

**VILLAGE OF PORT CHESTER
BOARD OF TRUSTEES
Meeting, Tuesday, February 19, 2013
Regular Meeting: 7:00 P.M.
VILLAGE JUSTICE COURTROOM
350 North Main Street
Port Chester, New York
REVISED AGENDA II**

TIME: 7:00 P.M.

I	AWARD PRESENTATION	ACTION
1	Award Presentation to Jason Ippolito named a 2012 Golden Dozen Scholar-Athlete	
II	AFFIDAVIT OF PUBLICATION AND NOTICE OF PUBLICATION RE:	ACTION
1	Public Hearing to consider Zoning Text Amendments and Amendments to the Village Official Zoning Map Implementing the Comprehensive Plan.	
III	PUBLIC COMMENTS	ACTION
IV	RESOLUTIONS	ACTION
	Planning	
1	Local Waterfront Revitalization Program (LWRP) SEQRA Negative Declaration	
2	Referral of Final Draft of the Local Waterfront Revitalization Program (LWRP) to New York State Department of State	
	Administration	
3	Appoint Additional Election Inspectors for the March 19, 2013 Village election.	
4	Animal shelter agreement	

V	REPORT OF THE VILLAGE MANAGER	
1	Update on Goals and Priorities	
2	Updates on Actions, Initiatives, and Projects	
VI	DISCUSSIONS	ACTION
1	Request by Holy Rosary Church to use the Kitchen of the Port Chester Fire House (Mellor E&H Co. #3 and Putnam E&H Co.#2) starting in April 2013	
2	Additional amendments to amnesty program for 1 and 2 family homes.	
3	Landlord Registry	
VII	CORRESPONDENCE	ACTION
1	From Village of Rye Brook RE: Invitation to a Reception Honoring Outgoing Mayor Joan L. Feinstein	
2	From Fire Patrol & Rescue Co. # 1 Election of Omar Barrett to Fire Patrol & Rescue Co. #1	
3	Request to raise Irish Flag on 3.14.2013 from PC Irish American Association	
4	From Holy Rosary Soup kitchen, Food Pantry, Open Closet and Emergency services	
5	From Anthony B. Gioffre III – United Hospital Redevelopment	
VIII	MINUTES	
1	November 15, 2012	
2	November 19, 2012	
IX	PUBLIC COMMENTS AND BOARD COMMENTS	ACTION

TIME: _____

MEETING OF THE BOARD OF
TRUSTEES IN THEIR CAPACITY AS A
BOARD OF POLICE COMMISSIONERS

AFFIDAVIT OF PUBLICATION
AND
NOTICE OF PUBLICATION RE

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

Draft Zoning Text and Map Amendments

February 12, 2013

WHEREAS, on February 12, 2013, the Planning Commission considered the Village of Port Chester draft Zoning Text and Map Amendments (dated February 4, 2012) as prepared by BFJ Planning and Village Staff, and referred to the Planning Commission by the Village Board of Trustees; and

WHEREAS, the Planning Commission recognizes that 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 draft Zoning Text and Map Amendments are the regulatory mechanism to implement the goals and visions of the Village's adopted 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 draft Zoning Text and Map 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 Text and Map Amendments as they will provide the regulatory mechanisms for suitable and practicable development of the Village's built environment; and

WHEREAS, the Planning Commission is in particular support of the draft Zoning Text and Map Amendments with respect to the newly created PMU Planned Mixed Use District as purposed to provide appropriately scaled, context-sensitive, and mixed-use redevelopment opportunities to replace the decommissioned United Hospital; and

WHEREAS, the proposed PMU Planned Mixed Use District regulations will permit a variety land uses at specific floor area ratios to accomplish the goals and objectives of the adopted Comprehensive Plan; and now therefore let it be

RESOLVED, that the Planning Commission hereby forwards a positive recommendation to the Board of Trustees recommending the adoption of the draft Zoning Text and Map Amendments as prepared by BFJ Planning and Village Staff with particular respect to the zoning elements reflected above; and be it further


RESOLVED, that this resolution shall have an effective date of February 12, 2013.

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

AYES: Baxter, Coperine, Gregory, Scarola

NAYES:

ABSENT: Antaki, Cervinka, Pellon



Michael Scarola, Chairman



DW2 Downtown Design Waterfront District: Proposed Setback Analysis

	DW2 Downtown Design Waterfront § 345-54.1
Maximum Floor Area Ratio	2.40 (2.6)
Maximum Floor Area Ratio For 1 Story	NR
Minimum Size of Lot:	
Area, nonresidential (square feet)	NR
Area per dwelling unit (square feet)	600 (500)
Width (feet) (j) (e)	40
Depth (feet)	NR
Minimum Yard Dimensions:	
Front (feet)	5
Side	
One (feet)	5
Total of 2 on interior lot (feet)	10
Rear (feet)	20
Maximum Height of Building:	
In stories	4
In feet	50
Minimum Usable Open Space on Lot:	
For each dwelling unit (square feet)	50 ⁸



Graphic prepared by the Port Chester Department of Planning and Development



DW2 District Analysis



Proposed draft local law setbacks: 30' river, 20' rear yard, 5' front/side

Lot	Total Lot Area	Existing Built Sq. Ft.	Max Sq. Ft. (1.6 FAR - DW original proposal)	Max Sq. Ft. (2.4 FAR - as of right DW2)	FloorPlate w/Setbacks	Max Sq. Ft. (4 Stories)	Setback as % of Lot Area
1 - 11 Willett Ave	11,456	3,500	18,330	27,494	6,015	24,060	47%
141 Abendroth / Mariner	60,559	146,480	96,894	145,342	48,798	195,192	19%
2 Highland St	31,130	87,435	49,808	74,712	24,997	99,988	20%
25 Abendroth Ave	29,151	28,125	46,642	69,962	22,733	90,932	22%
21 Abendroth Ave	35,965	18,020	57,544	86,316	27,026	108,104	25%
10 Mill St	9,484	4,928	15,174	22,762	6,020	24,080	37%
1 Mill St	1,244	2,624	1,990	2,986	0	0	100%
13 Mill St	36,904	3,360	59,046	88,570	22,557	90,228	39%
(13.5) Mill St	4,761	0	7,618	11,426	2,732	10,928	43%
15 - 17 Mill St	12,558	5,260	20,093	30,139	9,444	37,776	25%



DW2 District Analysis



Setback Scenario 1: 25' river, 20' rear yard, 5' front/side

Lot	Total Lot Area	Existing Built Sq. Ft.	Max Sq. Ft. (1.6 FAR - DW original proposal)	Max Sq. Ft. (2.4 FAR - as of right DW2)	FloorPlate w/Setbacks	Max Sq. Ft. (4 Stories)	Setback as % of Lot Area
1 - 11 Willett Ave	11,456	3,500	18,330	27,494	6,307	25,228	45%
141 Abendroth / Mariner	60,559	146,480	96,894	145,342	49,814	199,256	18%
2 Highland St	31,130	87,435	49,808	74,712	25,603	102,412	18%
25 Abendroth Ave	29,151	28,125	46,642	69,962	23,304	93,216	20%
21 Abendroth Ave	35,965	18,020	57,544	86,316	28,035	112,140	22%
10 Mill St	9,484	4,928	15,174	22,762	6,292	25,168	34%
1 Mill St	1,244	2,624	1,990	2,986	0	0	100%
13 Mill St	36,904	3,360	59,046	88,570	23,696	94,784	36%
(13.5) Mill St	4,761	0	7,618	11,426	2,732	10,928	43%
15 - 17 Mill St	12,558	5,260	20,093	30,139	9,444	37,776	25%



DW2 District Analysis



Setback Scenario 2: 20' river, 20' rear yard, 5' front/side

Lot	Total Lot Area	Existing Built Sq. Ft.	Max Sq. Ft. (1.6 FAR - DW original proposal)	Max Sq. Ft. (2.4 FAR - as of right DW2)	FloorPlate w/Setbacks	Max Sq. Ft. (4 Stories)	Setback as % of Lot Area
1 - 11 Willett Ave	11,456	3,500	18,330	27,494	6,599	26,396	42%
141 Abendroth / Mariner	60,559	146,480	96,894	145,342	50,832	203,328	16%
2 Highland St	31,130	87,435	49,808	74,712	26,210	104,840	16%
25 Abendroth Ave	29,151	28,125	46,642	69,962	23,873	95,492	18%
21 Abendroth Ave	35,965	18,020	57,544	86,316	29,055	116,220	19%
10 Mill St	9,484	4,928	15,174	22,762	6,566	26,264	31%
1 Mill St	1,244	2,624	1,990	2,986	0	0	100%
13 Mill St	36,904	3,360	59,046	88,570	24,892	99,568	33%
(13.5) Mill St	4,761	0	7,618	11,426	2,732	10,928	43%
15 - 17 Mill St	12,558	5,260	20,093	30,139	9,444	37,776	25%

(Use this form to file a local law with the Secretary of State)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate a new matter.

County
City of Port Chester, New York
Town
Village

Local Law No. _____ of the year 2013

A local law amending the CODE OF THE VILLAGE OF PORT CHESTER, CHAPTER 345, ARTICLE II, SECTION 345-2B, ARTICLE III, SECTION 345-3, ARTICLE IV, SECTIONS 345-7, 345-8, 345-13, 345-14, 345-15 and 345-16, ARTICLE VIII, SECTIONS 345-39, 345-40, 345-41, 345-42, 345-43, 345-44, 345-45 and 345-46, ARTICLE IX, SECTIONS 345-47, 345-48, 345-49, 345-50, 345-50.1, 345-50.2, 345-51, 345-52, 345-53, 345-54, 344-54.1, 345-55, 345-56, 345-57 AND 345-57.1, ARTICLE X, SECTIONS 345-60 and 345-61, ARTICLE XI, SECTION 345-62, AND the OFFICIAL ZONING MAP of the Village of Port Chester.

Be it enacted by the Board of Trustees of the
(Name of Legislative Body)

County
City of Port Chester, New York as follows:
Town
Village

A LOCAL LAW AMENDING THE CODE OF THE VILLAGE OF PORT CHESTER, CHAPTER 345, AND THE OFFICIAL ZONING MAP WITH REGARD TO IMPLEMENTING THE PROVISIONS OF THE COMPREHENSIVE PLAN.

SECTION 1: Purpose and Intent

Background

This local law amends the Village Code, Chapter 345, the Zoning Regulation, as well as the Official Zoning Map with regard to implementing the Village of Port Chester’s Comprehensive Plan. New York’s zoning enabling statutes – the statutes empowering cities, towns and villages to enact local zoning laws – require that zoning laws be adopted “in accordance with a

comprehensive plan.” The purpose of the Comprehensive Plan is to serve as the backbone for a local zoning code. The Zoning Regulation is adopted to provide a precise plan for residential, commercial, industrial, open space and other land uses in the Village, and is the principal device used to implement the Comprehensive Plan.

Originally adopted in 1975, and amended several times since then, the Village of Port Chester’s current Zoning Regulation has become, across several dimensions, outdated. The amendments included herein primarily deal with revisions to the dimensional requirements in the residential districts, and the use and dimensional requirements in the commercial districts. The secondary but no less significant purpose of this amendment process is the creation of new zoning districts to provide the opportunity for the creation of visually attractive, economically viable and environmentally sustainable development.

Overall Approach

Amendments to the Zoning Regulation are prepared to address the changing needs and desires of the community with respect to the built environment. The vision and policy recommendations set forth in the Comprehensive Plan – the foundation of these proposed zoning amendments – aim to retain the qualities of Port Chester that its people have come to cherish, including a diverse population, low-density residential neighborhoods, quality homes at relatively affordable prices, and a vibrant downtown. At the same time, the vision addresses the challenges confronting the Village, including changing socio-economic conditions, unpredictable growth patterns, physical constraints limiting waterfront access, and underutilized properties. The Plan identifies goals, policies, and guidelines for the immediate and long-range protection, enhancement, growth and development of Port Chester, focusing on major elements of the built environment, including maintenance and enhancement of residential neighborhoods; strengthening and revitalization of the downtown and waterfront areas; strengthening of industrial areas; and identifying key areas of limited growth opportunities. To this end, the overall approach of this zoning amendment process is captured in the following five (5) key elements:

- Reducing potential future density increases throughout the Village;
- Preserving and protecting the existing character of residential neighborhoods;
- Identifying strategic areas for limited growth opportunities;
- Improving development predictability and coordinating private development with public; investments in transportation and infrastructure systems; and
- Eliminating floating zones.

SECTION 2: The Code of the Village of Port Chester, Chapter 345, Article II “Definitions”, is hereby amended as follows:

Section 345-2B. Word usage; terms defined.

....

[PLANNED TOWER DEVELOPMENT – An area of land or air right over such land controlled by a single proprietor to be developed as a single entity for one or a combination of the authorized uses as provided in Section 345-46. With respect to a planner tower development, a “single proprietor” shall be deemed to include a person or corporation having an enforceable proprietary interest in such land or the air rights over such land.]

...

SECTION 3: The Code of the Village of Port Chester, Chapter 345, Article III, “Districts, Boundaries and Application of regulations”, is hereby amended as follows:

Section 345-3. Districts classified.

For the purposes of this Regulation, the Village of Port Chester is hereby divided into [25] 26 classes of districts, as follows:

R20 One-Family Residence District

R7 One-Family Residence District

R5 One-Family Residence District

R2F Two-Family Residence District

RA2 Multifamily Residence District

RA3 Multifamily Residence District

RA4 Multifamily Residence District

[PTD Planned Tower Development District]

C1 Neighborhood Retail District

C2 [Central Business District] Main Street Business District

C3 [Design] Office and Commercial District

C4 General Commercial District

C5 Train Station Mixed Use District

C5T Downtown Mixed Use Transitional District

CD Design Shopping Center District

CDS Special Design Commercial District

PD Design Professional Building District

DW Design Waterfront District

DW2 Downtown Design Waterfront District

M1 Light Industrial District

M2 General Industrial District

PMU Planned Mixed Use District

[PRSP Planned railroad Station Plaza Development]

M2D Designed Industrial District

VCRA/LIR Village Center Redevelopment Area Light Industrial/Research Use District

PRD Planned Residential Development District

ROO Residential Office Overlay District

TRD Transitional Residential Development District

MUR Marina Redevelopment Project Urban Renewal District

SECTION 4: The Code of the Village of Port Chester, Chapter 345, Article IV, “Supplementary Regulations,” is hereby amended as follows:

345-7. Useable open space.

....

E. In the C2, C5, C5-T and DW2 districts, the Village Board of Trustees may accept an offer of cash in lieu of 50 square feet of useable open space per unit or a portion thereof. The value shall be based on 50 percent of the assessed value of the land on the site, calculated by utilizing the 50 square feet of land per unit. All funds shall be kept by the Village in separate account to be used only for the acquisition, preservation, or improvement of open space.

SECTION 5: The Code of the Village of Port Chester, Chapter 345, Article IV, “Supplementary Regulations,” is hereby amended as follows:

Section 345-8. Minimum residential floor area.

B. Minimum schedule. Every dwelling or other building converted in whole or in part to a residential use which is hereafter erected or converted to accommodate additional facilities, shall provide a minimum floor area per family on finished floors with a clear ceiling height of not less than seven feet six inches, in conformance with the following schedule and with other provisions of this section. The minimum stipulated herein shall be deemed to be exclusive of unenclosed porches, breezeways, garage area and basement and cellar rooms or areas, and of public hallways, foyers and service areas.

Type of Residence Building	Minimum Required Floor Area per Family (square feet)
One and two-family detached dwelling	900
Dwelling units in converted one-family Dwellings	750
Multiple dwelling, except one-room studio Apartment	600
Multiple dwelling, one-room studio Apartment only [not permitted in PTD District]	400

SECTION 6: The Code of the Village of Port Chester, Chapter 345, Article IV, “Supplementary Regulations,” is hereby amended as follows:

Section 345-13. Nonconforming uses and nonconforming buildings and structures.

A. Continuing Existing Uses. Except as otherwise provided in this section, the lawfully permitted uses of land or buildings and structures existing at the time of the adoption of this Regulation, or amendments made to this Regulation inclusive of new zoning districts, may be continued in accordance with the provisions of this section, although such use does not conform to the regulations specified by this Regulation for the district in which such land or building is located. Said uses, buildings and structures shall be deemed nonconforming uses.

...

C. Nonconforming use of buildings or structures.

(2) Any such nonconforming use may be extended throughout any parts of the building or structure which were manifestly arranged or designed for such use at the time of the adoption of this Regulation and subsequent amendments.

SECTION 7: The Code of the Village of Port Chester, Chapter 345, Article IV, “Supplementary Regulations,” is hereby amended as follows:

Section 345-14. Off-Street parking, truck loading and vehicular access.

A. General Application of off-street parking and truck loading requirements.

....

(3) Requirements for off-street parking facilities shall be applicable in all districts except the Central Business District, which district shall be defined as all lands located in the C2 Main Street Business District [Central Business District], the C5 Train Station Mixed Use District, and the C5T Downtown Mixed Use Transitional District, except that cabarets, catering and events establishments and theaters located in the C2 Main Street Business District [Central Business District], the C5 Train Station Mixed Use District, and the C5T Downtown Mixed Use Transitional District shall provide off-street parking according to the requirements applicable to those uses.

....

C. Schedule of off-street parking space requirements.

(1) For residential land uses

Uses	Number of Spaces Required
...	
Multifamily dwelling, including Condominium or cooperative dwelling [except in PTD District]	1.5 per dwelling
[Condominium or cooperative multifamily Dwelling in PTD]	[1.5 per dwelling unit]
...	

SECTION 8: The Code of the Village of Port Chester, Chapter 345, Article IV, “Supplementary Regulations,” is hereby amended as follows:

Section 345-15. Sign regulations

...

E. Other commercial and industrial district identification signs.

- (1) A wall identification sign shall be attached or incorporated in a building wall. Such sign shall not:
 - (a) Exceed two square feet in total area for each horizontal foot of such wall on which it is mounted up to a maximum of 100 horizontal feet and an additional one square foot for each horizontal foot. [; provided, however, that in the PTD District the sign area may be applied separately to both the base structure and to the individual tower buildings projecting from the open top deck of the base structure.]
 - (b) Be located above the second story of the building wall, [except in the PTD District this may be applied separately to the base structure and to the individual tower buildings projecting from the open deck of the base structure; and further provided that a symbol, not exceeding 10% of the permitted sign area, designed to identify a building, may be located higher on the building wall.]

...

H. Billboard Regulations

...

(9) Permitted zones. Billboards shall be permitted in only the following zoning districts:

- (a) C3 [Design] Office and Commercial District

....

SECTION 9: The Code of the Village of Port Chester, Chapter 345, Article IV, “Supplementary Regulations,” Section 345-16 “Modifications for large subdivision developments,” is deleted and new provisions of said Article, entitled “Building Height and Floor Area Bonus Program” is hereby added in its place and stead as follows:

[Section 345-16 Modifications for large subdivision developments]

[A. Where the owner of any tract of land having a total area of not less than 15,00 square feet presents for record a plat for the development of such tract primarily for residential purposes, the Planning Commission, in accordance with the provisions of Section 7-738 of the Village Law, may authorize a modification of all yard and area regulations as herein established and such modifications of the dwelling types herein are established as are essential in the effective carrying out of such residential development plan, subject to the following limitations:]

(1)

[(1) This section shall only apply in the R2F Zoning Districts.]

[(2) Useable open space of not less than 400 square feet per unit shall be provided and maintained, which open space will be kept in lawn or garden.]

[(3) Not less than two off-street parking spaces per unit shall be laid out and provided.]

[(4) Where the rear yard of an R2F Zone cluster abuts an R5 or R7 Zoning District, a minimum rear yard of 30 feet shall be maintained in the clustered development.]

[(5) Where the side yard of an R2F Cluster Zone abuts an R5 or R7 Zoning District, a minimum side yard of 14 feet shall be maintained on the side so abutting.]

[B. Purpose. The purpose of cluster development is to permit a procedure for development which will result in improved living and working environments, which will promote more economic subdivision layout, which will encourage a variety of types of residential dwellings, which will encourage ingenuity and originality in total subdivision and individual site design and which can preserve open space to serve recreational, scenic and public service purposes and other purposes related thereto within the densities established for the cluster net tract area.]

[C. Authorization and eligibility. Authorization is granted to the Planning Commission, pursuant to Section 7-738 of the Village Law, to apply clustering standards to plans of residential development.]

[D. Computation of unit density. In any R2F District, the Planning Commission may authorize the subdivision of tracts or parcels of land into lots for residential clustering use

in accordance with the density, use, height and parking requirements of the particular district.]

[(1) For purposes of computing net parcel acreage, the following areas are to be excluded from the gross area of the development:]

[(a) Bodies of water, including streams, ponds and swamps.]

[(b) Rock outcroppings of more than 200 square feet each.]

[(c) Areas with a slope of more than 25%.]

[(2) For purposes of computing parcel density, the net parcel square footage shall be divided by 2,500 square feet.]

[E. Subdivision review. Where any development will result in a division of land into two or more lots, plots, sites or parcels, subdivision review and application of clustering standards by the Planning Commission shall be coordinated through the Office of Planning and Development.]

[F. Application procedure and site plan elements. Application preparation, submission and review shall follow the procedure specified in Section 345-23 of this chapter and shall consist of the site plan elements required by Section 345-23E. The site plan shall further show:]

[(1) The disposition of various land uses and the areas covered by each, in acres.]

[(2) Delineation of the various residential areas, including the number of dwelling units by each housing type: single family detached and semidetached, attached quadruple or townhouse dwellings, multistory multiple dwellings, etc. plus a calculation of the density in lot area provided per dwelling unit.]

[(3) The common open space system and a statement as to how it is to be preserved as such throughout the life of any portion of the cluster development and how it is to be owned and maintained.]

[G. General requirements; design objectives and criteria. In reviewing a cluster development, the Planning Commission shall give particular consideration to the objectives set forth on Section 345-23 of this chapter and the following design objectives:]

[(1) Individual lots, buildings, streets and parking areas shall be designed and situated to minimize alteration of the natural site features to be preserved.]

