

VILLAGE OF PORT CHESTER
BOARD OF TRUSTEES

Meeting, MONDAY, AUGUST 6, 2012

6:00 P.M.

VILLAGE JUSTICE COURTROOM

350 North Main Street

Port Chester, New York

AGENDA

6:00 P.M.

I. MOTION FOR EXECUTIVE SESSION:

1. Consultation with Counsel to discuss a particular police personnel matter.

7:00 P.M.

II. AFFIDAVIT OF PUBLICATION AND NOTICE OF PUBLICATION RE:

1. Public Hearing on the proposed Village of Port Chester Comprehensive Plan and the Zoning Amendments and Amendments to the Village Official Zoning Map Implementing the Comprehensive Plan.

III. WORKSESSION:

1. Housing Rehabilitation Program design workshop.
2. Proposed Amnesty and Pre-existing Use Permitting Program workshop.

IV. PUBLIC COMMENTS:

V. RESOLUTIONS:

Finance:

1. Agreement with JCJ Architecture for architectural/parking garage consulting services to analyze and plan a new Downtown Parking structure.
2. Intermunicipal agreement with the County of Westchester for access to telecommunications services.

Appointments:

1. Gene Ceccarelli as Chairman of Waterfront Commission.
2. Alejandro Payán as member of Waterfront Commission.

Legislation:

1. Set public hearing to Chapter 345, with regard to site plan review procedures and standards.
2. Withdraw August 20, 2012 public hearing to Chapter 165 entitled "Dance Halls and Cabarets."

VI. DISCUSSIONS:

1. Bulkhead follow-up.
2. Five Year Financial Forecast.
3. Journal Entry Policy.
4. Leasing Village Property on Willett Avenue update.
5. Rye Brook affordable housing update.
6. Parking update.

VII. CORRESPONDENCE:

1. Request from John B. Colangelo for his client to continue to have a wooden trellis overhang from his front yard setback.
2. Request from the Columbus Day Celebration Committee for their annual Columbus Day Parade scheduled for Sunday, October 7, 2012 and a financial contribution for this event.
3. Request from Lisa Dileo to close a portion of Irenhyl and Irving Avenue for their annual Breckenridge Block Party on Saturday, September 15, 2012 from 4:00pm to 11:00pm.
4. Request from Andrea Winchester to close a portion of Linden Street for a Block Party on Saturday September 1, 2012 from 4:00pm to 10:00pm.

VIII. PUBLIC COMMENTS AND BOARD COMMENTS:

IX. MOTION FOR EXECUTIVE SESSION:

1. Consultation with Village Manager, Village Attorney and Police Chief regarding a particular police personnel matter.
2. Discussion regarding the position of Village Manager and Village Clerk.

**RECOMMENDATION RESOLUTION
OF THE VILLAGE OF PORT CHESTER
PLANNING COMMISSION**

Draft Zoning Amendments and Map

July 30, 2012

WHEREAS, on July 30, 2012, the Planning Commission considered the Village of Port Chester draft Zoning Amendments and Map (dated May 21, 2012) as prepared by BFJ Planning; and

WHEREAS, the Planning Commission recognizes New York State grants municipalities the authority to adopt zoning regulations and make amendments to those regulations to address the changing needs and desires of a community; and

WHEREAS, the proposed zoning amendments are the regulatory mechanism to implement the goals and vision of the Village's draft Comprehensive Plan and are in concert with the Plan's policy recommendations for the future development of the Village; and

WHEREAS, the core intent of the proposed zoning amendments is to reduce future density increases in residential neighborhoods, preserve existing neighborhood character, identify areas for limited growth, improve development predictability, and eliminate floating zones; and

WHEREAS, the Planning Commission is in support of the draft Zoning Amendments and Map (dated May 21, 2012) *except* for the specific comments listed below in bold:

Zoning 345-7.D –

In the RA2, RA3 and RA4 Multifamily Residence Districts, the Village Board of Trustees may accept an offer of cash in lieu of 300 square feet of useable open space based on the appraised value of land on the site. Remove in lieu fee in multi-family districts to preserve open space in residential neighborhoods as expressed in draft comprehensive plan.

Zoning 345:16.B(1) – Building Height and Floor Area Bonus Program General Regulations
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 non-residence districts, Attachment 3B), and is subject to approval by the Village Board of Trustees. Clarify process and mechanism for all bonus provisions. The Planning Commission shall retain site plan approval authority and refer applicable applications to the Village Board of Trustees for jurisdiction over special exception use permit for bonus provision(s).

