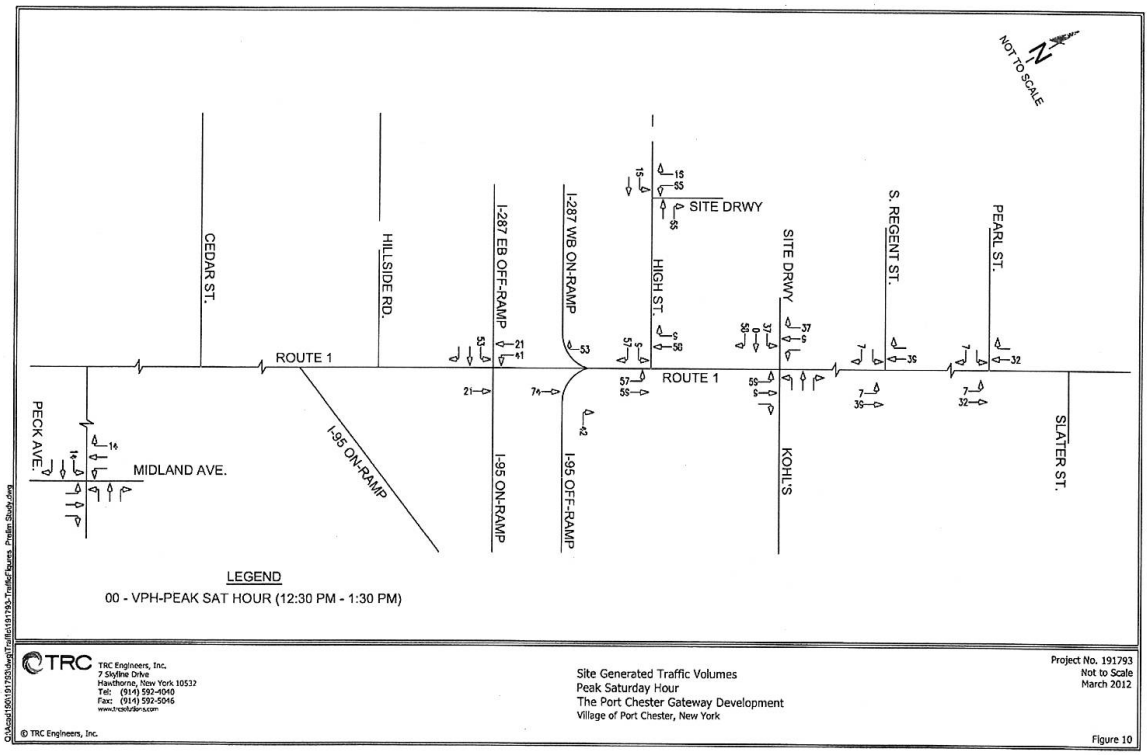
Figure 9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Site Generated Traffic Volumes
Peak Saturday Hour
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Figure 10