- [(2) The usability of cluster open space intended for recreation or public use shall be determined by the size, shape, topographic and location requirements of the particular purpose proposed for the site.]
- [(3) Cluster open space shall include irreplaceable natural features located in the tract, such as but not limited to stream beds, significant stands of trees, individual trees of significant size and rock outcroppings.]
- [(4) Cluster open space intended for recreation or public use shall be easily accessible to pedestrians, which accessibility shall meet the needs of the handicapped and elderly.]
- [(5) Diversity and originality in lot layout and individual building design shall be encouraged to achieve the best possible relationship between development and the existing topography.]
- [(6) Individual lots, buildings, units and parking areas shall be situated to avoid the adverse effects of shadows, noise and traffic on the residents of the site.]
- [(7) Areas with slopes greater than 15% shall be preserved and not disturbed unless means to mitigate adverse environmental effects are defined in an engineer's, architect's or landscape architect's report and approved by the Planning Commission.]
- [(8) Energy conservation shall be encouraged through the use of southern slopes, where feasible, for passive solar access.]
- [H. Utility placement. All electrical, telephone, cable television and similar equipment shall be installed underground in accordance with the New York Public Service Commission regulations.]
- [I. On site improvements. The developer shall provide all necessary on site water and sewer facilities, including but not limited to water storage tanks, if necessary, storm drainage, highway access, paved service streets, curbing, sidewalks, parking and loading facilities, lighting, fire alarm and other necessary support systems, which shall be connected to the municipal systems at the nearest feasible point, and other necessary facilities, making reasonable provision for utility service or connections with adjoining properties in other ownerships. Such proposed improvements shall be subject to revision and approval by the appropriate municipal authority. The Village shall not be obligated to extend existing systems to accommodate the developer.]
- [J. Common lands and facilities.]

- [(1) Where a clustering development approved pursuant to this authorization results in the permanent preservation of open spaces or the creation of other commonly used lands or facilities, their location and use shall be governed by the Planning Commission, using as a guide the Comprehensive Development Plan and the concept of creating a coordinated system of open spaces with public right of way between them, as well as the purposes set forth herein and in section 7-738 of the Village Law.]
- [(2) In cluster developments having more than five acres, the developer may offer at least 25% of the total area of all common open space parcels containing an area greater than one acre each to the Village of Port Chester for dedication for public use. The Planning Commission shall review such offer of dedication during preliminary site plan review and recommend either acceptance or refusal of a part or all of said parcels to the Board of Trustees.]
- [(3) Common lands which are not dedicated in accordance with Subsection J(2) above and any private common facilities shall be owned and maintained by a property owners' association or its successor organization, subject to the following requirements:]
 - [(a) The property owners' association shall be a legal entity authorized by the laws of the State of New York. It shall be created by a trust agreement or certificate of incorporation, approved as to form and sufficiency by the Corporation Counsel and designed to assure the permanent preservation and protection of the common lands and any improvements thereon for their intended purposes. The association shall be established prior to obtaining a building permit.]
 - [(b) The property owners' association shall be responsible for the continued future maintenance, ownership and use of all such common lands and facilities.]
 - [(c) The property owners' association shall be perpetual and shall not dispose of any common land or any improvements thereon or thereunder, by sale or otherwise, except to a successor organization.]
 - [(d) The instrument establishing the association shall provide notice that, in the event that it or any successor organization shall at any time after approval of the development shall fail to maintain the common land or any improvements thereon in accordance with the approved plan, the Village Manager may serve certified or personal notice upon such legal entity or successor organization and upon the property owners as recorded on the assessment rolls within the development, setting forth the manner in which the association has failed to maintain the common land or any improvements thereon, and said notice shall include a demand that such deficiencies be corrected within 60 days. The Village Manager

may, upon application and for good cause, extend said period for additional sixty day periods. If the deficiencies are not so corrected, the Village Manager, in order to preserve the taxable values of the property within the development and to prevent the common land and improvements thereon from becoming a public nuisance, may direct that the Village enter upon and take possession of said common land and improvements and maintain the same until such time as the Board of Trustees shall determine that the property owners' association is ready and able to maintain the common land and improvements in proper condition. Said entry and maintenance shall not best in the public any rights to use the common land or improvements. The decision of the Village Manager with respect to the action described in this subsection shall constitute a final administrative decision subject to review in accordance with the provisions of Article 78 of the Civil Practice Law and Rules. The cost to the Village of any such maintenance shall be assessed against the properties within the cluster development affected, and in the event of a failure or refusal of any property owner to pay any such charges when levied, the unpaid amount thereof shall become a lien against the property and, together with interest allowed by state law from the due date thereof, shall be included in the following annual tax levy of the Village upon such property for the following fiscal year, and the amount so levied shall be collected in the same manner as other Village taxes.]

- [(e) The property owners' association agreement shall require that every property owner within the cluster development shall automatically be and become a member of the association and shall be subject to a charge for a proportionate share of expenses of the association's activities, including but not limited to the maintenance and operation of the common land improvements thereon.]
- [(4) After final site plan approval and before obtaining a building permit, the developer of the cluster development shall file a performance bond to ensure the proper installation of all improvements on common property.]

Section 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, PMU Planned Mixed Use, and DW2 Downtown

Design Waterfront Districts (see Schedule of Regulations for Non-Residence Districts, Attachment 3B) by special exception only 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.

In the C2 Main Street Business, C5 Train Station Mixed Use, C5T Downtown Mixed Use Transitional, PMU Planned Mixed Use, and DW2 Downtown Design Waterfront 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, Attachment 3B).

In the C2 Main Street Business, C5 Train Station Mixed Use, C5T Downtown Mixed Use Transitional, and DW2 Downtown Design Waterfront Districts, a reduction in Minimum Size of Lot: Area per dwelling unit (square feet) can also be achieved in accordance with both this section and the Schedule of Regulations for Nonresidence Districts, Attachment 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 useable 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 of the Board of Trustees. The payment for bonusable floor area shall be calculated at a minimum of 15 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 Board of Trustees. The payment for bonusable

floor area shall be calculated at minimum of 15 percent of the assessed value of the bonusable floor space, as determined by the 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 for bonusable floor area shall be calculated at a minimum of 15 percent of the assessed value of the bonusable floor space, as determined by the Assessor.

(4) All three funds listed in Section 345-16C(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.

D. Bonusable building height option.

Bonus building height is also earned in the C5 Train Station Mixed Use, C5T Downtown Mixed Use Transitional, and PMU Planned Mixed Use Districts in addition to the bonus floor area achieved through the provisions established in this Section. Bonus height is in addition to the maximum building height in the respective district, as established in the Schedule of Regulations for Nonresidence Districts, Attachment 3B. Bonus height is earned by contributing to any of the three provisions specified in Section 345-16C(1), (2) and (3) above.

In the C5 Train Station Mixed Use and C5T Downtown Mixed Use Transitional Districts, a reduction in Minimum Size of Lot: Area per dwelling unit (square feet) can also be achieved in accordance with both this section and the Schedule of Regulations for Nonresidence Districts, Attachment 3B.

SECTION 10: The Code of the Village of Port Chester, Chapter 345, “Zoning”, Article VIII, entitled “Use and Dimensional Regulations for Residential Districts”, is hereby amended as follows:

Within any residence district, a building, structure or lot shall only be used for the uses indicated for that specific district in which it is located on the Zoning Map and in accordance with the specific classifications of that use in that district as shown in the Schedule of Regulations for Residence Districts which are annexed hereto and included at the end of this chapter ; and further, any such building, structure or lot shall only be utilized in conformance with the dimensional regulations set forth on the same Schedule of Regulations for Residence Districts. In addition, such use shall also comply with all other applicable provisions of this Regulation.

Section 345-39. R20 One-Family Residence District

See the Schedule of Regulations for Residence Districts (Attachments 1A and 1B)

Section 345-40. R7 One-Family Residence District

See the Schedule of Regulations for Residence Districts (Attachments 1A and 1B)

Section 345-41 R5 One-Family Residence District

See the Schedule of Regulations for Residence Districts (Attachments 1A and 1B)

Section 345-42 R2F Two-Family Residence District

See the Schedule of Regulations for Residence Districts (Attachments 1A and 1B)

Section 345-43 RA2 Multifamily Residence District

See the Schedule of Regulations for Residence Districts (Attachments 1A and 1B)

Section 345-44 RA3 Multifamily Residence District.

See the Schedule of Regulations for Residence Districts (Attachments 1A and 1B)

Section 345-45 RA4 Multifamily Residence District.

See the Schedule of Regulations for Residence Districts (Attachments 1A and 1B)

Section 345-46 (Reserved) [PTD Planner Tower Development District]

SECTION 11: The Code of the Village of Port Chester, Chapter 345, “Zoning”, Article IX, Use and Dimensional Regulations for Nonresidence Districts, is hereby amended as follows:

Within any nonresidence district, a building, structure or lot shall only be used for the uses indicated for that specific district in which it is located on the Zoning Map and in accordance with the specific classification for that use in that district as shown in the Schedule of regulations for Nonresidence Districts which are annexed hereto and included at the end of this chapter; and further, any such building, structure or lot shall only be utilized in conformance with the dimensional regulations set forth on the same Schedule of Regulations for Nonresidence Districts. In addition such use shall also comply with all other applicable provisions of this Article.

Section 345-47 C1 Neighborhood Retail District

See the Schedule of Regulations for Nonresidence Districts (Attachments 3A and 3B)

Section 345-48 C2 Main Street Business District [Central Business District]

See the Schedule of Regulations for Nonresidence Districts (Attachments 3A and 3B)

Section 345-49 C3 [Design] Office and Commercial District

See the Schedule of Regulations for Nonresidence Districts (Attachments 3A and 3B)

Section 345-50 C4 General Commercial District.

See the Schedule of Regulations for Nonresidence Districts (Attachments 3A and 3B)

Section 345-50.1 C5 Train Station Mixed Use District.

See the Schedule of Regulations for Nonresidence Districts (Attachments 3A and 3B)

Section 345-50.2 C5T Downtown Mixed Use Transitional District

See the Schedule of Regulations for Nonresidence Districts (Attachments 3A and 3B)

Section 345-51. CD Design Shopping Center District.

See the Schedule of Regulations for Nonresidence Districts (Attachments 3A and 3B)

Section 345-52, CDS Special Design Commercial District.

See the Schedule of Regulations for Nonresidence Districts (Attachments 3A and 3B)

Section 345-53. PD Design Professional Building District.

See the Schedule of Regulations for Nonresidence Districts. (Attachments 3A and 3B)

Section 345-54. DW Design Waterfront District.

See the Schedule of Regulations for Nonresidence Districts. (Attachments 3A and 3B)

Section 345-54.1. DW2 Downtown Design Waterfront District

See the Schedule of Regulations for Nonresidence Districts. (Attachments 3A and 3B)

Section 345-54.1. DW2 Downtown Design Waterfront

A. Purpose of District

(1) It is the purpose of the Downtown Design Waterfront District (DW2) to provide for appropriate scaled and environmentally sound development along the Byram River waterfront.

This section provides the criteria so that such waterfront development will enhance the Byram River waterfront without imposing potentially significant adverse environmental impacts.

B. Permitted Principal Uses

- (1) Multifamily dwelling.
- (2) Multifamily dwelling (floors above first floor).
- (3) Church or other place of worship.
- (4) Convalescent home or nursing home.
- (5) Membership club, fraternal organization or similar social institution not operated for a profit.
- (6) Public utility facility.
- (7) School, elementary or high, public, private or parochial, having a curriculum equivalent to that ordinarily given in public schools.
- (8) Bank, excluding drive-in.
- (9) Hotel or motel.
- (10) Hotel, motel (floors above first floor).
- (11) Hotel, limited service.
- (12) Marina or yacht club.
- (13) Theater.
- (14) Office, office building.
- (15) Radio or television station studio, excluding transmission tower.
- (16) Radio or television station studio, excluding transmission tower (floors above first floor).
- (17) Retail store or personal service shop, services clearly incidental to retail sales on the premises or to personal services.
- (18) Veterinary hospital or board and care of small animals.
- (19) Wholesale business, storage building or warehouse
- (20) Creamery, ice cream parlor or bakery plant.
- (21) Laundry or dry-cleaning plant.

(22) Nuisance industry, provided that in nonindustrial districts equipment is used that has a rating of no more than 5 horsepower.

(23) Printing plant.

(24) Research laboratory, provided that is shall not be obnoxious by reason of dissemination of smoke, dust, fumes, noise or vibration or hazardous from fire waste materials or the creation of excessive demands upon municipal services.

C. Permitted Accessory Uses

(1) 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) Ground-floor office as accessory use to multifamily development.

(3) Provide garage or private off-street parking area, in accordance with §345-14.

(4) Sign, in accordance with §345-15.

D. Dimensional Standards and Regulations

(1) Maximum Floor Area Ratio (See definition, §345-2)

(a) The maximum floor area ratio (FAR): 2.4.

A 0.2 floor area ratio bonus over the maximum floor area ratio permitted is allowable by special exception, pursuant to the requirements set forth in Section 345-16(C) and the Schedule of Regulations for Nonresidence Districts, Attachment 3B with approval by the Village Board of Trustees.

(2) Maximum Floor Area Ratio for 1 Story: None required.

(3) Minimum Size of Lot

(a) Area, nonresidential (square feet): None required.

(b) Area per dwelling unit (square feet): 600.

A minimum area per dwelling unit of 500 square feet is allowable by special exception, pursuant to the requirements set forth in Section 345-16(C) and the Schedule of Regulations for Nonresidence Districts, Attachment 3B with approval by the Village Board of Trustees.

(c) Width (feet): 40

(d) Depth (feet): None required.

(4) Minimum Yard Dimensions

(a) Front (feet): 5.

(b) Side

(i) One (feet): 5.

(ii) Total of 2 on interior lot (feet): 10.

(c) Rear (feet): 20.

(5) Maximum Height of Building

(a) In stories: 4.

(b) In feet: 50.

(6) Minimum Usable Open Space on Lot

(a) For each dwelling unit (square feet): 50. The Village Board of Trustees may accept an offer of cash in lieu of 50 square feet of useable open space per unit or portion thereof. The value shall be based on 50% of the assessed value of the land on the site, calculated by utilizing the 50 square feet of land per unit. All funds shall be kept by the Village in separate account to be used only for the acquisition, preservation, or improvement of open space.

Section 345-55. M1 Light Industrial District.

See the Schedule of Regulations for Nonresidence Districts (Attachments 3A and 3B)

Section 345-56. M2 General Industrial District.

See the Schedule of Regulations for Nonresidence Districts (Attachments 3A and 3B)

...

Section 345-57 Planned Mixed Use District [PRSP Planned Railroad Station Plaza Development District]

See the Schedule of Regulations for Nonresidence Districts (Attachments 3A and 3B)

Section 345-57.1. M2D Designed Downtown Industrial District

See the Schedule of Regulations for Nonresidence Districts (Attachment 2)

...

SECTION 12: The Code of the Village of Port Chester, Chapter 345, “Zoning”, Article X, entitled “Special Exception Use Regulations”, is hereby amended as follows:

Section 345-60 General standards

...

(B) All special exception uses in the Design Waterfront [District] (DW) and Downtown Design Waterfront (DW2) Districts shall meet the following additional general standards...

SECTION 13: The Code of the Village of Port Chester, Chapter 345, “Zoning”, Article X, entitled “Special Exception Use Regulations”, is hereby amended as follows:

Section 345-61 Special conditions and safeguards for certain special exception uses.

...

F. Gasoline Service Station

....

(4) Gasoline pumps and other service equipment shall be set back from a street lot line at least 20 feet. All other buildings and structures shall be set back at least 40 feet from a street lot line and 15 feet from other lot lines, unless larger distances are specified in the Regulations. All buildings, pumps and other service equipment shall be set back at least 30 feet from the boundary of any residence district, and a landscaped area at least 10 feet wide containing a dense screen of evergreens at least eight feet in height shall be maintained between any filling station and a contiguous lot in a residential district. [except that in any C2 Central Business District said evergreens need not be provided between any filling station and a contiguous lot in a residential district, but if said screen of evergreens is not provided, there shall be required instead a solid faced fence at least six feet high, with the smooth side facing any contiguous lot in a residential district.]

SECTION 14: The Code of the Village of Port Chester, Chapter 345, “Zoning”, Article X, entitled “Special Exception Use Regulations”, is hereby amended as follows:

Section 345-61 Special conditions and safeguards for certain special exception uses.

...

G. Health Club

(1) Off-street parking shall be provided in accordance with Section 345-14 in all zones, including the C2 Main Street Business District. [Central Business District] The adequacy of the parking shall be determined by considering all of the facilities to be contained within the health club.

SECTION 15: The Code of the Village of Port Chester, Chapter 345, “Zoning”, Article X, entitled “Special Exception Use Regulations”, is hereby amended as follows:

Section 345-61 Special conditions and safeguards for certain special exception uses.

....

X. Ground floor office as accessory use to multifamily development.

(1) The purpose of this special exception use is to permit ground floor office use in a C-2 Zone as a component of and in connection with a special exception use permitting multifamily development. For purposes of this section “office use” shall be defined as professional offices, including but not limited to medical, legal, architectural, real estate, insurance or similar professional uses. The use as a ground floor office shall be in addition to the currently permitted C2 Main Street Business [General Business] uses. This section provides criteria in which such use is to be permitted so that said special exception use may be planned and developed in an orderly manner on parcels of land which are appropriate for such use. It is further the intent to:

SECTION 16: The Code of the Village of Port Chester, Chapter 345 “Zoning”, Article XI, entitled “PRSP Planned Railroad Station Development District” is deleted and new provisions of said Article, entitled “Planned Mixed Use District” is hereby added in its place and stead as follows:

Section 345-62. [PRSP Planned railroad Station Plaza Development District.] Planned Mixed Use District

[A. Permitted principal uses.]

[(1) Village parking lot or garage for passenger motor vehicles.]

[(2) Village offices or recreation facilities.]

[B. Permitted accessory uses.]

[(1) Any accessory building or use customarily incident to a permitted use.]

[C. Planned railroad station plaza development, subject to approval by the Board of Trustees, after a public hearing and pursuant to the following procedures and requirements:]

[(1) The planned railroad station plaza development may include one or a combination of the following uses:]

[(a) Any of the uses listed in Subsections A and B above.]

[(b) Membership club, fraternal organization and similar social institutions operated for profit.]

[(c) Office, office building, bank, excluding drive in facilities.]

[(d) Railroad passenger station, bus and taxi passenger facilities.]

[(e) Restaurant or other places serving food or beverages, other than a drive in restaurant.]

[(f) Retail store or personal service shop not exceeding 1,200 square feet of floor area; further provided that the total floor area devoted to such uses shall not exceed 1% of the total floor area of the principal uses in the district, excluding off-street parking, Village offices and recreation facilities, and all accessory uses.]

[(2) The planned railroad station plaza development application shall be submitted as a modification of the Village Comprehensive Plan and shall include the following:]

[(a) Proposed land use plan, including land area, total floor area by use and floor area by use for each building level.]

[(b) Proposed horizontal and vertical circulation plan for vehicles, pedestrians and service deliveries; and an analysis of the impact of the projected traffic generation on the surrounding community.]

[(c) Proposed drainage and utility service analysis and plan.]

[(d) Proposed plan for coordination of the planned railroad station plaza development proposal with projected land uses, circulation, community facilities and utilities in the vicinity, including any proposed agreements regarding such coordination.]

[(e) Such other supporting documentation as the Village Board of Trustees shall request.]

[(3) Prior to taking action on the proposed planned railroad station plaza development, the Village Board of Trustees shall hold a public hearing after public notice.]

[(4) The planned railroad station plaza development approval by the Village Board of Trustees shall be adequately documented to provide a definitive basis for the issuance of building permits. Such approval and building permits shall expire two years after such authorization if substantial work has not been completed within such period. Extension of the approval and building permits may be granted by the Board of Trustees.]

[(5) Planned railroad station plaza development uses shall be construed to be conforming uses.]

[(6) Any violation of the limitations or special conditions and safeguards established by such specific authorization and approval shall be deemed a violation of this Regulation and punishable under the provisions of Section 345-26.]

[(7) The fee for a planned railroad station plaza development zoning permit application shall be as set forth in Chapter 175, Fees. Such fee shall not be refundable.]

[(8) In approving such an application, the Village Board of Trustees shall determine that:]

[(a) Such uses will be in harmony with and will tend to promote the general purposes and intent of this Regulation and the Village Comprehensive Plan.]

[(b) The district site area is sufficient, appropriate and suitably situated for the uses and the reasonably anticipated operation and expansion thereof.]

[(c) The proposed uses will not prevent the orderly and reasonable use of adjacent properties in adjacent zoning districts.]

[(d) Access facilities are adequate for the estimated traffic from public streets, sidewalks and public transportation, so as to assure the public safety and to avoid undue traffic congestion; and further that vehicular entrances and exits shall be clearly visible from the street and not be within 75 feet of the intersection of street lines at a street intersection, except under unusual circumstances.]

[(e) All proposed curb cuts and signalization shall have been approved by the street or highway agency which has jurisdiction.]

[(f) There are off street parking and truck loading spaces at least equivalent in number to those required in this section, but in any case sufficient for the anticipated number of occupants, both employees and patrons or visitors; and further, that the layout of the spaces and driveways is convenient and conducive to safe operation.]

[(g) There are adequate yards, walls, fences and screening where necessary to protect the public and adjacent properties,]

[(h) Adequate provisions have been made for the collection and disposal of stormwater runoff from the site, and of sanitary sewage, refuse or other wastes, whether they be liquid, solid, gaseous or of any other character.]

[(i) Public open spaces are so designed and landscaped as to enhance the environment of the Central Business District.]

[D. Maximum floor area ratio. (See definition, Section 345-2) The maximum floor area ratios set forth herein shall apply to the aggregate of all buildings and structures on the district site.]