Zoning 345:16.C(1)(2)(3) – Bonus Floor Area Option: Open Space Provision, Housing Rehabilitation Provision and Downtown Parking Garage Provision.

In eligible zoning districts specified herein, proposals that include an open space, housing rehabilitation or downtown parking garage monetary contribution.....can receive bonus floor area, as specified in the Schedule of Regulations for Nonresidence Districts Attachment 3B subject to approval by the Village Board of Trustees. The payment in lieu shall be calculated at 10% of assessed value of bonusable floor space, as determined by the Town Assessor. Utilize appraised versus assessed value in calculation of bonus fee for all three bonus provisions. 10% of assessed value is far too low a return for the Village for granting height and floor area ratio (FAR) bonuses; and

NOW THEREFOR BE IT RESOLVED, that the Planning Commission hereby forwards a positive recommendation to the Board of Trustees recommending the adoption of the draft Comprehensive Plan (dated May 31, 2012) as prepared by BFJ Planning but urges revisions to the zoning amendments reflected above; and

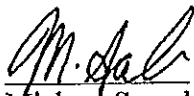
BE IT FINALLY RESOLVED that this resolution shall have an effective date of July 30, 2012

On the motion of Commissioner Gregory, seconded by Commissioner Coperine, it was adopted by the following vote:

AYES: Antaki, Baxter, Coperine, Gregory, Scarola

NAYES:

ABSENT: Cervinka, Pellon



Michael Scarola, Chairman

**RECOMMENDATION RESOLUTION
OF THE VILLAGE OF PORT CHESTER
PLANNING COMMISSION**

Draft Comprehensive Plan

July 30, 2012

WHEREAS, on July 30, 2012, the Planning Commission considered the Village of Port Chester draft Comprehensive Plan (dated May 21, 2012) as prepared by BFJ Planning; and

WHEREAS, the Planning Commission recognizes New York State grants municipalities the authority to prepare and adopt comprehensive plans (Village Law 7-722) as a means to identify goals, objective, principles and policies for the protection, enhancement, growth and development of a community; and

WHEREAS, the overall intent of the draft Comprehensive Plan is to preserve the existing residential neighborhood character of the Village by reducing potential density and protect against non-conforming and out-of-character development; and

WHEREAS, the Plan also seeks to channel future mixed-use development opportunities to the Downtown, train station, and other key areas of the Village to enhance the vibrancy of the central business district while relieving development pressures on the Village's residential neighborhoods; and

WHEREAS, the goals and policies of the Plan will be effectuated through a program of regulatory actions and incentives to be instituted in the associated draft zoning amendments and map (dated May 21, 2012) and continued building code enforcement efforts; and

NOW THEREFOR BE IT RESOLVED, that the Planning Commission hereby forwards a positive recommendation to the Board of Trustees recommending the adoption of the draft Comprehensive Plan (dated May 31, 2012) as prepared by BFJ Planning; and

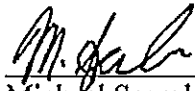
BE IT FINALLY RESOLVED, that this resolution shall have an effective date of July 30, 2012

On the motion of Commissioner Gregory, seconded by Commissioner Baxter, it was adopted by the following vote:

AYES: Baxter, Coperine, Gregory, Scarola, Autaki

NAYES:

ABSENT: Cervinka, Pellon



Michael Scarola, Chairman

**AN INTERIM LOCAL LAW AMENDING THE CODE
OF THE VILLAGE OF PORT CHESTER ESTABLISHING
A PERMIT AMNESTY PROGRAM**

SECTION 1: Purpose and Intent.

The Board of Trustees has made code enforcement its first policy priority and has taken the initiative by supporting the development and implementation of a comprehensive, non-discriminatory code enforcement program.

The Board has knowledge that work has been done without a building permit, or work that was done with a permit was not properly closed out with the requisite inspection and certificate of occupancy. Such permit and certificate of occupancy requirements are not new, and have been in effect since the adoption of the initial Village's Zoning Regulation in 1927.