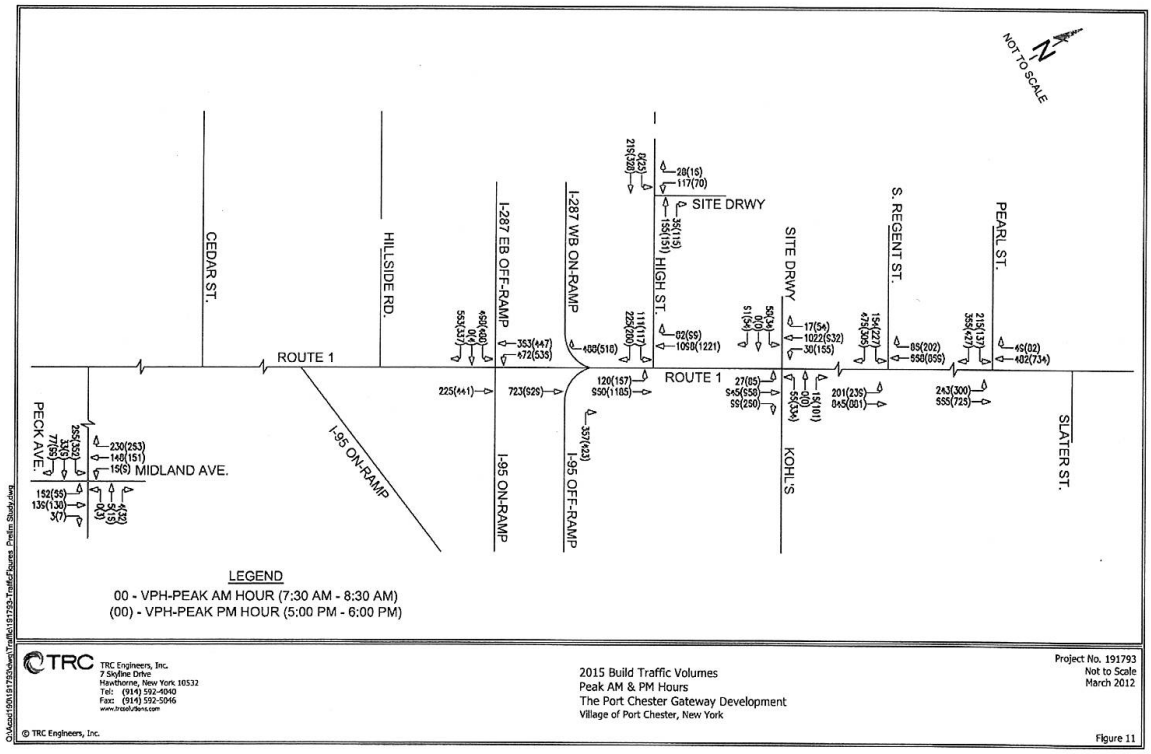
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Figure 11

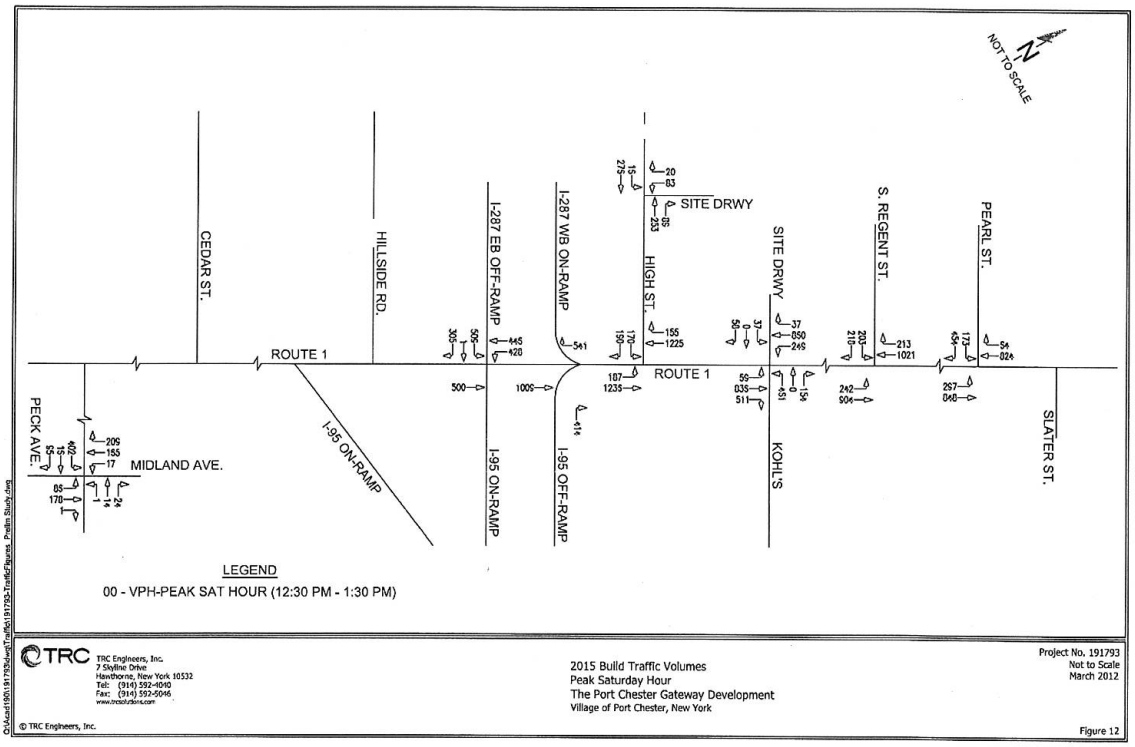
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Figure 12