[(1) Parking garage structure on the east side of the railroad tracks shall have a floor area ratio not exceeding 1.80 with reference to the total district land area, provided that no one story shall exceed 0.45 and that the top floor level shall be on an open deck except for a potential covered walkway.]

[(2) Parking garage structure on the west side of the railroad shall primarily be below grade; nevertheless its floor area ratio shall not exceed 1.20 with reference to the total district land area, provided that no one story shall exceed 0.40 and that the top floor level shall be an open deck developed as the plaza setting for the proposed buildings, including only short term off street parking with an area not exceeding 50% of the total plaza area.

[(3) The aggregate floor area of any above ground structures on the west side of the railroad tracks shall not exceed a floor area ratio of 2.0 with reference to the total district land area, provided that no one story shall exceed 0.25.]

[E. Minimum size of lot.]

[(1) Area: 6 ½ acres.]

[(2) Width: none]

[(3) Depth: None]

[F. Minimum yard dimensions:]

[(1) Front: none, except as required by the Village Board of Trustees]

[(2) Side:]

[(a) Least one: none, except as required by the Village Board of Trustees]

[(b) Total of two: none, except as required by the Village Board of Trustees]

[(3) Rear: none, except as required by the Village Board of Trustees]

[G. Maximum height of buildings.]

[(1) East side of the railroad: 45 feet]

[(2) West side of the railroad: 235 feet]

[H. Maximum useable open space on lot, as required by Section 345-10C: none.]

[I. Mandatory off street loading space (as defined in Section 345-14): for all buildings other than parking garages: one space for each 60,000 square feet of floor area or part thereof, plus one additional space for railroad related use.]

[J. Other provisions and requirements.]

[(1) Required off street parking shall be computed on the basis of 3.0 parking spaces for each 1,000 square feet of net floor area, plus 500 parking spaces for railroad commuters and employees.]

A. Purpose of district.

(1) It is the purpose of the Planned Mixed Use (PMU) District to provide opportunity for appropriately scaled and context-sensitive redevelopment to replace the de-commissioned hospital located at 406 Boston Post Road (Section 141.052, Block 1, Lot 2 and Section 141.052, Block 1, Lot 2.4) and the adjacent 12-story residential apartment building located at 999 High Street (Section 141.052, Block 1, Lot 2.1), which together comprise approximately 15 acres, the largest remaining development site in the Village.

This section provides the criteria so that mixed use development, including 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 of 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 or 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; bank, excluding drive-in.

(9) Off-street parking lot or garage for motor vehicles; minimum requirements shall be in accordance with Section 345-14.

(10) Ground-floor office as accessory use to multifamily development.

C. Permitted accessory uses.

(1) Private garage or private off-street parking area, in accordance with Section 345-14.

(2) Sign, in accordance with Section 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, excluding any incentive density increases which may be granted pursuant to the requirements set forth in Section 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 ration (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%).

(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 feet shall be allowable by special exception, subject to the approval by the Board of Trustees and excluding any incentive density increases which may be granted pursuant to the requirements set forth in Section 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 Section 345-16 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.

F. Approvals.

The Village Board of Trustees is hereby authorized to grant site plan approval under Article V, “Administration and Enforcement” and special exception use approval under Article X, “Special Exception Use Regulations.”

SECTION 17: The Official Zoning Map of the Village of Port Chester is hereby amended as follows:

To permit the following property to be changed from a C2 Main Street Business District to a C5 Train Station Mixed Use District and be thereafter subject to the requirements and regulations of such latter district as described in the Village Code, Chapter 345, Zoning Regulation:

C2 to C5

Address	Section, Block and Lot	Existing Zoning	Proposed Zone
101-111 Westchester Ave	142.30-2-24	C2	C5
12 King St	142.30-2-25	C2	C5
136 Irving Ave	142.22-2-3	C2	C5
139 Irving Ave	142.22-2-72	C2	C5
14 King St	142.30-2-26	C2	C5
143 Irving Ave	142.22-2-71	C2	C5
143 Westchester Ave	142.30-2-21	C2	C5
144 King St	142.22-2-67	C2	C5
145 Irving Ave	142.22-2-70	C2	C5
145 Westchester Ave	142.30-2-20	C2	C5
146-148 Irving Ave	142.22-2-5	C2	C5
147 Irving Ave	142.22-2-69	C2	C5
151 Westchester Ave	142.30-2-19	C2	C5
153-157 Westchester Ave	142.30-2-18	C2	C5
16-18 King St	142.30-2-27	C2	C5
20 Broad St	142.30-2-22	C2	C5
20-24 King St	142.30-2-28	C2	C5
30 Broad St	142.22-2-2	C2	C5
34-36 Broad St	142.22-2-73	C2	C5
38 Broad St	142.22-2-74	C2	C5
40 Broad St	142.22-2-75	C2	C5
46 Broad St	142.22-2-76	C2	C5
5 N Pearl St	142.30-2-2	C2	C5
50 Broad St	142.22-2-77	C2	C5
9 -11 N Pearl St	142.30-2-1	C2	C5
Broad St	142.22-2-1	C2	C5
Broad St	142.30-2-23	C2	C5
Broad St	142.30-2-23.1	C2	C5
Irving Ave	142.22-2-4	C2	C5
King St	142.30-2-29	C2	C5
King St	142.23-1-1	C2	C5
N Pearl St	142.22-2-68	C2	C5

SECTION 18: The Official Zoning Map of the Village of Port Chester is hereby amended as follows:

To permit the following property to be changed from a C2 Main Street Business District to a C5T Downtown Mixed Use District and thereafter subject to the requirements and regulations of such latter district as described in the Village Code, Chapter 345, Zoning Regulation:

C2 to C5T

Address	Section, Block and Lot	Existing Zoning	Proposed Zone
10 S Main St	142.30-2-49	C2	C5T
106 Westchester Ave	142.30-2-54	C2	C5T
11 Pearl St	142.30-2-3	C2	C5T
110 Westchester Ave	142.30-2-55	C2	C5T
112 Westchester Ave	142.30-2-56	C2	C5T
114-122 Westchester Ave	142.30-2-63.1	C2	C5T
14 S Main St	142.30-2-48	C2	C5T
140 Westchester Ave	142.30-2-65	C2	C5T
148-150 Westchester Ave	142.30-2-17	C2	C5T
15 E Broadway	142.30-2-58	C2	C5T
16 S Main St	142.30-2-47	C2/C4	C5T/C2
18 S Main St	142.30-2-46	C2/C4	C5T/C2
2 S Main St	142.30-2-53	C2	C5T
20 S Main St	142.30-2-45	C2	C5T
21 E Broadway	142.30-2-59	C2	C5T
22 S Main St	142.30-2-44	C2	C5T
4 S Main St	142.30-2-52	C2	C5T
6 S Main St	142.30-2-51	C2	C5T
7 E Broadway	142.30-2-57	C2	C5T
8 S Main St	142.30-2-50	C2	C5T
9 New Broad St	142.30-2-63	C2/C4	C5T/C4

SECTION 19: The Official Map of the Village of Port Chester is hereby amended as follows:

To permit the following property to be changed from a C2 Main Street Business District to a DW2 Downtown Design Waterfront District and thereafter subject to the requirements and regulations of such latter district as described in the Village Code, Chapter 345, Zoning Regulation:

C2 to DW2

Address	Section, Block and Lot	Existing Zoning	Proposed Zone
1 Mill St	142.23-2-7	C2	DW2
10 Mill St	142.23-2-10	C2	DW2
1-11 Willett Ave	142.23-2-16	C2	DW2
13 Mill St	136.79-2-45	C2	DW2
141 Abendroth	142.23-2-47	C2	DW2
15-17 Mill St	142.23-2-5	C2	DW2
2 Highland St	142.23-2-14	C2	DW2
21 Abendroth Ave	142.23-2-11	C2	DW2
25 Abendroth Ave Mill St	142.23-2-12 142.23-2-6	C2 C2	DW2 DW2

SECTION 20: The Official Map of the Village of Port Chester is hereby amended as follows:

To permit the following property to be changed from a C4 General Commercial District to a C2 Main Street Business District and thereafter subject to the requirements and regulations of such latter district as described in the Village Code, Chapter 345, Zoning Regulations:

C4 to C2

Address	Section, Block and Lot	Existing Zoning	Proposed Zone
112 William St	142.38-1-37	C4	C2
113-115 William St	142.38-1-51	C4	C2
116 William St	142.38-1-38	C4	C2
118 William St	142.38-1-39	C4	C2
120 S Main St	142.38-1-32	C4	C2
122 S Main St	142.38-1-31	C4	C2
124 S Main St	142.38-1-30	C4	C2

136-138 S Main St	142.38-1-27	C4	C2
140 S Main St	142.38-1-26	C4	C2
194 1/2 S Main St	142.38-1-28	C4	C2
194 S Main St	142.38-1-29	C4	C2
25 E Broadway	142.30-2-60	C4	C2
43 E Broadway	142.30-2-61	C4	C2
47 E Broadway	142.38-1-45	C4	C2
50 S Main St	142.38-1-53	C4	C2
51 E Broadway	142.38-1-46	C4	C2
55 E Broadway	142.38-1-47	C4	C2
57-59 E Broadway	142.38-1-48	C4	C2
63 E Broadway	142.38-1-49	C4	C2
65 E Broadway	142.38-1-50	C4	C2
S Main St	142.38-1-25	C4	C2
Westchester Ave	142.30-2-62	C4/C2	C2
William St	142.38-1-40	C4	C2
William St	142.38-1-41	C4	C2

SECTION 21: The Official Map of the Village of Port Chester is hereby amended as follows:

To permit the following property to be changed from a M1 Light Industrial District to a DW Design Waterfront District and thereafter subject to the requirements and regulations of such latter district as described in the Village Code, Chapter 345, Zoning Regulation:

M1 to DW

Address	Section, Block and Lot	Existing Zoning	Proposed Zone
1 Martin Pl	142.39-1-61	M1	DW
15 Beech St	142.47-1-27	M1	DW
26 Martin Pl	142.39-1-52	M1	DW
30-32 Martin Pl	142.39-1-51	M1	DW
31 Purdy Ave	142.39-1-70	M1/DW	DW
36 Martin Pl	142.39-1-50	M1	DW
38 Beech St	142.47-1-22	M1	DW
38 Townsend St*	142.39-1-31	M1/MUR	DW
40 Beech St	142.47-1-23	M1	DW
40 Martin Pl	142.39-1-49	M1	DW
44 Beech St	142.47-1-21	M1	DW
44 Purdy Ave	142.47-1-28	M1	DW

45 Townsend St	142.39-1-43	M1	DW
45 Traverse Ave	142.39-1-12	M1	DW
47 Purdy Ave	142.39-1-63	M1	DW
47 Townsend St	142.39-1-44	M1	DW
48 Beech St	142.47-1-20	M1	DW
48 Purdy Ave	142.47-1-29	M1	DW
48 Townsend St	142.39-1-30	M1	DW
49 Townsend St	142.39-1-45	M1	DW
49-51 Beech St	142.47-1-25	M1	DW
5 Dock St	142.39-1-48	M1	DW
51 Purdy Ave	142.39-1-69	M1	DW
52-54 Beech St	142.47-1-19	M1	DW
55 Purdy Ave	142.39-1-68	M1	DW
58 Townsend St	142.39-1-29	M1	DW
60 Townsend St	142.39-1-28	M1	DW
62 Townsend St	142.39-1-27	M1	DW
63 Purdy Ave	142.39-1-20	M1	DW
63 Townsend St	142.39-1-64	M1	DW
63 Traverse Ave	142.39-1-13	M1	DW
65 Traverse Ave	142.39-1-14	M1	DW
66 Townsend St	142.39-1-26	M1	DW
67 Purdy Ave	142.39-1-19	M1	DW
67-71 Townsend St	142.39-1-65	M1	DW
68 Townsend St	142.39-1-25	M1	DW
69 Traverse Ave	142.39-1-15	M1	DW
70 Purdy Ave	142.39-1-2	M1/R2F	DW/R2F
71 Purdy Ave	142.39-1-18	M1	DW
72 Townsend St	142.39-1-24	M1	DW
73 Traverse Ave	142.39-1-16	M1	DW
74 Townsend St	142.39-1-23	M1	DW
75 Traverse Ave	142.39-1-17	M1	DW
78 Townsend St	142.39-1-22	M1	DW
82 Townsend St	142.39-1-21	M1	DW
9 Beech St	142.47-1-18	M1/R2F	DW/R2F
Beech St	142.47-1-26	M1	DW
Martin Pl	142.39-1-62	M1	DW

**38 Townsend Street (TMID142.39-1-3) also includes Parcel 4 – comprised of approximately 5,000 sf of real estate located adjacent to TMID No. 142.39-1-31 and being a portion of former TMID No. 2-100-10, all as more particularly described as follows: All that certain plot, piece or parcel of land, situate, lying and being in the Village of Port Chester, Town of Rye, being more particularly bounded and described as follows:*

Beginning at a point being the intersection of the northerly line of lands now or formerly of Maria Sanellez and the westerly line of the premises herein, distant north 89° 30' 24" east 167.32 feet from the intersection of said northerly line and the easterly side of Traverse Avenue, a public way; running thence north 02° 39' 35" east, 17.39 feet; thence north 67° 45' 46" east, 20.46 feet; thence south 89° 03' 58" east, 20.21 feet; thence north 00° 00' 47" east, 6.06 feet; thence north 89° 26' 12" east, 56.41 feet to a point of

curvature: thence along an arc of a circle bearing to the right, having a radius of 42.81 feet, a length of 59.84 feet to a point of tangency along the westerly line of Townsend Street; thence south 01° 19' 00" west 11.71 feet; thence leaving the westerly line of Townsend Street Extension, south 89° 23' 34" west 105.03 feet; thence north 03° 33' 24" east, 4.03 feet; thence north 06° 16' 36" west 12.76 feet; south 89° 30' 24" west 32.45 feet to the point or place of beginning.

SECTION 22: The Official Map of the Village of Port Chester is hereby amended as follows:

To permit the following property to be changed from a M1 Light Industrial District to a R2F Two-Family Residence District and thereafter subject to the requirements and regulations of such latter district as described in the Village Code, Chapter 345, Zoning Regulation:

M1 to R2F

Address	Section, Block and Lot	Existing Zoning	Proposed Zone
10 Bulkley Ave	142.22-1-49	M1	R2F
10-12 Bush Ave	136.78-2-24	M1	R2F
11 Bulkley Ave	142.22-1-43	M1	R2F
11-13 Bush Ave	142.22-1-60	M1	R2F
12 Bulkley Ave	142.22-1-48	M1	R2F
14 Bush Ave	136.78-2-23	M1	R2F
15 Bulkley Ave	142.22-1-44	M1	R2F
15-17 Bush Ave	136.78-1-1	M1	R2F
16-18 Bulkley Ave	142.22-1-47	M1	R2F
18 Bush Ave	136.78-2-22	M1	R2F
19 Bush Ave	136.78-1-2	M1	R2F
20 Bulkley Ave	142.22-1-46	M1	R2F
20 Bush Ave	136.78-2-21	M1	R2F
21 Bush Ave	136.78-1-3	M1	R2F
227 Irving Ave	142.22-1-35	M1/C1	R2F/C1
24 Bush Ave	136.78-2-20	M1	R2F
26 Bush Ave	136.78-2-19	M1	R2F
28 Bulkley Ave	142.22-1-45	M1	R2F
30 Bush Ave	136.78-2-18	M1	R2F
31 Bush Ave	136.78-1-5	M1	R2F
32 Bulkley Ave	136.78-1-12	M1	R2F
34 Bulkley Ave	136.78-1-11	M1	R2F
34 Bush Ave	136.78-2-17	M1	R2F
35 Bush Ave	136.78-1-6	M1	R2F
36 Bush Ave	136.78-2-16	M1	R2F
38 Bulkley Ave	136.78-1-10	M1	R2F
39 Bush Ave	136.78-1-7	M1	R2F
5 Bush Ave	142.22-1-58.1	M1	R2F

57 Haseco Ave	136.78-1-9	M1	R2F
6 Bulkley Ave	142.22-1-51	M1	R2F
61 Haseco Ave	136.78-1-8	M1	R2F
7 Bulkley Ave	142.22-1-42	M1	R2F
7 Bush Ave	142.22-1-58	M1	R2F
8 Bulkley Ave	142.22-1-50	M1	R2F
8 Bush Ave	136.78-2-25	M1	R2F
9 Bush Ave	142.22-1-59	M1	R2F
Bush Ave	136.78-1-4	M1	R2F

SECTION 23: The Official Map of the Village of Port Chester is hereby amended as follows:

To permit the following property to be changed from a MUR Marina Redevelopment Project Urban Renewal District to a DW Design Waterfront District and thereafter subject to the requirements and regulations of such latter district as described in the Village Code, Chapter 345, Zoning Regulation.

MUR to DW

Address	Section, Block and Lot	Existing Zoning	Proposed Zone
3 Dock St	142.39-1-47	MUR	DW
43 Townsend St	142.39-1-42	MUR	DW
51 Townsend St	142.39-1-46	MUR	DW
73-75 Townsend St	142.39-1-66	MUR	DW
77 Townsend St	142.39-1-67	MUR	DW

SECTION 24: The Official Map of the Village of Port Chester is hereby amended as follows:

To permit the following property to be changed from a R2F Two Family Residence District to a PMU Planned Mixed Use District and thereafter subject to the requirements and regulations of such latter district as described in the Village Code, Chapter 345, Zoning Regulation:

R2F to PMU

Address	Section, Block and Lot	Existing Zoning	Proposed Zone
406 Boston Post Rd	141.52-1-2	R2F	PMU
406 Boston Post Rd	141.52-1-2.4	R2F	PMU
999 High St	141.52-1-2.1	R2F	PMU

SECTION 25: The Official Map of the Village of Port Chester is hereby amended as follows:

To permit the following property to be changed from a R2F Two-Family Residence District to a R5 One-Family Residence District and thereafter subject to the requirements and regulations of such latter district as described in the Village Code, Chapter 345, Zoning Regulation.

R2F to R5

Address	Section, Block and Lot	Existing Zoning	Proposed Zone
Putnam Ave	136.56-1-50	R2F/C4	R5/C4
15 Riverdale Ave	136.56-1-47	R2F	R5
17 Riverdale Ave	136.56-1-46	R2F	R5
18 Riverdale Ave	136.56-1-18	R2F	R5
19 Riverdale Ave	136.56-1-45	R2F	R5
20 Riverdale Ave	136.56-1-19	R2F	R5
21 Riverdale Ave	136.56-1-44	R2F	R5
210 Madison Ave	136.64-1-17	R2F	R5
211 Madison Ave	136.64-1-18	R2F	R5
213 Madison Ave	136.56-1-17	R2F	R5
215 Madison Ave	136.56-1-16	R2F	R5
216 Madison Ave	136.55-2-19	R2F	R5

217 Madison Ave	136.56-1-15	R2F	R5
217 Mortimer St	136.63-1-71	R2F	R5
218 Madison Ave	136.55-2-20	R2F	R5
219 Mortimer St	136.63-1-70	R2F	R5
22 Riverdale Ave	136.56-1-20	R2F	R5
221 1/2 Mortimer St	136.63-1-69	R2F	R5
221 Mortimer St	136.63-1-68	R2F	R5
222 Madison Ave	136.55-2-21	R2F	R5
223 Madison Ave	136.56-1-14	R2F	R5
223 Mortimer St	136.63-1-67	R2F	R5
225 Madison Ave	136.56-1-13	R2F	R5
226 Madison Ave	136.55-2-22	R2F	R5
229 Madison Ave	136.56-1-12	R2F	R5
23 Riverdale Ave	136.56-1-43	R2F	R5
23 Riverdale Ave	136.56-1-48	R2F	R5
230 Madison Ave	136.55-2-23	R2F	R5
231 Madison Ave	136.56-1-11	R2F	R5
232 Madison Ave	136.55-2-24	R2F	R5
233 Madison Ave	136.56-1-10	R2F	R5
233 Mortimer St	136.63-1-66	R2F	R5
234 Madison Ave	136.55-2-25	R2F	R5
235 Husted St	136.63-1-47	R2F	R5
235 Mortimer St	136.63-1-65	R2F	R5
236 Madison Ave	136.55-2-26	R2F	R5
237 Mortimer St	136.63-1-64	R2F	R5
238 Madison Ave	136.55-2-27	R2F	R5
239 Husted St	136.63-1-46	R2F	R5
239 Madison Ave	136.56-1-9	R2F	R5
239 Mortimer St	136.63-1-63	R2F	R5
240 Madison Ave	136.55-2-28	R2F	R5
241 Mortimer St	136.63-1-63.1	R2F	R5
242 Madison Ave	136.55-2-29	R2F	R5
245 Madison Ave	136.56-1-8	R2F	R5
247 Madison Ave	136.56-1-7	R2F	R5
249 Madison Ave	136.56-1-6	R2F	R5
25 Riverdale Ave	136.56-1-42	R2F	R5
250 Madison Ave	136.55-2-30	R2F	R5
252 Madison Ave	136.55-2-32	R2F	R5
254 Madison Ave	136.55-2-31	R2F	R5
258 Madison Ave	136.55-2-33	R2F	R5
26 Riverdale Ave	136.56-1-21	R2F	R5
260 Madison Ave	136.55-2-34	R2F	R5
261 Madison Ave	136.56-1-5	R2F	R5
262 Madison Ave	136.55-2-35	R2F	R5

263 Madison Ave	136.56-1-4	R2F	R5
265 Madison Ave	136.56-1-3	R2F	R5
267 Madison Ave	136.56-1-2	R2F	R5
27 Riverdale Ave	136.56-1-41	R2F	R5
28 Riverdale Ave	136.56-1-22	R2F	R5
29 Riverdale Ave	136.56-1-40	R2F	R5
31 Riverdale Ave	136.56-1-39	R2F	R5
33 Riverdale Ave	136.56-1-38	R2F	R5
35 Riverdale Ave	136.56-1-37	R2F	R5
36 Riverdale Ave	136.56-1-23	R2F	R5
37 Riverdale Ave	136.56-1-36	R2F	R5
38 Riverdale Ave	136.56-1-24	R2F	R5
40 Riverdale Ave	136.56-1-25	R2F	R5
44 Riverdale Ave	136.56-1-26	R2F	R5
46 Riverdale Ave	136.56-1-27	R2F	R5
47 Riverdale Ave	136.56-1-35	R2F	R5
48 Riverdale Ave	136.56-1-28	R2F	R5
52 Riverdale Ave	136.56-1-29	R2F	R5
54 Riverdale Ave	136.56-1-30	R2F	R5
549 Willett Ave	136.55-1-59	R2F	R5
551 Willett Ave	136.55-1-58	R2F	R5
557 Locust Ave	136.55-2-16	R2F	R5
557 Willett Ave	136.55-1-57	R2F	R5
558 Locust Ave	136.55-1-64	R2F	R5
559 Locust Ave	136.55-2-15	R2F	R5
56 Riverdale Ave	136.56-1-31	R2F	R5
560 Locust Ave	136.55-1-65	R2F	R5
561 Locust Ave	136.55-2-14	R2F	R5
561 Willett Ave	136.55-1-56	R2F	R5
562 Locust Ave	136.55-1-66	R2F	R5
563 Locust Ave	136.55-2-13	R2F	R5
565 Locust Ave	136.55-2-12	R2F	R5
565 Willett Ave	136.55-1-55	R2F	R5
566 Locust Ave	136.55-1-67	R2F	R5
568 Locust Ave	136.55-1-68	R2F	R5
569 Locust Ave	136.55-2-11	R2F	R5
569 Willett Ave	136.55-1-54	R2F	R5
570 Locust Ave	136.55-1-69	R2F	R5
571 Locust Ave	136.55-2-10	R2F	R5
572 Locust Ave	136.55-1-70	R2F	R5
573 Locust Ave	136.55-2-9	R2F	R5
574 Locust Ave	136.55-1-71	R2F	R5
576 Locust Ave	136.55-1-72	R2F	R5
579 Locust Ave	136.55-2-7	R2F	R5

58 Riverdale Ave	136.56-1-32	R2F	R5
6 Riverdale Ave	136.64-1-20	R2F	R5
62 Riverdale Ave	136.56-1-33	R2F	R5
8 Riverdale Ave	136.64-1-19	R2F	R5
Locust Ave	136.55-2-8	R2F	R5
Mortimer St	136.63-1-63.2	R2F	R5

SECTION 26: The Official Map of the Village of Port Chester is hereby amended as follows:

To permit the following property to be changed from a R7 One-Family Residence District to a DW Design Waterfront District and thereafter subject to the requirements and regulations of such latter district as described in the Village Code, Chapter 345, Zoning Regulation.