The Board finds that the current situation with regard to such permits and certificates of occupancy is not only long-standing, but pervasive throughout the entire village and poses a real and present danger to the safety of all residents. The Board has been advised that such situations often include zoning issues involving area and dimensional requirements. The Board finds that existing legal administrative structures in the Zoning Board of Appeals do provide relief, but that there is a need to address deviances that are deemed de minimus, or so minor as to have no appreciable impact on the neighborhood or surrounding properties.

There is currently an active and effective code enforcement program that may otherwise subject property owners to substantial fines who have failed to obtain permits, failed to close out permits, and/or have failed to obtain the required certificate of occupancy. The Building and Code Enforcement Departments have proactively engaged property owners to resolve permit and certificate of occupancy issues on a case-by-case basis. However, the Board finds and declares that an amnesty program herein would provide the necessary legislative sanction to such efforts and ultimately significantly encourage voluntary code compliance.

SECTION 2. Amnesty Program.

A. There is hereby established a Permit Amnesty Program that shall apply to all properties within the Village of Port Chester. Such program shall include all permitted work without certificates of occupancy, unpermitted past work, and unpermitted work in progress at the time of the adoption of this local law.

B. The Village of Port Chester Building Department will begin taking building and other permit applications under the Amnesty Program on September 4, 2012 and will stop accepting permit applications under this program on March 29, 2013. All such applications must be complete and accepted as such by these dates. This shall be known as the Amnesty Period.

C. All applicants under the Amnesty Program shall have until September 30, 2013 to obtain a Certificate of Occupancy from the Village of Port Chester Building Department for all building

and other permits issued during the Amnesty Period. This shall be known as the Compliance Period.

SECTION 3. Permits

For those applications under the Amnesty Program involving open expired permits, the Building Inspector is authorized to renew said permit(s) under the umbrella of a single new permit that will encompass any number of open expired permits. All work related to those open expired permit(s) may be closed out under a single new permit as may be practical in the judgment of the Building Inspector. Such expedited process would avoid the need for an applicant to obtain a new permit and pay the requisite fees for each expired permit.

SECTION 4. Zoning

For those applications under the Amnesty Program regarding open expired permits issued prior to the effective date of the 1975 Zoning Regulation that may involve the need for some dimensional variance from the requirements under the applicable zoning regulation, the Building Inspector is authorized to accept deviance from certain of the requirements as "de minimis". To qualify as eligible for this determination, the following standards must be strictly satisfied:

1. The building or structure must be pre-existing and have been issued a building permit prior to the effective date of the 1975 Zoning Regulation.
2. The subject building or structure must otherwise comply with the applicable building code at the time of construction or alteration.
3. The area or dimensional requirement involves front, rear, and/or side yard setback(s).
4. The set-back encroachment is ten (10) inches or less.
5. The building or structure complies with all other aspects of the Village of Port Chester planning and zoning regulations.

Such deviances may be deemed "de minimis" as prescribed above and shall not require waiver or variance from the Zoning Board of Appeals.

SECTION 5: Fees.

Notwithstanding the fees established in Chapter 175 Fees of the Village Code, the following shall apply during the Amnesty Period:

- A. All administrative fees for construction activities without a building permit (i.e. fee of \$250.00 or three (3) times the permit fee) are hereby waived.
- B. For work completed prior to the effective date of the 1975 Zoning Regulation:

1. Building permit fees shall be reduced by fifty percent (50%). Zoning application fees shall be waived.
2. Planning application fees may be waived or reduced by fifty percent (50%) depending upon the nature of the application at the discretion of the Village Manager or his designee.

This shall apply to all building, planning, and zoning applications submitted in conjunction with and under the auspices of the Permit Amnesty program within the Amnesty Period intended to correct the targeted violations.

SECTION 6: Inspections.

All premises participating in the Amnesty Program shall be subject to a complete walkthrough inspection by the Building Department prior to the issuance of a certificate of occupancy.

SECTION 7: Exemptions.

The Amnesty Program is based on voluntary participation. Any and all applicants and/or their subject properties that have either been cited for such violations and are currently under enforcement action and any and all applicants and/or their subject properties that are cited and otherwise put under code enforcement action are not eligible for the Amnesty Program.

SECTION 8: Other land use approvals.

Applicants under the Amnesty Program are still required to obtain any necessary approvals from the Planning Commission, Zoning Board of Appeals approval or any other board approval, except as specified in this local law. All supporting documentation and all fees associated with such land use approvals other than those waived or reduced herein, must be submitted. Although the Board of Trustees strongly encourages that such applications be reviewed and determined in an expeditious manner, the application processes and typical procedures for all such applications shall otherwise be followed.