**CL06-01**

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**Referral Review**
Pursuant to Section 239 L, M and N of the General Municipal Law and Section 277.61 of the County Administrative Code

Robert P. Astorino
County Executive

County Planning Board

**Referral File No. PCH 12-001D – Port Chester Comprehensive Plan**
**Draft Generic Environmental Impact Statement**

**Date:** November 7, 2012

**Contact:** Christopher Gomez, AICP, Director of Planning
222 Grace Church Street
Port Chester, New York 10573

**Materials received:**
- Draft Generic Environmental Impact Statement, dated October 1, 2012

**PROPOSAL DESCRIPTION**

*Our understanding of the proposal, based on these materials, is as follows:*
The Village has scheduled a public hearing on the draft generic environmental impact statement (GEIS) for the Village of Port Chester Comprehensive Plan and Zoning Code Amendments and Map. In a letter dated June 18, 2012 the County Planning Board commented on the Draft Comprehensive Plan and Zoning Code Amendments and Map. The draft GEIS analyzes the potential impacts affected by the Comprehensive Plan and the proposed rezoning of several areas of the Village. The draft GEIS also includes a Zoning Build-Out Analysis of these areas to be rezoned. These analyses were compared to the Zoning Build-Out Analysis performed by the Westchester County Department of Planning as part of the ***Westchester 2025*** initiative. The comparisons of these two analyses reflect the reductions in potential density and, as a result, a reduction in many of the potential impacts on the Village's infrastructure, services and schools.

**COMMENTS AND RECOMMENDATIONS**

1. **Consistency with County Planning Board policies**. The draft GEIS records how the new plan is consistent with the County Planning Board's long-range planning policies set forth in ***Westchester 2025—Context for County and Municipal Planning and Policies to Guide County Planning,*** adopted by the County Planning Board on May 6, 2008 and amended January 5, 2010, and its recommended strategies set forth in ***Patterns for Westchester: The Land and the People***, adopted December 5, 1995. The plan recommends that future mixed-use development be concentrated in several areas in and around the Village's train station, downtown business district, waterfront and several developed areas having redevelopment potential. This approach will capitalize on the Village's strengths and add desirable density at suitable locations served by transit. Impacts on less dense and less commercial neighborhoods will be minimized.

We support the Village's recommendation to update the 1995 Sewer System Evaluation Survey to verify and quantify inflow/infiltration (I&I). For all future development projects, measures to offset

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the projected increase in sewage flows should be considered, including reductions in inflow/infiltration (I&I) at a ratio of three for one.

**2. New local vision.** We continue to congratulate the Village on its efforts to create a comprehensive vision for its future. This new plan and the draft GEIS show that a thorough and meaningful effort has been made with the involvement of many local officials, residents and professionals on a wide variety areas, topics and issues.

**3. County assistance**. Staff of the Westchester County Department of Planning was privileged to provide assistance to the Village during certain earlier phases of this Plan's development and discussions. We commend the Village on its use of ***Westchester 2025: Plan Together*** tools, including a detailed zoning build-out analysis and 3-D visioning of build-out scenarios for several of the plan's "Planning Intensity Zones." We continue to offer our assistance to the Village as the Village moves ahead on the many of the plan's recommendations and "next steps."

Thank you for the opportunity to comment on this matter.

Respectfully,
WESTCHESTER COUNTY PLANNING BOARD

For:
By:

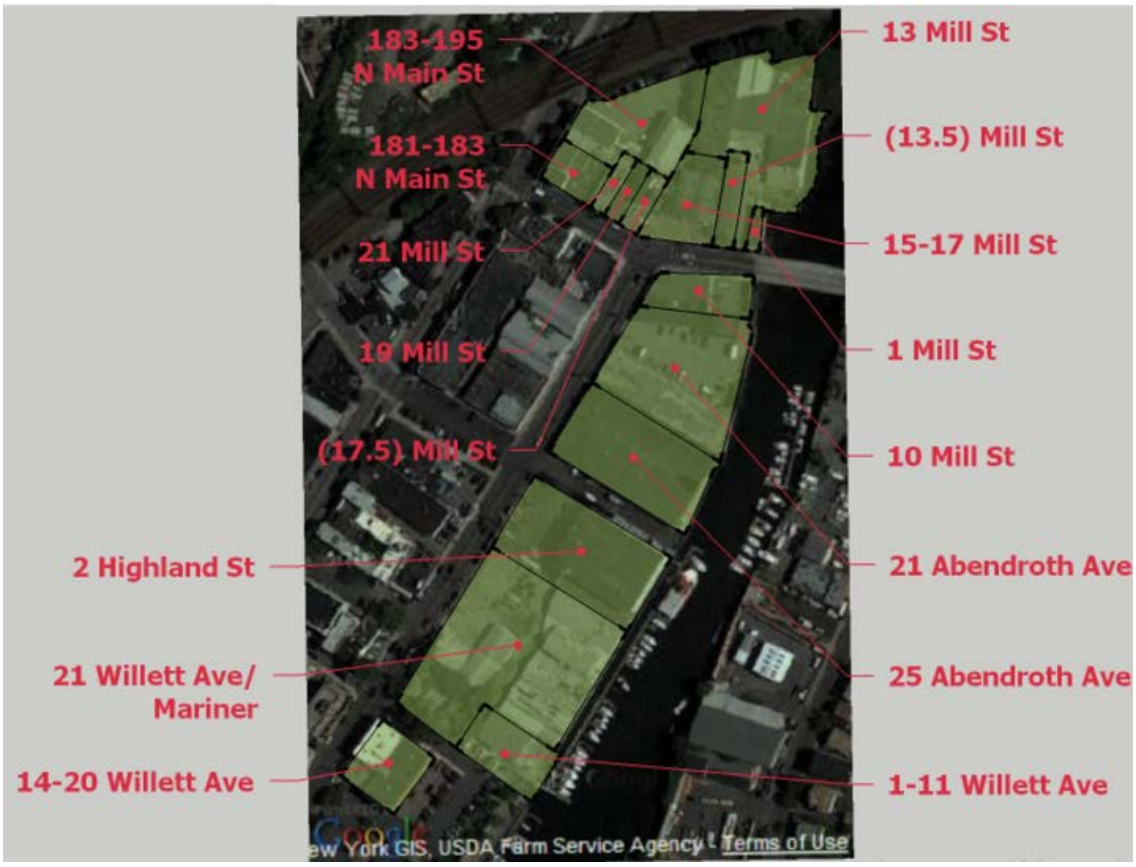
Edward Buroughs, AICP
Commissioner

EEB/wcb

The Port Chester Board of Trustees (BOT) accepted the Draft Generic Environmental Impact Statement (DGEIS) as complete at its October 22, 2012 meeting with the specific request that the proposed Design Waterfront (DW) district zoning map amendment (east side of Abendroth Avenue from the marina parking lot to Mill Street and the north side of Mill Street west to Main Street, **Figure 1**) be analyzed in greater detail as part of this Final Generic Environmental Impact Statement (FGEIS).

As such, the Village's SEQRA consultant, Ferrandino & Associates Inc. (F&A), has completed this proposed DW district rezoning study to analyze both the quantitative and qualitative effects of the proposed dimensional regulations (*floor area ratio* and *setback requirements)* in response to concerns raised by the Trustees and affected property owners during the DGEIS public comment period. As such, this analysis assesses the proposed regulations and potential traffic, environmental, visual and fiscal impacts associated with the proposed DW district.

**Figure 1 Study Area Map**




**Source:** ***Village of Port Chester, Department of Planning & Development. Note: addresses in parentheses are not official.***

***Analysis Assumptions Explained***

Several assumptions were required to conduct an objective analysis. First, this study utilizes a 'clean slate' approach, whereby zoning regulations applied do not take into account existing physical structures, e.g. on-the-ground conditions. Second, this analysis does not reconcile or consider nonconforming and/or grandfathered uses. Last, there is a minimum lot size requirement for nonresidential development[1] in the DW district of 10,000 square feet. The parcels that did not meet this minimum lot size requirement were excluded from the analysis.

***Discussion of DW Study Area***

The DW analysis includes sixteen (16) parcels located along Abendroth Avenue, roughly between Mill Street and Willett Avenue (**Figure 1**). This area is identified in the draft *Comprehensive Plan and Zoning Text and Map Amendments* (Draft Plan*)* as the Central Waterfront Subarea and is identified as a Higher Intensity Planning Zone. The Draft Plan recommends reducing maximum building heights to four (4) stories and mandates a 20-foot setback along the shoreline to allow for a continuous waterfront walkway.