R7 to DW

Address	Section, Block and Lot	Existing Zoning	Proposed Zone
82-84 Fox Island Rd	142.55-1-3	R7	DW

SECTION 27: The Official Map of the Village of Port Chester is hereby amended as follows:

To permit the following property to be changed from a RA3 Multifamily Residence District to a R2F Two-Family Residence District and thereafter subject to the requirements and regulations of such latter district as described in the Village Code, Chapter 345, Zoning Regulation.

RA3 to R2F

Address	Section, Block and Lot	Existing Zoning	Proposed Zone
1 Drew St	141.44-3-61	RA3	R2F
10 Parker St	136.78-2-30	RA3	R2F
106 Poningo St	136.78-2-26	RA3	R2F
11 Parker St	136.78-3-11	RA3	R2F
110 Poningo St	136.78-2-27	RA3	R2F
114 Poningo St	136.78-2-28	RA3	R2F
118 Poningo St	136.78-2-29	RA3	R2F
12-14 Parker St	136.78-2-31	RA3	R2F

124 Poningo St	136.78-3-12	RA3	R2F
128 Poningo St	136.78-3-13	RA3	R2F
130 Poningo St	136.78-3-14	RA3	R2F
134 Poningo St	136.78-3-15	RA3	R2F
136 Poningo St	136.78-3-16	RA3	R2F
140 Poningo St	136.78-3-17	RA3	R2F
146 Poningo St	136.78-3-18	RA3	R2F
148 Poningo St	136.78-3-19	RA3	R2F
15-17 Parker St	136.78-3-10	RA3	R2F
152 Poningo St	136.78-3-20	RA3	R2F
156 Poningo St	136.78-3-21	RA3	R2F
16 Palace Pl	142.22-2-28.1	RA3	R2F
160 Poningo St	136.78-3-22	RA3	R2F
164 Poningo St	136.70-1-1	RA3	R2F
166 Poningo St	136.70-1-2	RA3	R2F
168 Poningo St	136.70-1-3	RA3	R2F
17 Palace Pl	142.22-2-56	RA3	R2F
18 Palace Pl	142.22-2-28	RA3	R2F
18 Parker St	136.78-2-32	RA3	R2F
19-21 Parker St	136.78-3-9	RA3	R2F
2 Drew St	141.44-3-62	RA3	R2F
20 Palace Pl	142.22-2-29	RA3	R2F
204 King St	142.22-2-64	RA3	R2F
208 King St	142.22-2-65	RA3	R2F
21 Poningo St	142.22-2-22	RA3	R2F
210-212 Seymour Rd	136.78-2-5	RA3	R2F
214 Seymour Rd	136.78-2-6	RA3	R2F
216 King St	142.22-2-45	RA3	R2F
217 Seymour Rd	136.78-2-52	RA3	R2F
218 King St	142.22-2-44	RA3	R2F
22 Parker St	136.78-2-33	RA3	R2F
220-222 Seymour Rd	136.78-2-7	RA3	R2F
221 Seymour Rd	136.78-2-51	RA3	R2F
224-226 Seymour Rd	136.78-2-8	RA3	R2F
228 King St	136.78-3-37	RA3	R2F
229 S Regent St	141.44-3-59	RA3	R2F
229 Seymour Rd	136.78-2-50	RA3	R2F
23 Palace Pl	142.22-2-54	RA3	R2F
23 Poningo St	142.22-2-21	RA3	R2F
231 S Regent St	141.44-3-60	RA3	R2F
232 King St	136.78-3-38	RA3	R2F
232 Seymour Rd	136.78-2-9	RA3	R2F
23-25 Parker St	136.78-2-67	RA3	R2F
233 Seymour Rd	136.78-2-49	RA3	R2F

234 Seymour Rd	136.78-2-10	RA3	R2F
235 S Regent St	141.44-3-68	RA3	R2F
235 Seymour Rd	136.78-2-48	RA3	R2F
235-241 S Regent St	141.44-3-69	RA3	R2F
237 Seymour Rd	136.78-2-47	RA3	R2F
239 Seymour Rd	136.78-2-46	RA3	R2F
241 S Regent St	141.44-3-70	RA3	R2F
243 Seymour Rd	136.78-2-45	RA3	R2F
246 Seymour Rd	136.78-2-11	RA3	R2F
247 Seymour Rd	136.78-2-44	RA3	R2F
248 Seymour Rd	136.78-2-12	RA3	R2F
25 Poningo St	142.22-2-20	RA3	R2F
251 Seymour Rd	136.78-2-43	RA3	R2F
252 Seymour Rd	136.78-2-13	RA3	R2F
26 Palace Pl	142.22-2-30	RA3	R2F
26 Parker St	136.78-2-34	RA3	R2F
27 Palace Pl	142.22-2-53	RA3	R2F
27 Poningo St	142.22-2-19	RA3	R2F
27-29 Parker St	136.78-2-66	RA3	R2F
29 Palace Pl	142.22-2-52	RA3	R2F
30 Palace Pl	142.22-2-31	RA3	R2F
30 Parker St	136.78-2-35	RA3	R2F
31 Poningo St	142.22-2-18	RA3	R2F
31-33 Parker St	136.78-2-65	RA3	R2F
32 Palace Pl	142.22-2-32	RA3	R2F
32 Parker St	136.78-2-36	RA3	R2F
32 Poningo St	142.22-1-40	RA3	R2F
33 Palace Pl	142.22-2-51	RA3	R2F
34 Palace Pl	142.22-2-33	RA3	R2F
35 Palace Pl	142.22-2-50	RA3	R2F
36 Poningo St	142.22-1-41	RA3	R2F
36-38 Parker St	136.78-2-37	RA3	R2F
37 Parker St	136.78-2-64	RA3	R2F
37 Poningo St	142.22-2-17	RA3	R2F
38-40 Palace Pl	142.22-2-34	RA3	R2F
39 Palace Pl	142.22-2-49	RA3	R2F
39 Parker St	136.78-2-63	RA3	R2F
39 Poningo St	142.22-2-16	RA3	R2F
4 Drew St	141.44-3-63	RA3	R2F
40-42 Parker St	136.78-2-38	RA3	R2F
42 Palace Pl	142.22-2-35	RA3	R2F
43 Poningo St	142.22-2-15	RA3	R2F
44/48 Poningo St	142.22-1-52	RA3	R2F
44-46 Parker St	136.78-2-39	RA3	R2F

45 Poningo St	142.22-2-14	RA3	R2F
46 Palace Pl	142.22-2-36	RA3	R2F
49 Poningo St	142.22-2-13	RA3	R2F
5 Drew St	141.44-3-67	RA3	R2F
50 Palace Pl	142.22-2-37	RA3	R2F
50 Poningo St	142.22-1-53	RA3	R2F
51 Poningo St	142.22-2-12	RA3	R2F
52 Palace Pl	142.22-2-38	RA3	R2F
54 Poningo St	142.22-1-54	RA3	R2F
54-56 Palace Pl	142.22-2-39	RA3	R2F
55 Poningo St	142.22-2-11.1	RA3	R2F
56 Poningo St	142.22-1-55	RA3	R2F
57 Palace Pl	136.78-3-34	RA3	R2F
57 Poningo St	142.22-2-11	RA3	R2F
58 Palace Pl	136.78-3-35	RA3	R2F
58 Palace Pl	136.78-3-36	RA3	R2F
58 Poningo St	142.22-1-56	RA3	R2F
59 Summerfield Pl	142.22-2-48	RA3	R2F
6 Drew St	141.44-3-64	RA3	R2F
60 Summerfield Pl	142.22-2-40	RA3	R2F
61 Poningo St	142.22-2-10	RA3	R2F
62 Summerfield Pl	142.22-2-41	RA3	R2F
63 Poningo St	142.22-2-9	RA3	R2F
63 Summerfield Pl	142.22-2-47	RA3	R2F
64 1/2 Summerfield Pl	142.22-2-41.1	RA3	R2F
64 Summerfield Pl	142.22-2-42	RA3	R2F
65 1/2 Poningo St	142.22-2-7	RA3	R2F
65 Poningo St	142.22-2-8	RA3	R2F
65 Summerfield Pl	142.22-2-46	RA3	R2F
66 Poningo St	136.78-2-1	RA3	R2F
67 Poningo St	136.78-3-33	RA3	R2F
7 Drew St	141.44-3-66	RA3	R2F
70 Poningo St	136.78-2-2	RA3	R2F
70 Summerfield Pl	142.22-2-43	RA3	R2F
73 Poningo St	136.78-3-32	RA3	R2F
74 Poningo St	136.78-2-3	RA3	R2F
75 Poningo St	136.78-3-31	RA3	R2F
78 Poningo St	136.78-2-4	RA3	R2F
7-9 Maple Pl	136.78-3-8	RA3	R2F
9 Drew St	141.44-3-65	RA3	R2F
Bush Ave	142.22-1-57	RA3	R2F
Palace Pl	142.22-2-55	RA3	R2F
Palace Pl	142.22-2-57	RA3	R2F

SECTION 28: The Official Map of the Village of Port Chester is hereby amended as follows:

To permit the following property to be changed from a RA4 Multifamily Residence District to a RA2 Multifamily Residence district and thereafter be subject to the requirements and regulations of such district as described in the Code of the Village of Port Chester.

RA4 to RA2

Address	Section, Block and Lot	Existing Zoning	Proposed Zone
356 Irving Ave	136.77-1-41	RA4	RA2
378 Irving Ave	136.77-1-42	RA4	RA2
380 Irving Ave	136.77-1-43	RA4	RA2
384 Irving Ave	136.77-1-44	RA4	RA2
388 Irving Ave	136.77-1-45	RA4	RA2
392 Irving Ave	136.77-1-46	RA4	RA2
394 Irving Ave	136.77-1-47	RA4	RA2
398 Irving Ave	136.77-1-48	RA4	RA2
402 Irving Ave	136.77-1-49	RA4	RA2

SECTION 21: Conflict with Other Laws

Whenever the requirements of this local law are in conflict with the requirements of any other lawfully adopted local laws, the most restrictive of such local law, or those imposing higher standards shall govern.

SECTION 22: Validity and Severability

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 23: Effective Date

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

ZONING

345 Attachment 1 A

Village of Port Chester
 Schedule of Regulations for Residence Districts
 Part 1, Use Regulations

Type of Use	Districts							
	R20 One-Family Residential §345-391	R7 One-Family Residential §345-40	R5 One-Family Residential §345-41	R2F Two-Family Residential §345-42	RA2 Multi-family Residential §345-43	RA3 Multi-family Residential §345-44	RA4 Multi-family Residential §345-45	[PTD Planned Tower Development §345-46]
Residential Uses								
One-family dwelling	P	P	P	P	P	P	P	[X]
Two-family dwelling, including covered one-family dwelling on adequate lot	X	X	X	P	P	P	P	[X]
Multifamily dwelling, excluding cooperative or condominium dwelling	X	X	X	X	P	P	P	[X]
Multifamily cooperative or condominium dwelling	X	X	X	X	P	P	P	[P]
Residential Facilities								
Church or other place of worship, parish house, rectory, Sunday school, convent, seminary	SE	SE	SE	SE	SE	SE	SE	[X]
Park, playground or recreation facility operated by the Village of Port Chester	P	P	P	P	P	P	P	[P]
Residential community facility, such as library, museum or community center, operated by the Village of Port Chester	P	P	P	P	P	P	P	[X]
School, elementary or high, public, private or parochial, having a curriculum equivalent to that ordinarily given in public schools	P	P	P	P	P	P	P	[X]
General Community Facilities								
Hospital	X	X	X	SE	SE	SE	SE	[X]
Membership club, fraternal organization and similar social institutions not operated for profit	X	X	X	SE	SE	SE	SE	[SE]
Municipal off-street parking lot or garage	X	X	X	P	P	P	P	[P]
Nursery school	X	X	X	SE	SE	SE	SE	[X]
Public utility building serving the local area only, excluding material storage or building, and general service facility	X	X	X	SE	SE	SE	SE	[X]
Business Uses								
Funeral home	X	X	X	X	SE	SE	SE	[X]
Hotel, motel, boateel	X	X	X	X	X	X	X	[P]
Marina, private, or yacht club	X	X	X	X	X	X	X	[P]
Office or studio of a nonresident physician, dentist, town planner, architect, engineer or similar professional person	X	X	X	X	P	P	P	[P]
Office, office building, bank, excluding drive-in facility	X	X	X	X	X	X	X	[P]
Restaurant other than drive-in, open-front, or curb-service types	X	X	X	X	X	X	X	[P]
Nonresident physicians office on hospital grounds in accessory building [Added 2-9-1978 by L.L. No. 3, 1978]	X	X	X	SE	SE	SE	SE	[X]
Accessory Uses								
Accommodations for not more than 2 nontransient roomers per owner-occupied dwelling unit, except in multifamily dwellings, provided that there is no separate kitchen or entrance	P	P	P	P	P	P	P	[X]
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.	P	P	P	P	P	P	P	[P]
Home occupation	SE	SE	SE	SE	SE	SE	SE	[X]
Home professional office or studio of a physician, dentist, architect, engineer or similar professional person	P	P	P	P	P	P	P	[P]
Personal service shops not exceeding 500 square feet in area designed to serve only residents and nonresidential occupants, with a total area not exceeding 40,500 square feet or 20,000 square feet in any 1 building	X	X	X	X	X	X	X	[P]
Private garage or private off-street parking space, in accordance with §§ 345-14 and 345-23 [Amended 4-26-1989 by L.L. No. 10, 1989]	P	P	P	P	P	P	P	[P]
Private swimming pool	P	P	P	P	P	P	P	[P]
Sign, in accordance with § 345-15	P	P	P	P	P	P	P	[P]

NOTE:
 P = permitted use
 SE = special exception use
 X = prohibited use
 All unlisted uses are prohibited in all districts.

¹ [Added 9-5-1995 by L.L. No. 6-1995]

ZONING

345 Attachment 1 B

Village of Port Chester Schedule of Regulations for Residence Districts Part 2, Dimensional Regulations

	Districts							
	R20 One-Family Residential §345-39 ¹	R7 One-Family Residential §345-40	R5 One-Family Residential §345-41	R2F Two-Family Residential §345-42	RA2 Multi-family Residential §345-43	RA3 Multi-family Residential §345-44	RA4 Multi-family Residential §345-45	[PTD Planned Tower Development § 345-46]
Maximum Floor Area Ratio								
(See definition, § 345-2)	[0.50] 0.35	[0.60] 0.50	[0.70] 0.60	[0.80] 0.70	[1.00] 0.90	[1.60] 1.50	[2.5] 2.00	[(a)]
Minimum Size of Lot:								
Area, total (square feet)	20,000	7,500	5,000	5,000	5,000	5,000	5,000	[4.75 acres]
Area per dwelling unit (square feet)	20,000	7,500	5,000	2,500	1,500	750	750	[575]
Width (feet)(g)	125	70	50	50	50	50	50	[100]
Depth (feet)	150	100	100	100	100	100	100	[100]
Minimum Yard Dimensions:								
Front (feet)(h)	40	30	25	20	50	20	25	[NR]
Side								
One (feet)	15	10	8	8	25	(b)	(c)	[NR(d)]
Total of 2 on interior lot (feet)	40	20	14	14	50			[NR(d)]
Rear (feet)	40	30	30	30	25	30	30	[NR]
Maximum Height of Building:								
In stories	2½	2½	2½	2½	3	[8] 6	[10] 7	[(e)]
In feet	35	35	35	35	40	[70] 60	[95] 70	[(e)]
Minimum Usable Open Space								
For each dwelling unit (sq. ft.)	5,000	3,500	2,000	800	400	400	400	[400 (f)]

NOTES:

[(a) The maximum floor area ratios set forth herein shall apply as indicated to all buildings and structures on the site:]

[(1) For the base structure or the first enclosed stories above ground level, a maximum floor area ratio of three and two-tenths (3.2) exclusive of the open deck which shall be set aside for usable open space and related pedestrian activities, provided that no one (1) story shall exceed zero and eight-tenths (0.8).]

[(2) For tower stories above the base structure or first enclosed stories above ground level, a maximum floor area ratio of five and three-tenths (5.3), provided that no one (1) story shall exceed zero and two-tenths (0.2).]

(a) Each twenty-five (25) feet or one-half (½) the height of the building, whichever shall be the greater, except that one-and two-family dwellings shall have yards of not less than eight (8) feet.

(b) Each twenty (20) feet or one-half (½) the height of the building, whichever shall be greater, except that one-and two-family dwellings shall have yards of not less than thirty (30) feet.

[(d) If provided, at least ten (10) feet per yard.]

[(e) Maximum height of building:]

[(1) In stories: none.]

[(2) In feet:]

[(a) For the base structure or first enclosed stories above ground level: fifty (50) feet.]

[(b) Overall height of base structure and tower structures: three hundred fifteen (315) feet.]

(c) Minimum usable open space on the open deck at the top of the base structure.

(1) One hundred (100) square feet for each dwelling unit and for each hotel, motel or boatel room designed for the overnight accommodation of guests.

(2) All structures shall be set back at least ten (10) feet from the water's edge along the Byram River and the Byram River Cove; provided, however, that

(d) Must be maintained from the minimum front yard depth to the rear lot line.

(e) Section 345-10I must be complied with.