SECTION 9: Penalties and notices

- A. Those applicants who properly submit complete permit applications within the Amnesty Period shall not be subject to enforcement action through the court system unless the apparent violations are deemed to be an immediate threat to the health safety and welfare to the Village and/or the occupants of the subject premises, or if there are additional violations not specifically addressed by the permit application. Such determination shall be made by the Building Inspector and Code Enforcement Director.
- B. Applicants that fail to obtain the required Certificate of Occupancy at the expiration of the Compliance Period shall be subject to enforcement action as may be necessary.

SECTION 10: Supereession, sunset

- A. So as to fully accomplish the intentions of the Board of Trustees, this local law supercedes any inconsistent or otherwise applicable provision of the Village Code, in particular, chapters 151, 175 and 345.
- B. This local law is in the nature of interim legislation and shall terminate by its terms on September 30, 2013.

SECTION 11: Validity and severability.

Should any section of, or provision, of this local law be decided by a court of competent jurisdiction to be held unconstitutional or otherwise invalid, such decision shall not affect the validity of the local law not in whole or in part so decided to be unconstitutional or otherwise invalid.

SECTION 12: Effective date.

This local law shall be effective upon due publication and filing with the Secretary of State.

B/T Mtg. Date August 6, 2012

Finance

Resolution # 1

Motion 1 2

- Action: Adopted
- Defeated
- Tabled
- No Action
- Amended

RESOLUTION AUTHORIZING AGREEMENT FOR ARCHITECTURAL/PARKING GARAGE CONSULTING SERVICES

On motion of TRUSTEE , seconded by TRUSTEE

, the following resolution was adopted by the Board of Trustees of the Village of Port

Chester, New York:

WHEREAS, an opportunity has been presented to the Village for the potential acquisition of property on Irving Avenue and Poningo Streets for use as the potential site for a new Police/Justice Court facility, municipal parking and consolidation of municipal offices; and

WHEREAS, the Village needs to undertake due diligence in exploring this opportunity including consideration considering acquisition costs vs. short and long-term needs and objectives; and

WHEREAS, JCJ Architecture, 28 Prospect Street, Hartford, Connecticut 06103, has previously been retained by the Village to perform a needs assessment of the current Police/Justice Court facility; and

WHEREAS, based on this background and experience with the Village and partnering with Desman Associates, which specializes in parking facilities projects, JCJ is uniquely positioned to undertake the additional analysis and has submitted a proposal dated July 30, 2012 for consideration. Now, therefore, be it

RESOLVED, that the proposal of JCJ Architecture, 28 Prospect Street, Hartford, Connecticut 06103, Phase 1, "Schematic Design", to provide consulting services is hereby accepted, in the amount of \$22,500; and be it further

RESOLVED, that the Village Manager is hereby authorized to enter into an agreement with JCJ Architecture for the provision of said services, and be it further

RESOLVED, that the Village Treasurer is hereby authorized to establish a capital project account for the potential acquisition of real property for municipal use to be initially funded from General Fund, Contingency as follows:

GENERAL FUND

Decrease:

1.1990.400 Contingency \$22,500

Increase:

1.9900.900 Transfer to Capital Fund \$22,500

CAPITAL FUND

Establish Preliminary Costs for Parking Garage/ Police/Court Facility Project

Revenue:

5.5.5031.2012.121 Transfer from General Fund \$22,500

Appropriation:

5.3120.400.2012.121 Contractual \$22,500

Approved as to Form:

Village Attorney

Vote:	Aye	Nay	Abstain	Absent
Brakewood				
Terenzi				
Didden				
Branca				
Kenner				
Marino				
Pilla				

B/T Mtg. Date August 6, 2012	Action: <input type="checkbox"/> Adopted
Finance	<input type="checkbox"/> Defeated
Resolution # <u> 2 </u>	<input type="checkbox"/> Tabled
	<input type="checkbox"/> No Action
Motion 1 <u> 2 </u>	<input type="checkbox"/> Amended

RESOLUTION AUTHORIZING INTERMUNICIPAL AGREEMENT FOR ACCESS TO TELECOMMUNICATIONS SERVICES

On motion of TRUSTEE _____, seconded by TRUSTEE _____

, the following resolution was adopted by the Board of Trustees of the Village of Port Chester, New York:

WHEREAS, in 2000, the County of Westchester originally entered into an agreement with Cablevision Lightpath, Inc. for the provision of telecommunications services; and

WHEREAS, this agreement was renewed in 2006 for a five-year term and again in 2011 for an additional five-year term; and

WHEREAS, under the terms of these agreements, Cablevision provided to the County a new state-of-the-art, secure, cost-effective and reliable telecommunications network and allowed Cablevision to provide municipalities in the County the opportunity to avail themselves of these services under the same terms and conditions; and

WHEREAS, the Village of Port Chester wishes to continue receiving the benefits of this agreement through a further intermunicipal agreement with the County of Westchester and that funds for these services in FY 2012-2013 have been budgeted. Now, therefore, be it

RESOLVED, that the Village Manager be authorized to enter into an intermunicipal agreement with the County of Westchester with regard to the provision of telecommunications services under an agreement with Cablevision Lightpath, Inc. for a five-year term beginning January 1, 2011.

Approved as to Form:

Village Attorney

Vote:	Aye	Nay	Abstain	Absent
Brakewood				
Terenzi				
Didden				
Branca				
Kenner				
Marino				
Pilla				

B/T Mtg. Date August 6, 2012	Action: <input type="checkbox"/> Adopted
Appointment	<input type="checkbox"/> Defeated
Resolution # <u>1</u>	<input type="checkbox"/> Tabled
	<input type="checkbox"/> No Action
Motion 1 <u>2</u>	<input type="checkbox"/> Amended

RESOLUTION
 APPPOINTMENT OF CHAIRMAN OF THE
 WATERFRONT COMMISSION

On motion of TRUSTEE _____, seconded by TRUSTEE _____, the

following resolution as adopted by the Board of Trustees of the Village of Port Chester,

New York:

WHEREAS, by resolution dated February 6, 2012, Gene Ceccarelli was appointed as a full member of the Waterfront Commission for a term to expire December 2, 2013; and

WHEREAS, pursuant to Section 332-5(b) of the Village Code, the Chairperson of the Waterfront Commission is appointed by the Board of Trustees. Now, therefore be it

RESOLVED, that Gene Ceccarelli is hereby appointed as the Chairperson of the Waterfront Commission.

Approved as to Form:

 Village Attorney

Vote:	Aye	Nay	Abstain	Absent
Brakewood				
Terenzi				
Didden				
Branca				
Kenner				
Marino				
Pilla				

B/T Mtg. Date August 6, 2012	Action: <input type="checkbox"/> Adopted
Appointment	<input type="checkbox"/> Defeated
Resolution # <u>1</u>	<input type="checkbox"/> Tabled
	<input type="checkbox"/> No Action
Motion 1 <u>2</u>	<input type="checkbox"/> Amended

RESOLUTION
 APPPOINTMENT OF CHAIRMAN OF THE
 WATERFRONT COMMISSION

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

WHEREAS, by resolution dated February 6, 2012, Gene Ceccarelli was appointed as a full member of the Waterfront Commission for a term to expire December 2, 2013; and

WHEREAS, pursuant to Section 332-5(b) of the Village Code, the Chairperson of the Waterfront Commission is appointed by the Board of Trustees. Now, therefore be it

RESOLVED, that Gene Ceccarelli is hereby appointed as the Chairperson of the Waterfront Commission.

Approved as to Form:

 Village Attorney

Vote:	Aye	Nay	Abstain	Absent
Brakewood				
Terenzi				
Didden				
Branca				
Kenner				
Marino				
Pilla				

B/T Mtg. Date August 6, 2012	Action: <input type="checkbox"/> Adopted
Legislation	<input type="checkbox"/> Defeated
Resolution # <u> 1 </u>	<input type="checkbox"/> Tabled
	<input type="checkbox"/> No Action
Motion 1 <u> 2 </u>	<input type="checkbox"/> Amended

**RESOLUTION
SET PUBLIC HEARING TO CHAPTER 345,
WITH REGARD TO SITE PLAN REVIEW
PROCEDURES AND STANDARDS**

On motion of TRUSTEE _____, seconded by TRUSTEE, _____ the

following resolution was adopted by the Board of Trustees of the Village of Port Chester, New York:

WHEREAS, the Planning Commission has a broad grant of authority with regard to the administration of the Zoning Regulation, Chapter 345; and

WHEREAS, consistent with such grant, the Planning Commission has proactively recommended to the Board of Trustees that the Section 345-23 of the Village Code, be amended with regard to the applicant furnishing a CD and 3D Model Submission at the time of application; and

WHEREAS, such proposed amendment would significantly enhance the site plan review process not only for the members of the Planning Commission but also the general public. Now, therefore, be it

RESOLVED, that a public hearing is to be held on September 18, 2012 at 7:00 p.m. at the Village Justice Courtroom, 350 North Main Street, Port Chester, New York 10573, to consider the advisability of adopting a local law to amend the Code of the Village of Port Chester, Chapter 345, Section 345-23C(2)(a), with regard to the applicant furnishing a CD and 3D Model Submission as part of the site plan application process.

Approved as to Form:

Village Attorney

Vote:	Aye	Nay	Abstain	Absent
Brakewood				
Terenzi				
Didden				
Branca				
Kenner				
Marino				
Pilla				

A LOCAL LAW AMENDING THE CODE OF THE VILLAGE OF PORT
CHESTER, CHAPTER 345, WITH REGARD TO SITE PLAN REVIEW
PROCEDURE AND STANDARDS

SECTION 1: The Code of the Village of Port Chester, Chapter 345, "Zoning", Section 345-23, is hereby amended as follows:

...

C. Submission Procedures

...

(2)

- (a) Within six months following the presubmission conference, [12]15 copies of the site plan and all supporting documentation, including a CD containing same in PDF format, shall be submitted to the Planning Commission Recording Secretary, accompanied by the appropriate submission fee. The CD must be labeled with the name of the applicant, project address, submission date and Planning Commission case number if assigned. At the discretion of the Director of the Office of Planning and Development, the applicant may be advised to also provide a 3D Model Submission based on the complexity of the application; such determination shall be made at the time of the pre-submission conference. This submission shall be made at least 20 days prior to the scheduled Planning Commission meeting.

SECTION 2: If any section of this local law shall be held unconstitutional, invalid or ineffective, in whole or in part, such determination shall not be deemed to affect, impair or invalidate the remainder of this local law.

SECTION 3: This local law shall be effective immediately upon filing with the Secretary of State and due publication.

**RECOMMENDATION RESOLUTION
OF THE VILLAGE OF PORT CHESTER
PLANNING COMMISSION**

Local Law Requiring Site Plan Approval for the Erection or Enlargement of All Two-Family Dwellings

July 30, 2012

WHEREAS, on July 30, 2012, the Planning Commission considered a proposed amendment to the Zoning Ordinance to require site plan approval for the erection or enlargement of all two-family dwellings in the Village; and

WHEREAS, the Planning Commission is granted site plan approval authority approval through New York State Law as a means to improve the health, safety and general welfare of the Village; and

WHEREAS, Planning Commission recognizes the benefit of establishing site plan approval authority for all two-family dwellings to provide greater oversight over proposed development within the Village; and

WHEREAS, this zoning amendment has been recommended in the Village's draft Comprehensive Plan (dated May 21, 2012) as prepared by BFJ Planning; and

NOW THEREFOR BE IT RESOLVED, that the Planning Commission hereby forwards a positive recommendation to the Board of Trustees recommending the adoption of a proposed zoning amendment that would require site plan approval for the erection or enlargement of all two-family dwellings in the Village; and

BE IT FINALLY RESOLVED, that this resolution shall have an effective date of July 30, 2012.

On the motion of Commissioner Gregory, seconded by Commissioner Coperine, it was adopted by the following vote:

AYES: Antaki, Baxter, Coperine, Gregory, Scarola

NAYES:

ABSENT: Cervinka, Pellon



Michael Scarola, Chairman

B/T Mtg. Date August 6, 2012	Action: <input type="checkbox"/> Adopted
Legislation	<input type="checkbox"/> Defeated
Resolution # <u> 2 </u>	<input type="checkbox"/> Tabled
	<input type="checkbox"/> No Action
Motion 1 <u> 2 </u>	<input type="checkbox"/> Amended

RESOLUTION
WITHDRAW AUGUST 20, 2012 PUBLIC HEARING
CHAPTER 165 "DANCE HALLS AND CABARETS"

On motion of TRUSTEE, seconded by TRUSTEE , the

following resolution was amended by the Board of Trustees of the Village of Port Chester,

New York:

RESOLVED, that a public hearing be withdrawn on August 20, 2012 at 7:00 p.m. at the Village Justice Courtroom, 350 North Main Street, Port Chester, New York 10573, to consider the advisability of adopting a local law amending the Code of the Village of Port Chester, Chapter 165 entitled "Dance Halls and Cabarets."