This analysis assesses the proposed zoning regulations for the proposed C2 Main Street Business – not C2 Central Business – as C2 Main Street Business regulations are more similar to the proposed DW district. Comparing the existing C2 Central Business district with the DW district would be disingenuous considering the height, bulk and density goals outlined in the Village's draft *Comprehensive Plan* and the fact that the entire existing C2 Central Business District is proposed to be rezoned to C2 Main Street Business with a reduction in maximum height from eight (8) to five (5) stories. It is important to note that the maximum as of right floor area ratio (3.2) and lot area per dwelling unit (750 Sq. Ft./Dwelling Unit) will not change between the current C2 Central Business District and proposed C2 Main Street Business District

Outlined below in **Table 1** are the proposed dimensional regulations associated with this analysis for both the C2 Main Street and DW districts.

[1] Residential development was not analyzed because both the proposed C2 Main Street Business and DW Design Waterfront districts require a special exception permit for multi-family residential development; and, since both have the same minimum lot square footage requirement, the potential new dwelling unit yield would not alter the results identified in the *Draft Generic Environmental Impact Statement*.

**Table 1 Zoning Regulations for the Proposed DW District**

| Dimensional Regulation | C2 Main Street Business | DW Design District |
|---|---|---|
| *Maximum Floor Area Ratio* | 3.2* | 1.6 |
| *Minimum Size of Lot* | | |
| Area, nonresidential (sqft) | NR[!] | 10,000 |
| *Minimum Yard Dimensions* | | |
| Front Setback (ft) | NR | 20 |
| Rear Setback (ft) | 20 | 30 |
| Side Setback (feet) | NR | 25 or ½ height of building[%] |
| *Maximum Building Height* | | |
| In stories | 5 | 4 |
| In feet | 60 | 50 |

* Bonusable to 4.0 in accordance with §345-2.

[!] NR - none required.

[%] Whichever value is greater

***Discussion of Dimensional Regulations Resulting from the Proposed Rezoning***

The two major dimensional regulations affected by the proposed rezoning include Floor Area Ratio (FAR) and setback requirements.

- *Floor Area Ratio (FAR)* – FAR is a dimensional regulation that determines the maximum buildable floor area on a particular lot. Multiplying lot size by the FAR value yields the maximum permitted buildable floor area.

  The FAR for the proposed C2 Main Street Business district is 3.2 while the proposed DW district is 1.6 (**Table 2**)[2]. The reduction from a 3.2 FAR to 1.6 FAR halves the total buildable square footage permitted. For example, under a 1.6 FAR regulation, a 1,000 square foot development pad would be allowed 1,600 square feet of developed space. Under a 3.2 FAR regulation, 3,200 square feet of developed space would be allowed.

**Table 2 FAR Requirements**

| Zone | FAR |
|---|---|
| C2 Main Street Business | 3.2 |
| DW Design Waterfront | 1.6 |

- *Setback Requirements* – Setback requirements regulate the distance a building must be set back from the lot line perimeter. **Table 3** below identifies the setback regulations for both proposed zones.

[2] The C2 Main Street Business district can receive a maximum FAR of 4.0 as a result of proposed bonus provisions in Section §345-16.

**Table 3 Setback Requirements**

| Setback Requirements | C2 Main Street Business | DW Design Waterfront |
|---|---|---|
| *Front* | NR* | 20 feet |
| *Rear* | 20 feet | 30 feet |
| *Side* | NR* | 25 feet or ½ height of building |

*NR – none required

The major difference between the C2 Main Street Business and the DW Design Waterfront districts is the introduction of a front and side setback. In the C2 Main Street Business District, there is no requirement imposed. However, the DW Design Waterfront district requires a twenty (20) foot front setback and a twenty-five (25) foot or ½ building height side yard setback. Additionally, there is an increase of ten (10) feet imposed on the rear setback, a change from twenty (20) feet to thirty (30) feet.