NR = none required

ZONING

345 Attachment [1] - 2

Village of Port Chester Schedule of Regulations for Designed Industrial District Part 1, Use Regulations

Type of Use	M2D District §345-57[.1]
General Community Facilities	
Public utility facility	P
Railroad or other rapid-transit passenger stations, including accessory services and rights-of-way	P
Railroad or other rapid-transit passenger stations, freight siding and accessory services and rights-of-way	P
Recreational facility, provided that such facility is within a totally enclosed structure designed and used for participation only	P
Vocational training, secretarial and business schools	P
Telephone exchange	P
Business Uses	
Heating, air conditioning, plumbing, electrical and similar construction business, including outdoor storage of equipment, materials or vehicles, provided that the same shall be suitably screened from view of public streets	P
Office, office building, bank or other financial institution, including drive-in facility	P
Wholesale business, storage building, warehouse and distribution center	P
Common carriers, contract carriers and other freight and materials trucking businesses and terminals, provided that any lot used for such purposes does not exceed five (5) acres in size, and provided further that the aggregate of all such lots within any district used for such purposes do not, in the aggregate, exceed six (6) acres	P
Industrial Uses	
Cold storage plant, freezer plant, ice plant and center distribution station	P
Creamery, ice cream plant, bakery plant and food processing plant	P
Nonnuisance industry, provided that in nonindustrial districts equipment is used that has a rating of no more than five (5) horsepower	P
Other industrial uses not offensive, obnoxious or detrimental to the neighborhood by reason of dust, smoke, vibration, noise, odor or other effluents	SE
Accessory outdoor freight facilities for public use	P
Plant for printing, lithography photoengraving and other similar duplicating processes	P
Research and development laboratory, provided that it shall not be obnoxious by reason of dissemination of smoke, dust, fumes, noise or vibration, hazardous from fire waste materials or the creation of excessive demands upon municipal services	P
Light or power plant, garbage or sewage disposal facility, provided that the same are designed for and used by only the owners and tenants of lots within a Designed Industrial (M2D) District and the owners and tenants of commercial lots which are contiguous thereto	P
Accessory Uses	
Private garage or private off-street parking area, in accordance with § 345-14	P
Sign, in accordance with § 345-15	P
Maintenance and service facilities relating solely to the authorized principal use or uses	P
Residence of superintendent, caretaker or watchman	P
Cafeterias, lunchrooms and similar facilities, provided that the use thereof is limited to employees and their guests	P

NOTE:

P = Permitted Use

SE = Special Exception Use

ZONING

345 Attachment [1] 3A

Village of Port Chester
 Scheduling of Regulations for Nonresidence Districts
 Part 1, Use Regulations

Type of Use	Districts																[PRSP Planned Railroad Station Plaza Development §345-57]	PMU Planned Mixed Use §345-57
	C1 Neighborhood Retail §345-47	[C2 Central Business §345-48]	C2 Main Street Business §345-48	C3 [Design] Office and Commercial §345-49	C4 General Commercial §345-50	C5 Train Station Mixed Use §345-50.1	C5T Downtown Mixed Use Transitional §345-50.2	CD Design Shopping Center §345-51	CDS Special Designed Commercial §345-52	PD Design Professional Building §345-53	DW Design Waterfront §345-54	DW2 Downtown Design Waterfront §345-54.1	M1 Light Industrial §345-55	M2 General Industrial §345-56 ¹				
Residential Uses																		
1 Family Dwelling	X	[X]	X	X	X	X	X	X	X	X	X	X	X	X	X	X	[See § 345-62]	X
2 Family Dwelling	X	[X]	X	X	X	X	X	X	X	X	X	X	X	X	X	X		P
Multifamily Dwelling	X	[X]	SE	X	X	SE	SE	X	X	X	SE	SE	X	X	X	P		
Multifamily Dwelling (floors above first floor)	X	[SE]	SE	X	X	P	P	X	X	X	SE	SE	X	X	X	P		
Residential Community Facilities																		
Church or other Place of Worship, Parish House, Rectory, Sunday School, Convent, Seminary	SE	[X]	SE	SE	SE	SE	SE	SE	X	X	SE	SE	SE	SE	SE	SE	[See § 345-62]	SE
General Community Facilities																		
Assembly Hall	X	[X]	SE	SE	SE	SE	SE	X	X	X	X	X	X	X	X	X	[See § 345-62]	P
Convalescent home or nursing home	X	[X]	X	SE	X	X	X	X	X	X	SE	SE	X	X	X	P		
Hospital	X	[X]	SE	SE	X	SE	SE	X	X	X	X	X	X	X	X	SE		
Medical and dental offices, not including operating room or community X-ray or therapy room	X	[X]	SE	P	X	SE	SE	P	P	P	X	X	X	X	X	SE		
Membership club, fraternal organization or similar social institution not operated for a profit	X	[X]	P	SE	SE	P	P	X	X	X	SE	SE	X	X	X	P		
Nursery school, day camp or day care center	SE	[X]	SE	SE	X	SE	SE	X	X	X	X	X	X	X	X	SE		
Public utility facility	X	[SE]	SE	SE	SE	SE	SE	X	X	X	SE	SE	P	P	P	SE		
[Planned railroad station plaza, as provided in §345-62]	[X]	[X]	[X]	[X]	[X]	[X]	[X]	[X]	[X]	[X]	[X]	[X]	[X]	[X]	[X]	[X]		
School, elementary or high, public, private, or parochial, having a curriculum equivalent to that ordinarily given in public schools.	X	[X]	SE	X	X	SE	SE	X	X	X	SE	SE	X	X	X	SE		
Medical and dental offices including X-ray and therapy room	X	[SE]	SE	X	X	SE	SE	X	X	X	X	X	X	X	X	SE		
Business Uses																		
Automobile repair garage	X	[X]	X	X	SE	X	X	X	X	X	X	X	X	X	X	X	[See § 345-62]	X
Bank, excluding drive-in	P	[P]	P	P	P	P	P	P	P	P	SE	SE	P	P	P	P		
Bar or Tavern	X	[P]	P	X	X	P	P	X	X	X	X	X	X	X	X	P		
Bowling Alley	X	[X]	SE	SE	SE	SE	SE	P	P	X	X	X	X	X	X	P		
Cabaret	X	[P]	P	X	X	P	P	X	X	X	X	X	X	X	X	P		
Catering and Events Establishment	X	[P]	P	X	X	P	P	X	X	X	X	X	P	P	P	P		
Commercial Indoor Athletic Training Facility	X	[X]	SE	X	X	SE	SE	X	X	X	X	X	X	P	P	P		
Drive-in establishments other than restaurant, or circus, carnival, or other outdoor amusements	X	[SE]	X	SE	SE	X	X	SE	SE	X	X	X	X	X	X	X		
Drive-in and fast-food restaurant	X	[X]	X	X	SE	X	X	X	X	X	X	X	X	X	X	X		
Food processing shop	X	[X]	X	X	SE	X	X	X	X	X	X	X	X	X	X	X		
Funeral Home	SE	[X]	SE	SE	SE	SE	SE	X	X	X	X	X	X	X	X	SE		
Gasoline Station	X	[X]	X	X	SE	X	X	X	X	X	X	X	SE	SE	SE	X		
Health Club, including racquetball facilities and indoor swimming pools	X	[SE]	P	P	P	P	P	P	P	X	X	X	X	X	X	P		
Heating, air conditioning, plumbing, electrical, and similar construction businesses, excluding open storage of materials	X	[X]	X	X	P	X	X	X	X	X	[X] SE	X	P	P	X	X		

Notes:
 P = permitted use
 SE = special exception use
 X = prohibited use

All unlisted uses are prohibited in all districts
¹Editor's Note: See §345-56 for additional special exception uses in the M2 District.

ZONING

345 Attachment [1] 3A

Village of Port Chester
 Scheduling of Regulations for Nonresidence Districts
 Part 1, Use Regulations

Type of Use	Districts														[PRSP Planned Railroad Station Plaza Development §345- 57]	PMU Planned Mixed Use §345-57
	C1 Neighborhood Retail §345-47	[C2 Central Business §345-48]	C2 Main Street Business §345-48	C3 [Design] Office and Commercial §345-49	C4 General Commercial §345- 50	C5 Train Station Mixed Use §345- 50.1	C5T Downtown Mixed Use Transitional §345-50.2	CD Design Shopping Center §345- 51	CDS Special Designed Commercial §345-52	PD Design Professional Building §345- 53	DW Design Waterfront §345-54	DW2 Downtown Design Waterfront §345-54.1	M1 Light Industrial §345-55	M2 General Industrial §345-56 ¹		
Hotel or Motel	X	[X]	P	P	X	P	P	P	X	X	[X] SE	SE	X	X		P
Hotel, Motel (floors above first floor)	X	[SE]	P	P	X	P	P	P	X	X	[X] SE	SE	X	X		P
Hotel, limited service	X	[SE]	P	SE	X	P	P	SE	X	X	[X] SE	SE	X	X		P
Marina or yacht club	X	[X]	X	X	X	X	X	X	X	X	SE	SE	X	X		X
Theater	X	[P]	P	[X] P	X	P	P	X	X	X	[X] SE	SE	P	P		P
Motor Vehicle Sales lot, motor vehicle salesroom and accessory repair shop	X	[X]	X	X	SE	X	X	X	X	X	X	X	X	X		X
Office, Office Building	P	[X]	SE	P	P	SE	SE	P	P	P	SE	SE	P	P		P
Office, Office Building (floors above first floor)	P	[P]	P	P	P	P	P	P	P	P	SE	SE	P	P		P
Off-street parking lot or garage for motor vehicles, but not including storage of used or new motor vehicles for sale or hire; minimum requirements shall be in accordance with § 345-14.	X	[P]	P	P	P	P	P	X	X	X	[X] SE	SE	X	X		P
Pawnshops	X	[X]	X	X	X	X	X	X	X	X	X	X	SE	SE		X
Radio or television station studio, excluding transmission tower	X	[X]	SE	P	P	SE	SE	X	X	X	SE	SE	P	P		SE
Radio or television station studio excluding transmission tower (floors above first floor)	X	[P]	P	P	P	P	P	X	X	X	SE	SE	P	P		SE
Shooting ranges with accessory sales of guns and equipment	X	[X]	X	X	X	X	X	X	X	X	X	X	X	P		X
Table-service restaurant, no drive-in, open front, fast food, or curb-service types	P	[P]	P	P	P	P	P	P	X	X	SE	SE	X	X		P
Tax Preparation Office	X	[P]	P	X	X	P	P	X	X	X	[X] SE	SE	X	X		P
Retail store or personal service shop, services clearly incidental to retail sales on the premises or to personal services	P	[P]	P	P	X	P	P	P	SE	X	[X] SE	SE	X	X		P
Veterinary hospital or board and care of small animals	X	[X]	SE	X	SE	SE	SE	X	X	X	[X] SE	SE	X	X		SE
Wholesale business, storage building or warehouse	P	[X]	X	X	P	X	X	X	X	X	SE	SE	P	P		X
Industrial uses																
Cold storage plant, ice plant, bottling central distribution station, light or power plant, or garbage or sewage disposal facility	X	[X]	X	X	X	X	X	X	X	X	X	X	X	P		X
Creamery, ice cream plant or bakery plant	X	[X]	X	X	P	X	X	X	X	X	SE	SE	P	P		X
Laundry or dry-cleaning plant	X	[X]	X	X	X	X	X	X	X	X	SE	SE	P	P		X
Nonnuisance industry, provided that in nonindustrial districts equipment is used that has a rating of no more than 5 horsepower	X	[X]	X	X	P	X	X	X	X	X	SE	SE	P	P		X
Open storage of equipment or materials	X	[X]	X	X	X	X	X	X	X	X	X	X	X	SE		X
Printing plant	X	[X]	X	P	P	X	X	X	X	X	SE	SE	P	P		X
Research laboratory, provided that is shall not be obnoxious by reason of dissemination of smoke, dust, fumes, noise or vibration, or hazardous from fire waste materials or the creation of excessive demands upon municipal services	X	[X]	X	SE	SE	X	X	X	X	X	SE	SE	P	P		X
Accessory Uses																
CD Accessory garden center	X	[X]	X	X	X	X	X	P	X	X	X	X	X	X		X
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	P	[P]	P	P	P	P	P	P	P	P	SE	SE	P	P		SE
Ethical Pharmacy	X	[X]	SE	X	X	SE	SE	P	X	P	X	X	X	X		SE
Ground-floor office as accessory use to multifamily development	X	[SE]	SE	X	X	SE	SE	X	X	X	[X] SE	SE	X	X		P
Private garage or private off-street parking area, in accordance with § 345-14	P	[P]	P	P	P	P	P	P	SE	P	SE	SE	P	P		P
Sign, in accordance with § 345-15	P	[P]	P	P	P	P	P	P	P	P	SE	SE	P	P		P

Notes:
 P = permitted use
 SE = special exception use
 X = prohibited use

All unlisted uses are prohibited in all districts
¹Editor's Note: See §345-56 for additional special exception uses in the M2 District.

ZONING

345 Attachment 3B

Village of Port Chester
Schedule of Regulations for Nonresidence Districts
Part 2, Dimensional Regulations

Type of Use	Districts																		
	C1 Neighborhood Retail § 345-47	[C2 Central Business § 345-48]	<u>C2 Main Street Business § 345-48</u>	<u>C3 [Design] Office & Commercial § 345-49</u>	[C4 ³ General Commercial § 345-50]	[C4* General Commercial (Multifamily Dwellings) § 345-50]	<u>C5 Train Station Mixed Use § 345-50.1</u>	<u>C5T Downtown Mixed Use Transitional District § 345-50.2</u>	CD Design Shopping Center § 345-51	CDS Special Designed Commercial § 345-52	[Special Exception Uses ¹¹]	PD Design Professional Building § 345-53	DW Design Waterfront § 345-54	<u>DW2 Downtown Design Waterfront § 345-54.1</u>	M1 Light Industrial § 345-55	M2 General Industrial § 345-56	[PRSP Planned Railroad Station Plaza Development § 345-57]	<u>PMU Planned Mixed Use § 345-57</u>	
Maximum Floor Area Ratio (See definition, § 345-2)	1.0	[3.2]	<u>3.2</u> ¹	3.0	2.0	[1.5]	<u>4.0</u> ³	<u>4.0</u> ³	1.0	1.0	[0.25(e)]	1.0	1.60	<u>2.4</u> ¹⁰	1.0	2.0	[See §345-62]	<u>0.8</u> ⁹	
Maximum Floor Area Ratio For 1 Story	0.35	[NR]	<u>NR</u>	0.60	NR	=	<u>NR</u>	<u>NR</u>	0.35	NR	[0.25(e)]	NR	0.40	<u>NR</u>	0.50	0.70			
Minimum Size of Lot:																			
Area, nonresidential (square feet)	NR	[NR]	<u>NR</u>	NR	NR	[20,000]	<u>NR</u>	<u>NR</u>	21,780	65,340	=	21,780	10,000	<u>NR</u>	NR	NR			
Area per dwelling unit (square feet)	NR	[750]	<u>750</u> ²	NR	NR	[750]	<u>400</u> ⁴	<u>575</u> ⁵	NR	NR	=	NR	750	<u>600</u> ¹¹	NR	NR			
Width (feet) [(f)] [e]	40	[40]	<u>40</u>	40	40	[100]	<u>40</u>	<u>40</u>	40	NR	[150(f)]	40	40	<u>40</u>	40	40			
Depth (feet)	NR	[NR]	<u>NR</u>	NR	NR	[100]	<u>NR</u>	<u>NR</u>	NR	NR	=	NR	NR	<u>NR</u>	NR	NR			
Minimum Yard Dimensions:																			
Front (feet)	NR	[NR]	<u>NR</u>	10	10	[25]	<u>NR</u>	<u>NR</u>	30	60	[150(h) ²]	10	20	<u>5</u>	25	10			
Side																			
One (feet)	NR(a)	[NR(a)]	<u>NR(a)</u>	(b)	NR(a)	[20]	<u>NR(a)</u>	<u>NR(a)</u>	30	50	[6(h) ²]	20	(c)	<u>5</u>	20	10			
Total of 2 on interior lot (feet)	NR(a)	[NR(a)]	<u>NR(a)</u>	(b)	NR(a)	--	<u>NR(a)</u>	<u>NR(a)</u>	60	100	[12(h) ²]	40	(c)	<u>10</u>	40	20			
Rear (feet)	30	[20]	<u>20</u>	20	20	[30]	<u>20</u>	<u>20</u>	30	50	[30(h) ²]	30	30	<u>20</u>	20	20			
Maximum Height of Building:																			
In stories	2½	[8]	<u>5</u>	[NR] <u>5</u>	3	[7]	<u>8</u> ⁶	<u>5</u> ⁷	3	3	[2(g)]	5	[8] <u>4</u>	<u>4</u>	2	8			
In feet	35	[70]	<u>60</u>	[120] <u>60</u>	45	[70]	<u>90</u> ⁶	<u>60</u> ⁷	45	45	[35(g)]	60	[70] <u>50</u>	<u>50</u>	40	70			
Minimum Usable Open Space on Lot:																			
For each dwelling unit (square feet)	1,200	[100]	<u>50</u> ⁸	NR(d)	NR	[300(l)]	<u>50</u> ⁸	<u>50</u> ⁸	NR	NR	=	100(d)	<u>50</u> ⁸	<u>50</u> ⁸	NR	NR		<u>100</u>	

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 to up to fifty hundredths (0.50) within the Village of Port Chester, provided that the average 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).

[(f) On a state or 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.]

[(i) Improved exterior space, e.g., recreation areas and gardens, may be included in the open space calculation. In addition, those portions of rooftop space that have been developed for recreational use and are made available for such use to occupants of the building as courts, swimming pools, deck areas or the like may, upon approval by the Planning Commission, be included in the open space calculation.]

[(j)] [e] Must be maintained from the minimum front yard depth to the rear lot line.

¹ A floor area ratio (FAR) bonus of 0.8 is available in accordance with §345-16.

² A minimum of 575 sq. ft. of lot area per dwelling unit can be achieved through a Building Height and Floor Area Bonus Program in accordance with §345-16.

³ A Floor Area Bonus of 0.5 is available in accordance with §345-16.

⁴ A minimum of 250 sq. ft. of lot area per dwelling unit can be achieved through a Building Height and Floor Area Bonus Program in accordance with §345-16.

⁵ A minimum of 400 sq. ft. of lot area per dwelling unit can be achieved through a Building Height and Floor Area Bonus Program in accordance with §345-16.

⁶ A building height bonus of 2 stories (30 feet) is available in accordance with §345-16. [In C4 Districts where multifamily dwellings are permitted, they shall conform to the regulations shown in the C4* column.]

⁷ A building height bonus of 1 story (10 feet) is available in accordance with §345-16.

⁸ See §345-7.E.

⁹ A Floor Area Bonus of 0.2 is available in accordance with §345-16. For any mixed use (commercial/residential) structure, a building height bonus of 2 stories (15 feet) is available in accordance with §345-16.

¹⁰ A Floor Area Bonus of 0.2 is available in accordance with §345-16.

¹¹ A minimum of 500 sq. ft. of lot area per dwelling unit can be achieved through a Building Height and Floor Area Bonus Program in accordance with §345-16.

NR = none required

Draft Official Zoning Map

Village of Port Chester New York



MAP NOTE: This map was produced by C. Gomez, Village of Port Chester Director of Planning and Development- January 2013 Base data and format provided by the Westchester County Department of Planning as part of a countywide initiative to map local zoning districts

ZONING DISTRICTS

SINGLE FAMILY RESIDENTIAL

- R20** One Family Residence 20,000 sq ft min lot
- R7** One Family Residence 7,500 sq ft min lot
- R5** One Family Residence 5,000 sq ft min lot

TWO-FAMILY RESIDENTIAL

- R2F** Two Family Residence 5,000 sq ft min lot

MULTI-FAMILY RESIDENTIAL

- RA2** Multi Family Residence 5,000 sq ft min lot
- RA3** Multi Family Residence 5,000 sq ft min lot
- RA4** Multi Family Residence 5,000 sq ft min lot

PLANNED RESIDENTIAL

- PRD** Planned Residential Development

COMMERCIAL

- C1** Neighborhood Retail
- C2** Main Street Business
- C3** Office and Commercial
- C4** General Commercial
- CD** Design Shopping Center
- CDS** Special Designed Commercial

OFFICE

- PD** Design Professional Building

INDUSTRIAL

- M1** Light Industrial
- M2** General Industrial

WATERFRONT

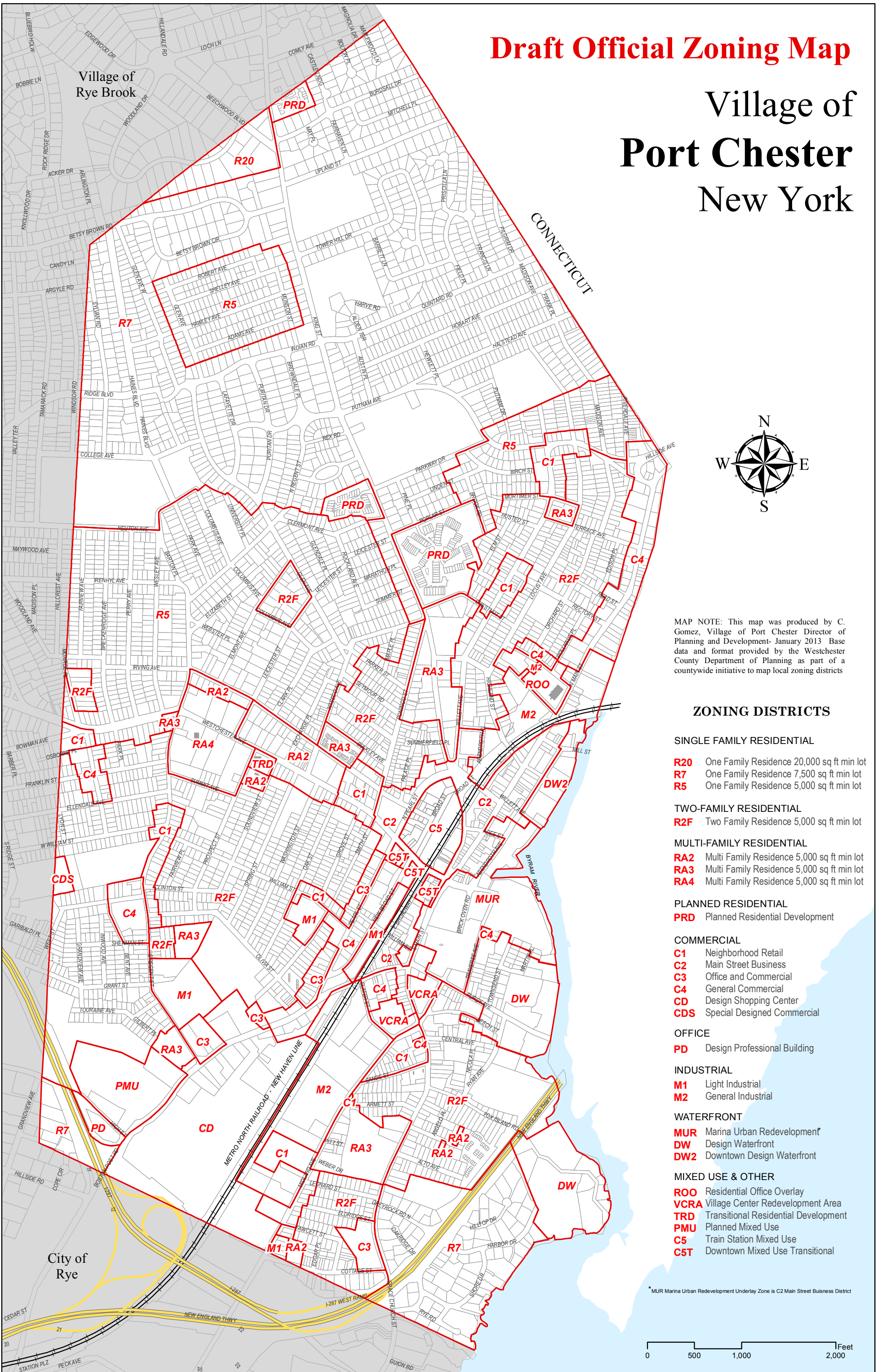
- MUR** Marina Urban Redevelopment*
- DW** Design Waterfront
- DW2** Downtown Design Waterfront

MIXED USE & OTHER

- ROO** Residential Office Overlay
- VCRA** Village Center Redevelopment Area
- TRD** Transitional Residential Development
- PMU** Planned Mixed Use
- C5** Train Station Mixed Use
- C5T** Downtown Mixed Use Transitional

*MUR Marina Urban Redevelopment Underlay Zone is C2 Main Street Business District

0 500 1,000 2,000 Feet



PUBLIC COMMENTS

RESOLUTIONS

**SEQR DETERMINATION OF SIGNIFICANCE
NEGATIVE DECLARATION
LOCAL WATERFRONT REVITALIZATION PROGRAM (LWRP)**

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

WHEREAS, by resolution, adopted on February 19, 2013, the Village Board of Trustees adopted a draft Local Waterfront Revitalization Program (LWRP), dated February 15, 2013; and

WHEREAS, that pursuant to Part 617 of the SEQR Regulations, the Village Board of Trustees designated itself as the Lead Agency on February 6, 2012 for the SEQR Review of this Type I Action;

WHEREAS, the Village's planning consultant, BFJ Planning, has prepared a negative declaration and supporting documentation pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law; now, therefore, be it

RESOLVED, that, the Lead Agency has determined that the proposed Type I Action will not have a significant effect on the environment for the reasons enumerated in the attached Negative Declaration Form and supporting documentation.