Approved as to Form:

Village Attorney

Vote:	Aye	Nay	Abstain	Absent
Brakewood				
Terenzi				
Didden				
Branca				
Kenner				
Marino				
Pilla				

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

July 23, 2012

Village Manager Christopher Russo
Village of Port Chester
222 Grace Church Street
Port Chester, NY 10573

Re: 78-80 Purdy Ave., Port Chester, NY

Dear Chris:

The above-captioned property has been before the Zoning Board of Appeals for the past five (5) months, and there was one outstanding issue which requires input from the Board of Trustees. The overhang of a wooden trellis located on the front property line overhangs into the public right of way at a height of approximately 10.5 feet. One of the variances requested by the applicant is the approval of this wooden trellis, which encroaches on the front yard setback. Since a portion of the trellis overhang encroaches on the public right of way, applicant must obtain permission from the Board of Trustees for the continuation of this overhang.

The Zoning Board of Appeals as directed the applicant to seek permission from the Board of Trustees before they will finalize this application. Therefore, I would appreciate it if you would place this matter on the Board of Trustees' agenda for their August 6, 2012 meeting (Monday). I enclose herewith ten (10) copies of the survey illustrating the location of the trellis.

If you have additional questions in this regard, please feel free to contact me.

Very truly yours,



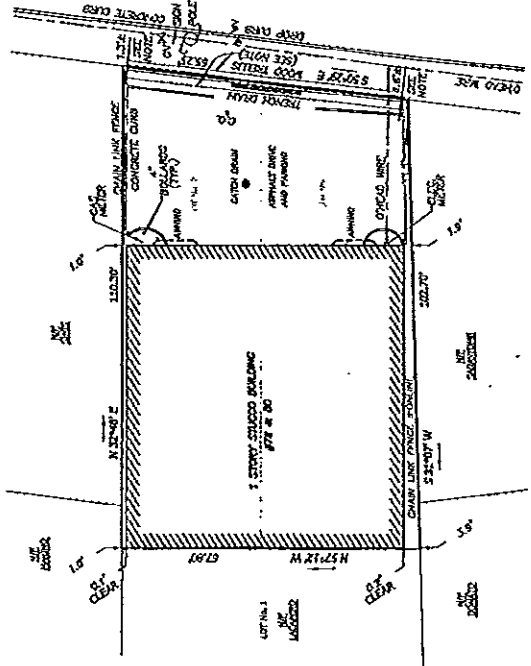
JOHN B. COLANGELO

Enclosures

JBC:dc

ZONE R-2F

PURDY AVENUE
50' FRONT OF WAY

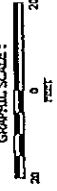


DATE	JUNE 15, 2012
BY	SCOTT B. GRAY
FOR	THE SURVEYOR
PROJECT	LOT 2 & 3
ADDRESS	171 East Purdy Avenue, Newark, CT 06871
OWNER	TR-80 PURDY APARTMENTS, LTD.
PREPARED BY	SCOTT B. GRAY
SCALE	AS SHOWN

PROPERTY OF
TR-80 PURDY APARTMENTS, LTD.
171 East Purdy Avenue
Newark, Connecticut 06871

KIRBY
CIVIL ENGINEERING & LAND SURVEYING
171 East Purdy Avenue, Newark, CT 06871
Tel: 203-279-1422 Fax: 203-279-1423

LOT No. 2 & 3
Total Area: 7,262 Sq. Ft. (0.167 Acre)



SURVEY NOTES:
1. Scott B. Gray, the surveyor who made this map, do hereby certify that the field survey on which this map is based was completed on June 15, 2012, and that this map was completed on June 15, 2012, in accordance with the standards and rules for Professional Land Surveyors.
Reference deed serial number 40030402.
Reference: Being Lot 2 and Lot 3 as shown on a map entitled, "Map of Lots Belonging to Oscar Rose Perpetual Trust," and filed in the Office of the Registrar of Deeds, State of Connecticut, in New Britain County, New York, on Volume 10, Page 71.
Note: Columns of road walls shown herein are clear of right of way greater than 10.5' from sidewalks.
Property subject to any and all public or private restrictions, covenants, declarations and/or easements of record, if any.
Unauthorized alteration or addition to a survey map bearing a licensed land surveyor's seal is a violation of Section 2020b, Subchapter 2, of the New York Education Law.
Print made without embossed seal.