***Discussion of Impact of Dimensional Regulations Resulting from the Proposed Rezoning***

Multiplying the aggregated parcel size of the study area by 3.2 FAR for the C2 scenario results in a maximum developable floor space potential of 1,100,025 square feet. Applying the proposed 1.6 FAR from the DW scenario yields a total of 474,800 square feet of developable floor space, resulting in a net reduction of 625,225 square feet (**Table 4**).

When setback requirements are applied, the resulting developable space for a C2 scenario is 799,712 square feet versus 399,856 square feet under a DW scenario. The net difference in developable space between a C2 and DW setting is a loss of 399,856 square feet (**Table 4**).

Based on the results of this analysis, it is the setback regulations, more than FAR, that restricts developable floor space. Furthermore, when both proposed FAR and setback regulations are imposed, there is a 421,978 square footage reduction in developable space for the Study Area (**Table 4**).

**Table 4 Maximum Square Footage Generated: Setback and FAR Regulations**

| Regulation Scenarios | Square Feet |
|---|---|
| *FAR Requirements* | |
| Max Square Footage – C2 regulation | 1,100,025 |
| Max Square Footage – DW regulation | 474,800 |
| Square Footage Delta - C2 → DW | -625,225 |
| *Setback Requirements* | |
| Max Square Footage – C2 regulation | 799,712 |
| Max Square Footage – DW regulation | 399,856 |
| Square Footage Delta - C2 → DW | -399,856 |
| **Max SF Reduction from Setbacks and FAR** | **-421,978** |

*Information provided by the Village of Port Chester, Department of Planning & Development.*

***Discussion of Additional Potential Impacts Resulting from the Proposed DW District***

*Traffic* – The potential traffic impacts resulting from either the existing/proposed C2 or DW district is dependent on *land use*, not dimensional regulations. For specific traffic impacts, it is suggested

that a site-specific traffic study be completed utilizing the calculated build-out results of this analysis.

An additional impact resulting from the proposed DW district is the inclusion of a parking requirement. The proposed DW district includes a use-dependent parking requirement[3] whereas both the existing and proposed C2 districts have none. Assuming all Study Area parcels require parking using a standard parking ratio for commercial land use of 1 space per 200 square feet of space, the total number of parking spaces required is approximately 606[4]. Ultimately, a parking requirement will directly impact how the development envelope is used.

*Environment* - Increased setback regulations in the proposed DW district will reduce the amount of impervious surface overall, thereby reducing potentially adverse environmental impacts to the Byram River.

*Visual* – The existing C2 district allows buildings up to eight (8) stories in height; the proposed C2 Main Street Business district limits buildings to five (5) stories; and the proposed DW district limits building height to four (4) stories. When comparing any two of these districts, there is a "step down" approach undertaken, directly precipitated by the desire to retain waterfront sightlines that would be further reinforced by increased setback regulations in the proposed DW district.

*Fiscal* – The fiscal impacts associated with the Study Area align with a general reduction of economic development potential due to the reduction of developable space based on setback and FAR regulations. Because the proposed DW district restricts the total amount of space and bulk allowed per parcel, including a story cap of four (4) floors, there will be less potential floor space devoted to commercial use, resulting in fewer tax dollars and jobs generated on a per parcel basis.

[3] As indicated in §345-14 of the Village of Port Chester proposed Zoning Map and Text Amendments.

[4] Figure calculated as (121,155 total square feet of floorplate space in Study Area / 200 sqft per space).

***Conclusion***

The proposed DW Design Waterfront district is purposed to provide more appropriate land uses along the Byram River waterfront, improve sightlines to the water's edge and help manage potentially adverse environmental impacts. Although these goals are acceptable for the application of the DW district for the Study Area, there have been questions raised regarding the applicability and viability of the associated dimensional regulations: primarily, the proposed DW district FAR of 1.6, a front yard setback of twenty (20) feet, side yard setback of twenty-five (25) feet or half the building height, and a rear yard setback of thirty (30) feet.

Overall, the district reduces the development potential by fifty-three percent (53%) due to setback and FAR requirements. Additionally, some parcels in the Study Area are not eligible for nonresidential development due to their inability to meet the minimum lot size requirement.

Based upon this analysis, it is recommended that the Village of Port Chester reconsider rezoning the Study Area from the existing C2 Central Business district to the proposed DW Design Waterfront district as currently conceived in favor of a modified DW district with more appropriate dimensional regulations.