APPROVED AS TO FORM:

Village Attorney

ROLL CALL

AYES:

NOES:

ABSENT:

DATE: February 19, 2013

State Environmental Quality Review
NEGATIVE DECLARATION
 Notice of Determination of Non-Significance

Project Number Village of Port Chester Local Waterfront
 Revitalization Program Update

Date: February 14, 2013

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 Village of Port Chester Board of Trustees, as lead agency, has determined that the proposed action described below will not have a significant adverse environmental impact and a Draft Environmental Impact Statement will not be prepared.

Name of Action:

Village of Port Chester Local Revitalization Program Update

SEQR Status: Type 1
 Unlisted

Conditioned Negative Declaration: Yes
 No

Description of Action:

In 2011, The Village of Port Chester Mayor and Board of Trustees began the process of updating the 1992 Local Waterfront Revitalization Program (LWRP), to reflect changed demographics; increased development pressures in the waterfront area; and to update key goals, graphics and other information.

The LWRP update encompasses a range of goals and objectives and specific recommendations (see attached narrative).

Location: (Include street address and the name of the municipality/county. A location map of appropriate scale is also recommended.)

Village of Port Chester, Westchester County, New York

Reasons Supporting This Determination:

(See 617.7(a)-(c) for requirements of this determination ; see 617.7(d) for Conditioned Negative Declaration)

The LWRP update proposes a mix of uses for the waterfront area of Port Chester, based primarily on existing land use and zoning, as well as future land uses contemplated by the Comprehensive Plan currently in development. No specific zoning changes are proposed as part of the LWRP update. In addition, for the two subareas of Brooksville (at the northern tip of the LWRP area) and Greyrock (at the southern tip of the LWRP area), no alteration to existing land use is proposed. These two areas are intended to be maintained in their current condition.

For the remaining three subareas: Fox Island, Columbus Park/Purdy Avenue and Downtown, the LWRP update proposes a series of recommendations, as described more fully in the attached narrative, which would serve to increase public waterfront access, restore and revitalize vacant and underutilized land and support existing industrial uses in the LWRP area.

Other key recommendations of the LWRP update include implementing a Harbor Management Plan, exploring opportunities for permanently mooring entertainment/dining vessels, exploring the provision of hand-launched watercraft and transient docking facilities, supporting upgrades to the Westchester County Sewage Treatment Plant, considering the extension of utilities along Fox Island Road, supporting measures to improve water quality, improving training of the Waterfront Commission and its coordination with other Village land-use boards, and supporting maintenance dredging of the Byram River and Port Chester Harbor.

Each of these recommendations is anticipated to have a positive environmental impact on the Village, but would in any case be subject to a separate review under SEQRA.

If Conditioned Negative Declaration, provide on attachment the specific mitigation measures imposed, and identify comment period (not less than 30 days from date of publication in the ENB)

For Further Information:

Contact Person: Christopher Steers, Village Manager

Address: Village Hall, 222 Grace Church Street, Port Chester, NY 10573

Telephone Number: 914-939-2200

For Type 1 Actions and Conditioned Negative Declarations, a Copy of this Notice is sent to:

Chief Executive Officer , Town / City / Village of Port Chester

Other involved agencies (If any)

Applicant (If any)

Environmental Notice Bulletin, Room 538, 50 Wolf Road, Albany NY, 12233-1750 (Type One Actions only)

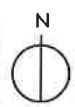


— County boundary
 - - - Highways

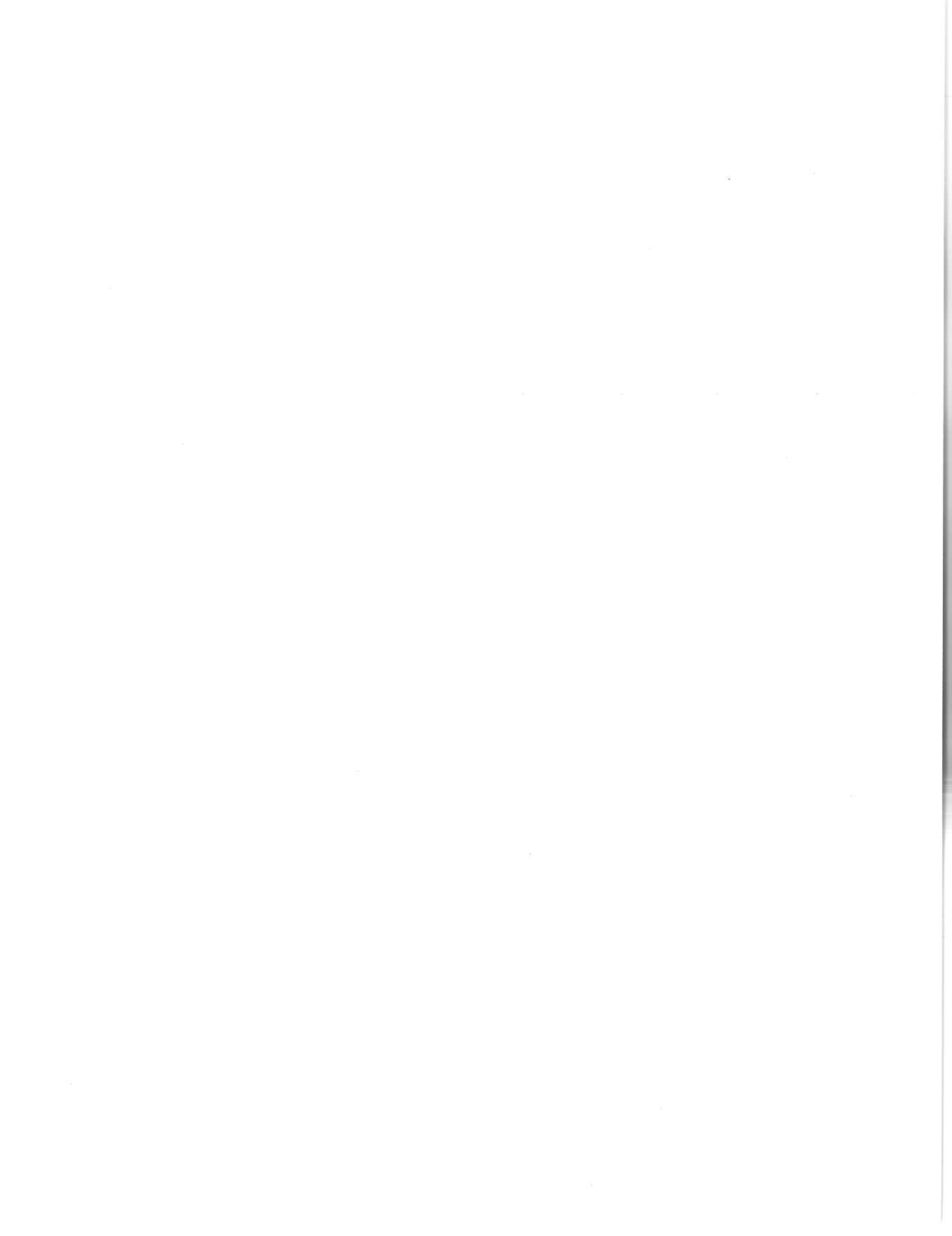
PORT CHESTER LWRP
 PORT CHESTER, NEW YORK

FIGURE 1: REGIONAL MAP

SOURCE: NJDEP GIS, NYS Clearinghouse



BEJ Planning



1.0 SUMMARY OF PLAN RECOMMENDATIONS

This section provides an overview of Local Waterfront Revitalization Program (LWRP) recommendations addressing a number of key areas. These recommendations are organized based on the applicable LWRP subarea (see attached figure), or for the entire LWRP area.

Fox Island Subarea

1. Enhance and expand public waterfront access south of the Westchester County sewage treatment plant.
2. Develop a small boat storage and launch facility at Fox Island Road and I-95, just west of the sewage treatment plant.
3. Explore a potential redevelopment of the Department of Public Works (DPW) site on Fox Island Road, with the DPW facilities to remain on a smaller footprint and the balance of the site devoted a mix of uses including public open space.
4. Implement a vegetated buffer along the edge of the Greyrock residential neighborhood separating it from the DPW site.
5. Consider extending utilities along the length of Fox Island Road.

Columbus Park/Purdy Avenue Subarea

1. Develop a public access point/fishing pier off the existing parking lot in Columbus Park.
2. Retain and support existing industrial areas along Purdy Avenue.
3. Reduce the overall emphasis on higher-density residential uses in the vicinity of Purdy Avenue.

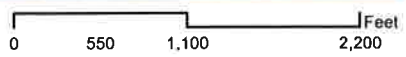
Downtown Subarea

1. Extend and repair the public waterfront walkway from the Costco parking lot north to Highland Avenue, with a potential public feature at the southern terminus of the walkway. Implement a future extension of the walkway south to Purdy Avenue and north to the Mill Street Bridge.
2. Fill in the "Cove" area on the Byram River north of Westchester Avenue for use as a new waterfront park that connects with the existing public waterfront walkway.



Legend

- I** Greyrock Subarea
- II** Fox Island Subarea
- III** Columbus Park / Purdy Avenue Subarea
- IV** Downtown Subarea
- V** Brooksville Subarea



Entire LWRP Area

1. Implement a Harbor Management Plan.
2. Explore opportunities for permanent mooring of entertainment- or dining-themed vessels on the Byram River.
3. Explore providing docking facilities for hand-launched and transient watercraft.
4. Support continuing upgrades to the Westchester County sewage treatment plant.
5. Support measures to improve overall water quality in the Byram River and Long Island Sound/Port Chester Harbor.
6. Improve training of the Port Chester Waterfront Commission and improve its coordination with other Village land-use boards.
7. Support maintenance dredging of the Byram River and Port Chester Harbor.

2.0 Summary

Based upon a review of the Full Environmental Assessment Form (EAF), the Village of Port Chester Board of Trustees has made a determination of significance as follows:

- The Proposed Action will not have a significant adverse environmental impact on any Critical Environmental Area (CEA).
- The Proposed Action will not have a significant adverse environmental impact on any unique or unusual land forms.
- The Proposed Action will not have a significant adverse environmental impact on any water body designated as protected.
- The Proposed Action will not have a significant adverse environmental impact on any non-protected existing or new body of water.
- The Proposed Action will not have a significant adverse environmental impact on surface or groundwater quality or quantity, or alter drainage flows or patterns, or surface water runoff.
- The Proposed Action will not have a significant adverse environmental impact on air quality.
- The Proposed Action will not have a significant adverse environmental impact on any threatened or endangered species.

- The Proposed Action will not have a significant adverse environmental impact on agricultural land resources.
- The Proposed Action will not have a significant adverse environmental impact on aesthetic resources.
- The Proposed Action will not have a significant adverse environmental impact on any site or structure of historic, prehistoric or paleontological importance.
- The Proposed Action will not have a significant adverse environmental impact on the quantity or quality of existing or future open spaces or recreational opportunities.
- The Proposed Action will not have a significant adverse environmental impact on existing transportation systems.
- The Proposed Action will not have a significant adverse environmental impact on the community's sources of fuel or energy supply.
- The Proposed Action will not result in objectionable odors, noise or vibration.
- The Proposed Action will not have a significant adverse environmental impact on the public health and safety.
- The Proposed Action will not have a significant adverse environmental impact on the character of the existing community.
- The Proposed Action will not have a significant adverse environmental impact on the availability of affordable housing in the Village.
- The Proposed Action will not have a significant adverse environmental impact on the economic condition of the Village.

Based upon this information, and the information contained in the Full EAF, the Village Board of Trustees finds that the Proposed Action will not have any significant adverse impacts on the environment. This Negative Declaration indicates that no environmental impact statement (EIS) needs to be prepared, and that the SEQRA process is complete.

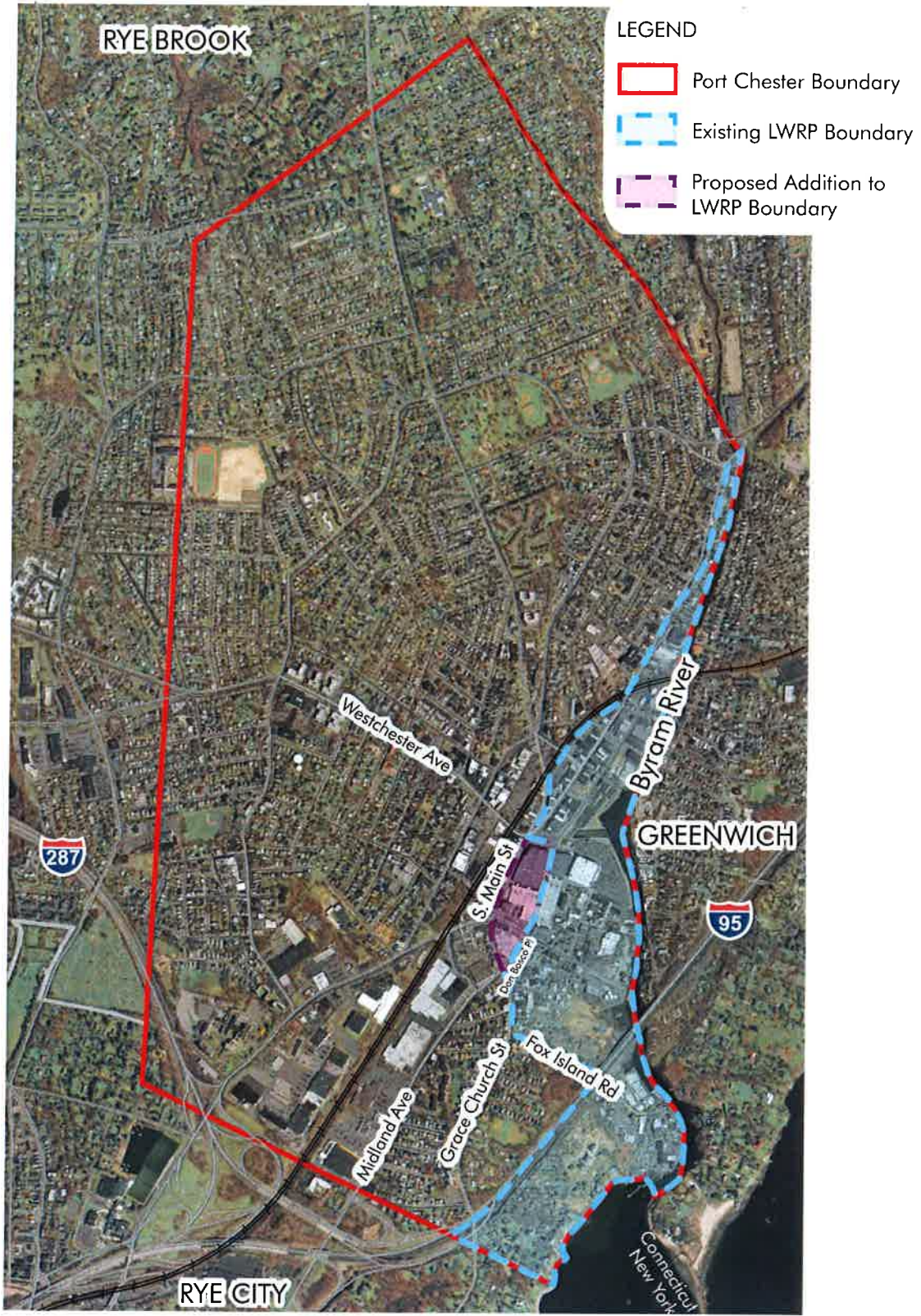


FIGURE 2: PROPOSED NEW LWRP BOUNDARY

SOURCE: NYS ORTHOS



In addition to subsequent planning efforts by the Village, several other changes have occurred that require the updating of the LWRP. In 1999, the Long Island Sound Coastal Management Program developed a set of 13 new coastal policies for the Long Island Sound shoreline to replace the 44 Statewide LWRP policies. While the new policies do not differ significantly in substance from the original LWRP policies, they are more concise, more simply organized and grouped around a set of four themes: the Natural Coast, the Working Coast, the Developed Coast and the Public Coast. The updated LWRP has been reorganized to reflect the new Long Island Sound policies.

Other “macro” changes that are reflected in the updated LWRP include new development throughout the region, changes in State and Federal laws and current best practices to improve water quality and the impacts of global climate change and sea level rise.

Port Chester’s LWRP addresses a wide range of issues including:

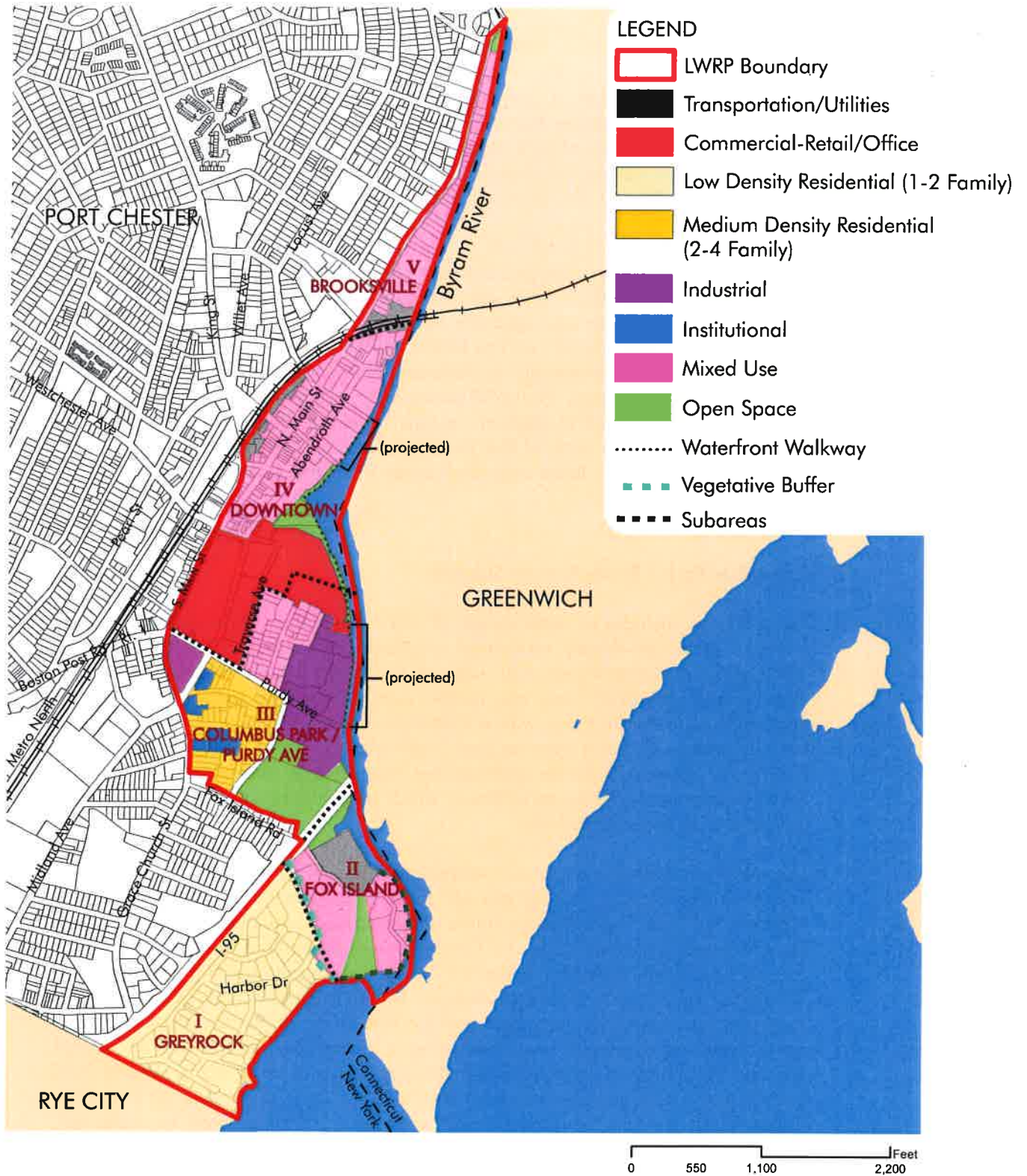
- Underutilized areas
- Water-dependent uses
- Infrastructure
- Water quality
- Climate change and sea level rise
- Public access and recreation
- Visual quality
- Historic resources

The LWRP provides a generalized layout of future land uses intended for the LWRP area. This generalized plan was derived from the existing zoning map and current land uses, as well as consideration of future land uses proposed by the draft Comprehensive Plan. It is not intended to describe the proposed land use pattern on a parcel-by-parcel basis; rather, the future land use plan (see Figure 3) is a broad expression of the range of uses intended for the Village’s LWRP area. Because the future land use plan largely stems from current zoning, no significant changes to Port Chester’s regulatory framework (e.g. zoning and subdivision regulations) are proposed.