SCOTT B. GRAY, L.S. 050622 DATE 6-15-12

Correspondence To:



Columbus Day Celebration Committee

*P.O. Box 1048
Port Chester NY 10573*

Founded 1906

Received

JUL 20 2012

Village Clerk
VILLAGE OF PORT CHESTER



Edward T. Sexton
General Chairman

Toni Ganim
Vice Chairman

Honorable Dennis Pilla &
Members of the Board or Trustees
Village of Port Chester
222 Grace Church Street
Port Chester, New York 10573

July 18, 2012

Re: 2012 Columbus Day Parade

Dear Mayor Pilla & Board Members:

The Columbus Day Celebration Committee held their first meeting in preparation for this year's parade and festivities. Our biggest challenge this year is to raise money to cover the cost for the bands and expenses for the parade, which is scheduled for Sunday, October 7, 2012 (rain date October 14, 2012).

The Committee appreciates the generosity from the Village of Port Chester for their donations in the past years. Once again we come to you requesting your financial assistance for this year's parade and hope you will be able to increase your donation.

Thank you in also advance for your favorable response.

Very truly yours,

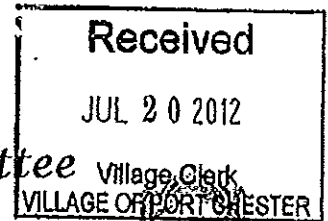
Edward T. Sexton
Chairman



Columbus Day Celebration Committee

*P.O. Box 1048
Port Chester NY 10573*

Founded 1906



**Edward T. Sexton
General Chairman**

**Toni Ganim
Vice Chairman**

July 18, 2012

Dear Board Of Trustees,

The Columbus Day Parade Committee wants to extend a warm welcome to you, as we are proud to invite you to be part of our parade celebration in Port Chester and Rye Brook on Sunday, October 7, 2012 (rain date October 14, 2012) to honor Christopher Columbus.

Once again as in the past, we would like to ask for permission for the use of the Show Mobile to serve as our Reviewing Stand. It would be placed on the corner of Westchester Ave and Poningo Street. Charlie Vaccaro has told us that that would be a suitable Location.

Thanking you in advance, we hope to see you at our Columbus Day Parade on the 7th of October.

Very truly yours,

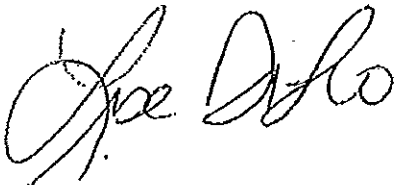
**Edward T. Sexton
Chairman**

7-18-12

To Whom it may concern:

I am requesting to have our annual Breckenridge Ave block party on Saturday September 15th from 4:00p.m. to 11:00p.m. If you can please get back to me as soon as possible so I can begin planning for it.

Thank You

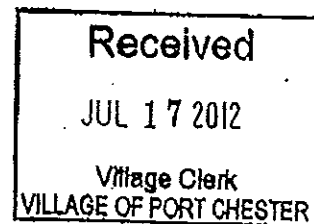


Lisa Dileo
91 Breckenridge Ave
Port Chester NY 10573

Coordinator

Requesting to
close from
corner of
Irynhill +
Irving Ave.

Rain date Sunday Sept. 16
914-937-3917



July 15, 2012

Village of Port Chester
222. Grace Church St.
Port Chester, NY 10573

To whom it may concern:

We would like to request permission to block off Linden Street for a Block Party on Saturday, September 1, 2012. The hours would be from 4:00 pm to 10:00 pm.

As we have done in the past, we would block the street from the end of the Presbyterian Church parking lot so that it would not cause a problem for them.

Thank you for your review of this matter. Please contact me if there are any questions or concerns.

Sincerely,

A handwritten signature in cursive script that reads "Andrea Winchester".

Andrea Winchester
7 Linden St.
Port Chester, NY 10573

939-6483 home