Anticipated future land uses within the Port Chester LWRP area are described below for the five LWRP subareas.

1. Greyrock Subarea

Greyrock is a stable low-density residential area on Port Chester Harbor, virtually isolated from the rest of Port Chester by Interstate 95. It is anticipated that this subarea will remain a low-density residential neighborhood, with the remaining vacant parcels to be built out with residential uses of a similar character as allowable under the existing R7 zoning. Due to Greyrock’s character and location, opportunities for public open space are limited. No regulatory changes or projects for this area are proposed.



PORT CHESTER LWRP

PORT CHESTER, NEW YORK

FIGURE 3: PROPOSED FUTURE LAND USE

SOURCE: NYS Orthos & GIS



BFJ Planning

2. Fox Island Subarea

As discussed in Section II, the Fox Island Subarea presently contains the Westchester County sewage treatment plant, the Village's Department of Public Works (DPW), a number of light industrial operations and the Port Chester Yacht Club, as well as various small-scale assorted uses. This subarea is significantly underutilized, although the adjacent harbor and water areas are well-used by area boaters.

It is anticipated that the sewage treatment plant, the existing light industrial uses and the Port Chester Yacht Club will remain in place, and these uses should be encouraged to renovate and upgrade as appropriate. In addition, the Village's DPW facility will likely remain on Fox Island, although a consolidation and overall clean-up of this site is proposed, as discussed below. However, for the remainder of the Fox Island subarea, the LWRP promotes a combination of mixed use and public waterfront access. 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 Greyrock neighborhood immediately adjacent.

3. Columbus Park / Purdy Avenue Subarea

This subarea includes a wide range of uses: Columbus Park and the largely medium- and high-density residential neighborhood to the west (which includes some large institutional uses: Our Lady of the Rosary church and the South End Fire House). Industrial uses are located primarily along Purdy Avenue as it approaches the Byram River, with a light industrial area found at the south side of the intersection of Purdy Avenue and South Main Street. Finally, the Columbus Park/Purdy Avenue Subarea includes the high-density residential areas along Traverse Avenue and Townsend Street, which also contains a number of vacant, industrial and underutilized sites.

The LWRP provides for continued support of the existing industrial uses at either end of Purdy Avenue, as they provide local employment and contribute to the Village's tax base. The generally stable neighborhood bounded by Purdy Avenue, Ryan Avenue/Columbus Park and Grace Church Street/Don Bosco Place, would remain as a medium-density residential area. However, the existing higher-density residential area north of Purdy Avenue, which is sandwiched between heavy industrial uses along the waterfront and the Waterfront at Port Chester large-scale commercial development, would become a mixed-used area with an overall reduced emphasis on residential use. Because much of this area is already used for industrial and commercial uses, and also contains a number of vacant or underutilized parcels, it would be best used as a transition area for industrial, commercial and some high-density residential uses as appropriate.

The LWRP also supports the creation of new public water access at Columbus Park. Currently, the portion of the park that fronts the Byram River is heavily vegetated, with limited physical or visual access to the water. This area should be

opened up and used for passive and water recreation, as described more fully below.

4. Downtown Subarea

Reflecting the significant diversity of uses within downtown Port Chester, this entire subarea has been designated as mixed use, supporting the existing commercial and light industrial uses as well as promoting new residential development as appropriate.

The Downtown Subarea is also designated for increased public waterfront access, with the existing, manmade "cove" area carved out of the Byram River just north of the foot of Westchester Avenue to be filled in and converted to a public waterfront park. In addition, the existing riverfront walkway north and south of this cove area would be improved and extended northward to Willett Avenue.

5. Brooksville Subarea

This subarea presently contains a mix of uses including industrial at the southern end, open space (William James Park) and commercial uses at the northern end and medium-density residential uses in the middle portion. Because Brooksville is largely stable and provides little future redevelopment potential given the limited size and depth of its lots, no changes in its existing development pattern are proposed. This subarea is indicated as remaining a mixed-use area, accommodating all the uses currently in place. No regulatory changes or projects are proposed for this area.

In conjunction with the future land use plan, the Village's LWRP also outlines a set of site-specific and programmatic projects which will be or are being implemented to improve Port Chester's LWRP area. These projects include:

- Enhanced and increased public waterfront access
 - Filling in the "Cove" area at the foot of Westchester Avenue and converting it to a park.
 - Improving and extending the Byram River Waterfront Walkway
 - Opening up the waterfront portion of Columbus Park for a combination of passive and water recreational use (fishing pier, smallcraft mooring area)
 - Increasing public access on Fox Island (non-motored boat launch, waterfront walkway)
- Implementation of a Port Chester Harbor Management Plan
- Potential permanent mooring of an entertainment-themed vessel
- Extension of all municipal utilities along Fox Island Road
- Continued upgrades to the Westchester County Sewage Treatment Plant
- Measures to improve water quality
- Improved training, coordination of Waterfront Commission

D. List of Involved and Interested Agencies

INVOLVED AGENCIES

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

New York State Department of State
Division of Coastal Resources and Waterfront Revitalization
99 Washington Avenue, Suite 1010
Albany, New York 12231-0001
Contact: George Stafford, Director

INTERESTED AGENCIES

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

Village of Port Chester Planning Commission
222 Grace Church Street
Port Chester, NY 10573
Contact: Michael Scarola, 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, 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 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
113 Bowman Avenue
Port Chester, NY 10573
Contact: Jennifer Bisaccia, District Clerk

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

2.0 ENVIRONMENTAL ASSESSMENT FORM – PARTS I AND II

This EAF evaluates the potential for environmental impacts created by the adoption of the LWRP by the Village of Port Chester Board of Trustees. This legislative action is generic in nature, not site-specific, and does not directly result in physical changes to the environment.

The form that follows is published by the New York State Department of Environmental Conservation and is designed for site-specific actions rather than area-wide or generic proposals. As a result, some questions not relevant to this adoption are answered "not applicable" or "N/A".

617.20
Appendix A
State Environmental Quality Review
FULL ENVIRONMENTAL ASSESSMENT FORM

Purpose: The full EAF is designed to help applicants and agencies determine, in an orderly manner, whether a project or action may be significant. The question of whether an action may be significant is not always easy to answer. Frequently, there are aspects of a project that are subjective or unmeasurable. It is also understood that those who determine significance may have little or no formal knowledge of the environment or may not be technically expert in environmental analysis. In addition, many who have knowledge in one particular area may not be aware of the broader concerns affecting the question of significance.

The full EAF is intended to provide a method whereby applicants and agencies can be assured that the determination process has been orderly, comprehensive in nature, yet flexible enough to allow introduction of information to fit a project or action.

Full EAF Components: The full EAF is comprised of three parts:

- Part 1:** Provides objective data and information about a given project and its site. By identifying basic project data, it assists a reviewer in the analysis that takes place in Parts 2 and 3.
- Part 2:** Focuses on identifying the range of possible impacts that may occur from a project or action. It provides guidance as to whether an impact is likely to be considered small to moderate or whether it is a potentially-large impact. The form also identifies whether an impact can be mitigated or reduced.
- Part 3:** If any impact in Part 2 is identified as potentially-large, then Part 3 is used to evaluate whether or not the impact is actually important.

THIS AREA FOR LEAD AGENCY USE ONLY

DETERMINATION OF SIGNIFICANCE -- Type 1 and Unlisted Actions

Identify the Portions of EAF completed for this project:

Part 1

Part 2

Part 3

Upon review of the information recorded on this EAF (Parts 1 and 2 and 3 if appropriate), and any other supporting information, and considering both the magnitude and importance of each impact, it is reasonably determined by the lead agency that:

- A. The project will not result in any large and important impact(s) and, therefore, is one which **will not** have a significant impact on the environment, therefore **a negative declaration will be prepared.**
- B. Although the project could have a significant effect on the environment, there will not be a significant effect for this Unlisted Action because the mitigation measures described in PART 3 have been required, therefore **a CONDITIONED negative declaration will be prepared.***
- C. The project may result in one or more large and important impacts that may have a significant impact on the environment, therefore **a positive declaration will be prepared.**

*A Conditioned Negative Declaration is only valid for Unlisted Actions

Adoption of Updated Village of Port Chester Local Waterfront Revitalization Program

Name of Action

Village of Port Chester Board of Trustees

Name of Lead Agency

Dennis Pilla

Mayor

Print or Type Name of Responsible Officer in Lead Agency

Title of Responsible Officer

Signature of Responsible Officer in Lead Agency

Signature of Preparer (If different from responsible officer)

PART 1--PROJECT INFORMATION
Prepared by Project Sponsor

NOTICE: This document is designed to assist in determining whether the action proposed may have a significant effect on the environment. Please complete the entire form, Parts A through E. Answers to these questions will be considered as part of the application for approval and may be subject to further verification and public review. Provide any additional information you believe will be needed to complete Parts 2 and 3.

It is expected that completion of the full EAF will be dependent on information currently available and will not involve new studies, research or investigation. If information requiring such additional work is unavailable, so indicate and specify each instance.

Name of Action Adoption of Updated Local Waterfront Revitalization Program (LWRP)

Location of Action (include Street Address, Municipality and County)

Village of Port Chester, NY

Name of Applicant/Sponsor Village of Port Chester Board of Trustees

Address 222 Grace Church Street

City / PO Port Chester

State NY

Zip Code 10573

Business Telephone 914-939-2200, Village Manager Christopher Steers

Name of Owner (if different) _____

Address _____

City / PO _____

State _____

Zip Code _____

Business Telephone _____

Description of Action:

The proposed action is the adoption of the updated Village of Port Chester Local Waterfront Revitalization Program (LWRP).

The Village of Port Chester is located along the Byram River in the southeastern quadrant of Westchester County, New York, bounded on the south by Long Island Sound and the City of Rye; on the north and west by the Village of Rye Brook and on the east by the Town of Greenwich, Connecticut. Port Chester lies within the densely developed New York metropolitan area, 10 miles northeast of New York City, and at the junction of two major regional highways, Interstates 95 and 287. In addition, U.S. Route 1 and Metro-North Railroad's New Haven line pass through the center of the Village and also through the Local Waterfront Revitalization Area. Comprising a total of 2.4 square miles in land area, Port Chester is the second most densely populated municipality in Westchester County. Port Chester is an incorporated village within the Town of Rye.

As the New York State Department of State describes, "a Local Waterfront Revitalization Program (LWRP) is a locally prepared, land and water use plan and strategy for a community's natural, public, working, or developed waterfront through which critical issues are addressed. In partnership with the Division of Coastal Resources, a municipality develops community consensus regarding the future of its waterfront and refines State waterfront policies to reflect local conditions and circumstances. Once approved by the New York Secretary of State, the Local Program serves to coordinate State and federal actions needed to assist the community achieve its vision."

The Village's LWRP addresses a wide range of issues including: underutilized areas, water-dependent uses, infrastructure, water quality, climate change and sea level rise, public access and recreation, visual quality and historical resources. The LWRP provides a generalized layout of future land uses intended for the Village, and outlines specific projects and alternatives in the immediate waterfront and adjacent areas. No large-scale changes to existing land uses or patterns or rezoning actions are proposed.

For a more detailed description of the proposed action, please refer to the Introduction: Purpose and Location of the Proposed Action (Section 1.0), which precedes this EAF.

Please Complete Each Question--Indicate N.A. if not applicable

A. SITE DESCRIPTION

Physical setting of overall project, both developed and undeveloped areas.

1. Present Land Use: Urban Industrial Commercial Residential (suburban) Rural (non-farm)
 Forest Agriculture Other _____

2. Total acreage of project area: 185 acres.

APPROXIMATE ACREAGE	PRESENTLY	AFTER COMPLETION
Meadow or Brushland (Non-agricultural)	<u>N/A</u> acres	<u>N/A</u> acres
Forested	<u>N/A</u> acres	<u>N/A</u> acres
Agricultural (Includes orchards, cropland, pasture, etc.)	<u>N/A</u> acres	<u>N/A</u> acres
Wetland (Freshwater or tidal as per Articles 24,25 of ECL)	<u>N/A</u> acres	<u>N/A</u> acres
Water Surface Area	<u>N/A</u> acres	<u>N/A</u> acres
Unvegetated (Rock, earth or fill)	<u>N/A</u> acres	<u>N/A</u> acres
Roads, buildings and other paved surfaces	<u>N/A</u> acres	<u>N/A</u> acres
Other (Indicate type) _____	<u>N/A</u> acres	<u>N/A</u> acres

3. What is predominant soil type(s) on project site? Variable

- a. Soil drainage: Well drained _____% of site Moderately well drained _____% of site.
 Poorly drained _____% of site

b. If any agricultural land is involved, how many acres of soil are classified within soil group 1 through 4 of the NYS Land Classification System? N/A acres (see 1 NYCRR 370).

4. Are there bedrock outcroppings on project site? Yes No

a. What is depth to bedrock N/A (in feet)

5. Approximate percentage of proposed project site with slopes:

- 0-10% _____% 10- 15% _____% 15% or greater _____% N/A

6. Is project substantially contiguous to, or contain a building, site, or district, listed on the State or National Registers of Historic Places? Yes No No individual sites within the LWRP area are located on the State and National Registers of Historic Places. Several sites outside of the LWRP area are listed.

7. Is project substantially contiguous to a site listed on the Register of National Natural Landmarks? Yes No

8. What is the depth of the water table? Variable (in feet)

9. Is site located over a primary, principal, or sole source aquifer? Yes No

10. Do hunting, fishing or shell fishing opportunities presently exist in the project area? Yes No

11. Does project site contain any species of plant or animal life that is identified as threatened or endangered? Yes No N/A

According to:

Identify each species:

12. Are there any unique or unusual land forms on the project site? (i.e., cliffs, dunes, other geological formations?)

Yes No

Describe:

Some areas within the LWRP area contain steep slopes and rock outcroppings.

13. Is the project site presently used by the community or neighborhood as an open space or recreation area?

Yes No

If yes, explain:

Public open space and recreation options within the LWRP area include Columbus Park, William James Park, a public waterfront walkway along the Byram River and the Port Chester Yacht Club boat ramp on Fox Island.

14. Does the present site include scenic views known to be important to the community? Yes No

No scenic resources of statewide significance have been identified in the LWRP area, but locally important scenic views include those from William James Park and the waterfront walkway, and from the Greyrock residential neighborhood.

15. Streams within or contiguous to project area:

Byram River.

a. Name of Stream and name of River to which it is tributary

N/A

16. Lakes, ponds, wetland areas within or contiguous to project area:

A small area of tidal wetlands exists in the coastal vicinity of the Port Chester Yacht Club, and a second area of regulated tidal wetlands is located at the "north cove" between Purdy Avenue and I-95.

b. Size (in acres):

The wetland area in the vicinity of the Port Chester Yacht Club totals about 13,000 square feet, and the area at the north cove is approximately 1.4 acres.

17. Is the site served by existing public utilities? Yes No
- a. If YES, does sufficient capacity exist to allow connection? Yes No N/A
- b. If YES, will improvements be necessary to allow connection? Yes No N/A
18. Is the site located in an agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304? Yes No N/A
19. Is the site located in or substantially contiguous to a Critical Environmental Area designated pursuant to Article 8 of the ECL, and 6 NYCRR 617? Yes No Long Island Sound is a Westchester County-designated CEA.
20. Has the site ever been used for the disposal of solid or hazardous wastes? Yes No N/A

B. Project Description Adoption of an Update to the Village of Port Chester Local Waterfront Revitalization Program

1. Physical dimensions and scale of project (fill in dimensions as appropriate).

- a. Total contiguous acreage owned or controlled by project sponsor: xx acres.
- b. Project acreage to be developed: N/A acres initially; N/A acres ultimately.
- c. Project acreage to remain undeveloped: N/A acres.
- d. Length of project, in miles: N/A (if appropriate)
- e. If the project is an expansion, indicate percent of expansion proposed. N/A %
- f. Number of off-street parking spaces existing N/A ; proposed N/A
- g. Maximum vehicular trips generated per hour: N/A (upon completion of project)?
- h. If residential: Number and type of housing units:

	One Family	Two Family	Multiple Family	Condominium
Initially	<u> N/A </u>	<u> N/A </u>	<u> N/A </u>	<u> N/A </u>
Ultimately	<u> N/A </u>	<u> N/A </u>	<u> N/A </u>	<u> N/A </u>

- i. Dimensions (in feet) of largest proposed structure: N/A height; N/A width; N/A length.
- j. Linear feet of frontage along a public thoroughfare project will occupy is? N/A ft.

2. How much natural material (i.e. rock, earth, etc.) will be removed from the site? N/A tons/cubic yards.

3. Will disturbed areas be reclaimed Yes No N/A

a. If yes, for what intended purpose is the site being reclaimed?

b. Will topsoil be stockpiled for reclamation? Yes No N/A

c. Will upper subsoil be stockpiled for reclamation? Yes No N/A

4. How many acres of vegetation (trees, shrubs, ground covers) will be removed from site? N/A acres.

*The proposed action is the adoption of a Local Waterfront Revitalization Program (LWRP) for the Village. This action is generic in nature, not site-specific, and does not directly result in physical changes to the environment. Thus, the project-related impacts assumed by the EAF are generally not applicable or variable dependent on locations within the Village.

5. Will any mature forest (over 100 years old) or other locally-important vegetation be removed by this project?

Yes No N/A

6. If single phase project: Anticipated period of construction: N/A months, (including demolition)

7. If multi-phased:

a. Total number of phases anticipated N/A (number)

b. Anticipated date of commencement phase 1: N/A month N/A year, (including demolition)

c. Approximate completion date of final phase: N/A month N/A year.

d. Is phase 1 functionally dependent on subsequent phases? Yes No N/A

8. Will blasting occur during construction? Yes No N/A

9. Number of jobs generated: during construction N/A; after project is complete N/A

10. Number of jobs eliminated by this project N/A.

11. Will project require relocation of any projects or facilities? Yes No

If yes, explain:

12. Is surface liquid waste disposal involved? Yes No

a. If yes, indicate type of waste (sewage, industrial, etc) and amount _____

b. Name of water body into which effluent will be discharged _____

13. Is subsurface liquid waste disposal involved? Yes No Type _____

14. Will surface area of an existing water body increase or decrease by proposal? Yes No

If yes, explain:

15. Is project or any portion of project located in a 100 year flood plain? Yes No Some portions of land within the LWRP area are located within a 100-year floodplain.

16. Will the project generate solid waste? Yes No

a. If yes, what is the amount per month? _____ tons

b. If yes, will an existing solid waste facility be used? Yes No

c. If yes, give name _____; location _____

d. Will any wastes not go into a sewage disposal system or into a sanitary landfill? Yes No

e. If yes, explain:

17. Will the project involve the disposal of solid waste? Yes No N/A

a. If yes, what is the anticipated rate of disposal? _____ tons/month.

b. If yes, what is the anticipated site life? _____ years.

18. Will project use herbicides or pesticides? Yes No N/A

19. Will project routinely produce odors (more than one hour per day)? Yes No N/A

20. Will project produce operating noise exceeding the local ambient noise levels? Yes No N/A

21. Will project result in an increase in energy use? Yes No N/A

If yes, indicate type(s)

22. If water supply is from wells, indicate pumping capacity N/A gallons/minute.

23. Total anticipated water usage per day N/A gallons/day.

24. Does project involve Local, State or Federal funding? Yes No

If yes, explain:

The project is being funded with a grant from the New York State Department of State, Division of Coastal Resources.

25. Approvals Required:

			Type	Submittal Date
City, Town, Village Board	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<u>Adoption of LWRP</u>	_____
			_____	_____
			_____	_____
City, Town, Village Planning Board	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	_____	_____
			_____	_____
			_____	_____
City, Town Zoning Board	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	_____	_____
			_____	_____
			_____	_____
City, County Health Department	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	_____	_____
			_____	_____
			_____	_____
Other Local Agencies	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	_____	_____
			_____	_____
			_____	_____
Other Regional Agencies	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	_____	_____
			_____	_____
			_____	_____
State Agencies	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<u>NYS DOS approval of</u>	_____
			<u>Village's LWRP</u>	_____
			_____	_____
Federal Agencies	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	_____	_____
			_____	_____
			_____	_____

C. Zoning and Planning Information

1. Does proposed action involve a planning or zoning decision? Yes No

If Yes, indicate decision required:

- | | | | |
|---|---|--|--------------------------------------|
| <input type="checkbox"/> Zoning amendment | <input type="checkbox"/> Zoning variance | <input type="checkbox"/> New/revision of master plan | <input type="checkbox"/> Subdivision |
| <input type="checkbox"/> Site plan | <input type="checkbox"/> Special use permit | <input type="checkbox"/> Resource management plan | <input type="checkbox"/> Other |

2. What is the zoning classification(s) of the site?

Zoning classifications within the LWRP area are as follows: Central Business (C2), General Commercial (C4), Designed Waterfront Development (DW), Light Industrial (M1), General Industrial (M2), Marina Urban Redevelopment (MUR), Single-Family (R7), Two-Family (R2F) and Village Center Redevelopment Area (VCRA).

3. What is the maximum potential development of the site if developed as permitted by the present zoning?

N/A. The LWRP sets forth policies and recommendations but does not propose zoning.

4. What is the proposed zoning of the site?

The LWRP recommends generalized future land uses that are consistent with current zoning. No changes to the zoning map are proposed.

5. What is the maximum potential development of the site if developed as permitted by the proposed zoning?

N/A

6. Is the proposed action consistent with the recommended uses in adopted local land use plans? Yes No

The LWRP is consistent with the recommendations of the current Village of Port Chester Comprehensive Plan.

7. What are the predominant land use(s) and zoning classifications within a ¼ mile radius of proposed action?

The Village of Port Chester is predominantly developed with residential, commercial, institutional and industrial uses.

8. Is the proposed action compatible with adjoining/surrounding land uses with a ¼ mile? Yes No

9. If the proposed action is the subdivision of land, how many lots are proposed? N/A

a. What is the minimum lot size proposed? _____

10. Will proposed action require any authorization(s) for the formation of sewer or water districts? Yes No

11. Will the proposed action create a demand for any community provided services (recreation, education, police, fire protection)?

Yes No

a. If yes, is existing capacity sufficient to handle projected demand? Yes No

12. Will the proposed action result in the generation of traffic significantly above present levels? Yes No

a. If yes, is the existing road network adequate to handle the additional traffic. Yes No

D. Informational Details

Attach any additional information as may be needed to clarify your project. If there are or may be any adverse impacts associated with your proposal, please discuss such impacts and the measures which you propose to mitigate or avoid them.

E. Verification

I certify that the information provided above is true to the best of my knowledge.

Applicant/Sponsor Name Dennis Pilla Date _____

Signature _____

Title Mayor, Village of Port Chester

If the action is in the Coastal Area, and you are a state agency, complete the Coastal Assessment Form before proceeding with this assessment.

Adoption of an Update to the Village of Port Chester Local Waterfront Revitalization Program

PART 2 - PROJECT IMPACTS AND THEIR MAGNITUDE

Responsibility of Lead Agency

General Information (Read Carefully)

- ! In completing the form the reviewer should be guided by the question: Have my responses and determinations been **reasonable**? The reviewer is not expected to be an expert environmental analyst.
- ! The **Examples** provided are to assist the reviewer by showing types of impacts and wherever possible the threshold of magnitude that would trigger a response in column 2. The examples are generally applicable throughout the State and for most situations. But, for any specific project or site other examples and/or lower thresholds may be appropriate for a Potential Large Impact response, thus requiring evaluation in Part 3.
- ! The impacts of each project, on each site, in each locality, will vary. Therefore, the examples are illustrative and have been offered as guidance. They do not constitute an exhaustive list of impacts and thresholds to answer each question.
- ! The number of examples per question does not indicate the importance of each question.
- ! In identifying impacts, consider long term, short term and cumulative effects.

Instructions (Read carefully)

- a. Answer each of the 20 questions in PART 2. Answer **Yes** if there will be **any** impact.
- b. **Maybe** answers should be considered as **Yes** answers.
- c. If answering **Yes** to a question then check the appropriate box(column 1 or 2)to indicate the potential size of the impact. If impact threshold equals or exceeds any example provided, check column 2. If impact will occur but threshold is lower than example, check column 1.
- d. Identifying that an Impact will be potentially large (column 2) does not mean that it is also necessarily **significant**. Any large impact must be evaluated in PART 3 to determine significance. Identifying an impact in column 2 simply asks that it be looked at further.
- e. If reviewer has doubt about size of the impact then consider the impact as potentially large and proceed to PART 3.
- f. If a potentially large impact checked in column 2 can be mitigated by change(s) in the project to a small to moderate impact, also check the **Yes** box in column 3. A **No** response indicates that such a reduction is not possible. This must be explained in Part 3.

	1	2	3
	Small to Moderate Impact	Potential Large Impact	Can Impact Be Mitigated by Project Change

Impact on Land

1. Will the Proposed Action result in a physical change to the project site?

NO YES

Examples that would apply to column 2

- | | | | |
|--|--------------------------|--------------------------|--|
| • Any construction on slopes of 15% or greater, (15 foot rise per 100 foot of length), or where the general slopes in the project area exceed 10%. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Construction on land where the depth to the water table is less than 3 feet. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Construction of paved parking area for 1,000 or more vehicles. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Construction on land where bedrock is exposed or generally within 3 feet of existing ground surface. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Construction that will continue for more than 1 year or involve more than one phase or stage. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Excavation for mining purposes that would remove more than 1,000 tons of natural material (i.e., rock or soil) per year. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |

	1	2	3	
	Small to Moderate Impact	Potential Large Impact	Can Impact Be Mitigated by Project Change	

- Construction or expansion of a sanitary landfill. Yes No
- Construction in a designated floodway. Yes No
- Other impacts: Yes No

2. Will there be an effect to any unique or unusual land forms found on the site? (i.e., cliffs, dunes, geological formations, etc.)

NO YES

- Specific land forms: Yes No

Impact on Water

3. Will Proposed Action affect any water body designated as protected? (Under Articles 15, 24, 25 of the Environmental Conservation Law, ECL)

NO YES

Examples that would apply to column 2

- Developable area of site contains a protected water body. Yes No
- Dredging more than 100 cubic yards of material from channel of a protected stream. Yes No
- Extension of utility distribution facilities through a protected water body. Yes No
- Construction in a designated freshwater or tidal wetland. Yes No
- Other impacts: Yes No

The LWRP supports maintenance dredging of the Byram River by the U.S. Army Corps of Engineers; however, any dredging would be done at the discretion of the federal agency. The LWRP also proposes filling in the manmade "Cove" area of the river for creation of a new waterfront park. This would involve a potential relocation and upgrading of the existing stormwater outfall at the area, resulting in a minimal or beneficial impact on the river.

4. Will Proposed Action affect any non-protected existing or new body of water?

NO YES

Examples that would apply to column 2

- A 10% increase or decrease in the surface area of any body of water or more than a 10 acre increase or decrease. Yes No
- Construction of a body of water that exceeds 10 acres of surface area. Yes No
- Other impacts: Yes No

1	2	3
Small to Moderate Impact	Potential Large Impact	Can Impact Be Mitigated by Project Change

5. Will Proposed Action affect surface or groundwater quality or quantity?

NO YES

Examples that would apply to column 2

- | | | | | |
|--|-------------------------------------|--------------------------|------------------------------|-----------------------------|
| • Proposed Action will require a discharge permit. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| • Proposed Action requires use of a source of water that does not have approval to serve proposed (project) action. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| • Proposed Action requires water supply from wells with greater than 45 gallons per minute pumping capacity. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| • Construction or operation causing any contamination of a water supply system. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| • Proposed Action will adversely affect groundwater. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| • Liquid effluent will be conveyed off the site to facilities which presently do not exist or have inadequate capacity. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| • Proposed Action would use water in excess of 20,000 gallons per day. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| • Proposed Action will likely cause siltation or other discharge into an existing body of water to the extent that there will be an obvious visual contrast to natural conditions. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| • Proposed Action will require the storage of petroleum or chemical products greater than 1,100 gallons. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| • Proposed Action will allow residential uses in areas without water and/or sewer services. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| • Proposed Action locates commercial and/or industrial uses which may require new or expansion of existing waste treatment and/or storage facilities. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| • Other impacts: | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |

The LWRP supports measures to improve water quality, such as compliance with U.S. EPA and NYSDEC regulations, adoption of local laws on erosion and sediment control and illicit discharge and identification, and requiring a Stormwater Pollution Prevention Plan (SWPPP) for land disturbance of greater than 1,000 square feet. These measures could be expected to be beneficial in nature.

1	2	3	
Small to Moderate Impact	Potential Large Impact	Can Impact Be Mitigated by Project Change	

6. Will Proposed Action alter drainage flow or patterns, or surface water runoff?

NO YES

Examples that would apply to column 2

- | | | | | |
|--|-------------------------------------|--------------------------|------------------------------|-----------------------------|
| • Proposed Action would change flood water flows | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| • Proposed Action may cause substantial erosion. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| • Proposed Action is incompatible with existing drainage patterns. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| • Proposed Action will allow development in a designated floodway. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| • Other impacts: | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |

The proposed filling in of the "Cove" area would involve a potential relocation of the existing stormwater outfall in the area, including addition of an oil/water separator, which would potentially improve water quality from stormwater runoff.

IMPACT ON AIR

7. Will Proposed Action affect air quality?

NO YES

Examples that would apply to column 2

- | | | | | |
|---|--------------------------|--------------------------|------------------------------|-----------------------------|
| • Proposed Action will induce 1,000 or more vehicle trips in any given hour. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| • Proposed Action will result in the incineration of more than 1 ton of refuse per hour. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| • Emission rate of total contaminants will exceed 5 lbs. per hour or a heat source producing more than 10 million BTU's per hour. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| • Proposed Action will allow an increase in the amount of land committed to industrial use. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| • Proposed Action will allow an increase in the density of industrial development within existing industrial areas. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| • Other impacts: | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |

IMPACT ON PLANTS AND ANIMALS

8. Will Proposed Action affect any threatened or endangered species?

NO YES

Examples that would apply to column 2

- | | | | | |
|---|--------------------------|--------------------------|------------------------------|-----------------------------|
| • Reduction of one or more species listed on the New York or Federal list, using the site, over or near the site, or found on the site. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
|---|--------------------------|--------------------------|------------------------------|-----------------------------|

	1 Small to Moderate Impact	2 Potential Large Impact	3 Can Impact Be Mitigated by Project Change
• Removal of any portion of a critical or significant wildlife habitat.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
• Application of pesticide or herbicide more than twice a year, other than for agricultural purposes.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
• Other impacts:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No

9. Will Proposed Action substantially affect non-threatened or non-endangered species?

NO YES

Examples that would apply to column 2

• Proposed Action would substantially interfere with any resident or migratory fish, shellfish or wildlife species.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
• Proposed Action requires the removal of more than 10 acres of mature forest (over 100 years of age) or other locally important vegetation.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
• Other impacts:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No

IMPACT ON AGRICULTURAL LAND RESOURCES

10. Will Proposed Action affect agricultural land resources?

NO YES

Examples that would apply to column 2

• The Proposed Action would sever, cross or limit access to agricultural land (includes cropland, hayfields, pasture, vineyard, orchard, etc.)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
• Construction activity would excavate or compact the soil profile of agricultural land.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
• The Proposed Action would irreversibly convert more than 10 acres of agricultural land or, if located in an Agricultural District, more than 2.5 acres of agricultural land.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No

	1 Small to Moderate Impact	2 Potential Large Impact	3 Can Impact Be Mitigated by Project Change
• The Proposed Action would disrupt or prevent installation of agricultural land management systems (e.g., subsurface drain lines, outlet ditches, strip cropping); or create a need for such measures (e.g. cause a farm field to drain poorly due to increased runoff).	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
• Other impacts:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No

IMPACT ON AESTHETIC RESOURCES

11. Will Proposed Action affect aesthetic resources? (If necessary, use the Visual EAF Addendum in Section 617.20, Appendix B.)
 NO YES

Examples that would apply to column 2

• Proposed land uses, or project components obviously different from or in sharp contrast to current surrounding land use patterns, whether man-made or natural.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
• Proposed land uses, or project components visible to users of aesthetic resources which will eliminate or significantly reduce their enjoyment of the aesthetic qualities of that resource.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
• Project components that will result in the elimination or significant screening of scenic views known to be important to the area.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
• Other impacts:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No

The LWRP proposes enhanced public waterfront access through creation of a new park, improvement and extension of the Byram River Waterfront Walkway, upgrades to Columbus Park and new public space on Fox Island, as well as working with Westchester County on exterior improvements to the Sewage Treatment Plant. Each of these measures would represent an improvement to aesthetic resources. +

IMPACT ON HISTORIC AND ARCHAEOLOGICAL RESOURCES

12. Will Proposed Action impact any site or structure of historic, prehistoric or paleontological importance?
 NO YES

Examples that would apply to column 2

• Proposed Action occurring wholly or partially within or substantially contiguous to any facility or site listed on the State or National Register of historic places.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
• Any impact to an archaeological site or fossil bed located within the project site.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
• Proposed Action will occur in an area designated as sensitive for archaeological sites on the NYS Site Inventory.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No

	1 Small to Moderate Impact	2 Potential Large Impact	3 Can Impact Be Mitigated by Project Change
• Other impacts:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No

IMPACT ON OPEN SPACE AND RECREATION

13. Will proposed Action affect the quantity or quality of existing or future open spaces or recreational opportunities?

NO YES

Examples that would apply to column 2

- | | | | |
|---|-------------------------------------|--------------------------|--|
| • The permanent foreclosure of a future recreational opportunity. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • A major reduction of an open space important to the community. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Other impacts: | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |

The LWRP proposes enhanced public waterfront access through creation of a new park, improvement and extension of the Byram River Waterfront Walkway, upgrades to Columbus Park and new public space on Fox Island, as well as provision of hand-launched and transient docking facilities in the downtown area. Each of these measures would represent beneficial impacts. +

IMPACT ON CRITICAL ENVIRONMENTAL AREAS

14. Will Proposed Action impact the exceptional or unique characteristics of a critical environmental area (CEA) established pursuant to subdivision 6NYCRR 617.14(g)?

NO YES

List the environmental characteristics that caused the designation of the CEA.

Long Island Sound - Exceptional or unique character.

Examples that would apply to column 2

- | | | | |
|---|-------------------------------------|--------------------------|--|
| • Proposed Action to locate within the CEA? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Proposed Action will result in a reduction in the quantity of the resource? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Proposed Action will result in a reduction in the quality of the resource? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Proposed Action will impact the use, function or enjoyment of the resource? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| • Other impacts: | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No |

Port Chester's coastline falls into the Long Island Sound Critical Environmental Area, which was designed by Westchester County. The LWRP proposes a number of measures which would be beneficial to this CEA, including improvements to public waterfront access, implementation of a Port Chester Harbor Management Plan, enhanced waterfront recreational opportunities and measures to improve water quality.

1	2	3
Small to Moderate Impact	Potential Large Impact	Can Impact Be Mitigated by Project Change

IMPACT ON TRANSPORTATION

15. Will there be an effect to existing transportation systems?

NO YES

Examples that would apply to column 2

- | | | | | |
|--|--------------------------|--------------------------|------------------------------|-----------------------------|
| • Alteration of present patterns of movement of people and/or goods. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| • Proposed Action will result in major traffic problems. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| • Other impacts: | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |

IMPACT ON ENERGY

16. Will Proposed Action affect the community's sources of fuel or energy supply?

NO YES

Examples that would apply to column 2

- | | | | | |
|---|--------------------------|--------------------------|------------------------------|-----------------------------|
| • Proposed Action will cause a greater than 5% increase in the use of any form of energy in the municipality. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| • Proposed Action will require the creation or extension of an energy transmission or supply system to serve more than 50 single or two family residences or to serve a major commercial or industrial use. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| • Other impacts: | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |

NOISE AND ODOR IMPACT

17. Will there be objectionable odors, noise, or vibration as a result of the Proposed Action?

NO YES

Examples that would apply to column 2

- | | | | | |
|--|--------------------------|--------------------------|------------------------------|-----------------------------|
| • Blasting within 1,500 feet of a hospital, school or other sensitive facility. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| • Odors will occur routinely (more than one hour per day). | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| • Proposed Action will produce operating noise exceeding the local ambient noise levels for noise outside of structures. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| • Proposed Action will remove natural barriers that would act as a noise screen. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| • Other impacts: | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Yes | <input type="checkbox"/> No |

1	2	3
Small to Moderate Impact	Potential Large Impact	Can Impact Be Mitigated by Project Change

IMPACT ON PUBLIC HEALTH

18. Will Proposed Action affect public health and safety?

NO YES

- | | | | |
|---|---|--|--|
| <ul style="list-style-type: none"> • Proposed Action may cause a risk of explosion or release of hazardous substances (i.e. oil, pesticides, chemicals, radiation, etc.) in the event of accident or upset conditions, or there may be a chronic low level discharge or emission. • Proposed Action may result in the burial of "hazardous wastes" in any form (i.e. toxic, poisonous, highly reactive, radioactive, irritating, infectious, etc.) • Storage facilities for one million or more gallons of liquefied natural gas or other flammable liquids. • Proposed Action may result in the excavation or other disturbance within 2,000 feet of a site used for the disposal of solid or hazardous waste. • Other impacts: | <input type="checkbox"/>

<input checked="" type="checkbox"/> | <input type="checkbox"/>

<input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No

<input type="checkbox"/> Yes <input type="checkbox"/> No |
|---|---|--|--|

The LWRP proposes the consideration of extension of utilities along Fox Island Road, which would improve the water and sewer system for that portion of the Village.

**IMPACT ON GROWTH AND CHARACTER
OF COMMUNITY OR NEIGHBORHOOD**

19. Will Proposed Action affect the character of the existing community?

NO YES

Examples that would apply to column 2

- | | | | |
|--|--|--|--|
| <ul style="list-style-type: none"> • The permanent population of the city, town or village in which the project is located is likely to grow by more than 5%. • The municipal budget for capital expenditures or operating services will increase by more than 5% per year as a result of this project. • Proposed Action will conflict with officially adopted plans or goals. • Proposed Action will cause a change in the density of land use. • Proposed Action will replace or eliminate existing facilities, structures or areas of historic importance to the community. • Development will create a demand for additional community services (e.g. schools, police and fire, etc.) | <input type="checkbox"/>

<input type="checkbox"/> | <input type="checkbox"/>

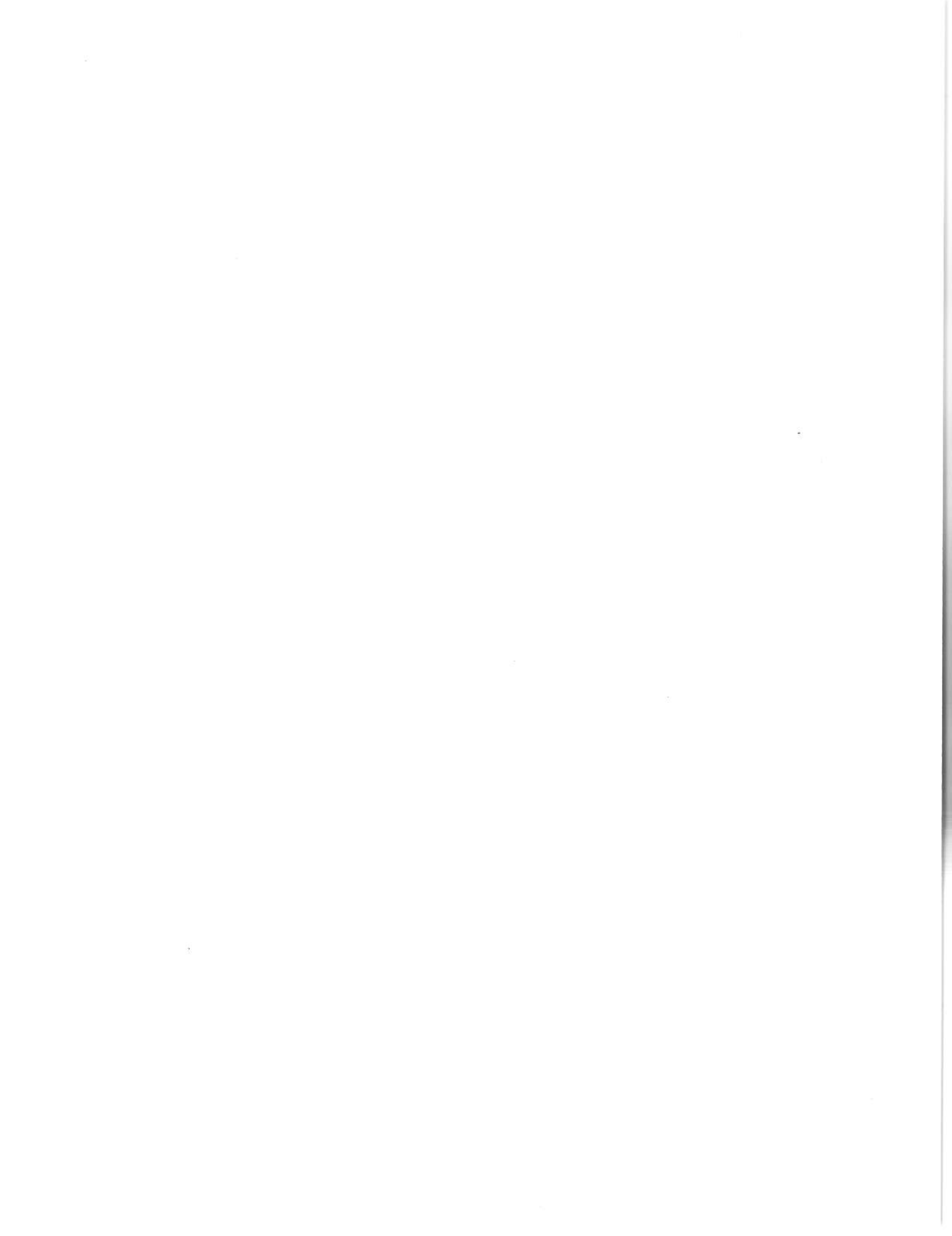
<input type="checkbox"/> | <input type="checkbox"/> Yes <input type="checkbox"/> No

<input type="checkbox"/> Yes <input type="checkbox"/> No |
|--|--|--|--|

	1 Small to Moderate Impact	2 Potential Large Impact	3 Can Impact Be Mitigated by Project Change
• Proposed Action will set an important precedent for future projects.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
• Proposed Action will create or eliminate employment.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
• Other Impacts:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No

20. Is there, or is there likely to be, public controversy related to potential adverse environment impacts?
 NO YES

If Any Action in Part 2 Is Identified as a Potential Large Impact or If you Cannot Determine the Magnitude of Impact, Proceed to Part 3



**LOCAL WATERFRONT REVITALIZATION PROGRAM (LWRP)
ADOPTION OF DRAFT TO FACILITATE FORMAL REVIEW BY THE NEW YORK
STATE DEPARTMENT OF STATE**

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

WHEREAS, in 1992, the Village of Port Chester adopted a Local Waterfront Revitalization Plan (LWRP), which was approved by the New York State Department of State, that provides a comprehensive program for the beneficial use, revitalization, and protection of the Village's Waterfront resources and is the official plan for governing local, state, and federal actions in the defined Waterfront Revitalization area; and

WHEREAS, the Department of State recommends that Local Waterfront Development Programs be updated periodically and provides technical assistance and grant fund funding to defray the costs of such an update; and

WHEREAS, in the 2010, the Village obtained a grant to update the 1992 LWRP and after a competitive RFP process retained BFJ Planning to work with the Village's Waterfront Commission for the task; and

WHEREAS, that pursuant to Part 617 of the SEQR Regulations, the Village Board of Trustees designated itself as the Lead Agency on February 6, 2012 for the SEQR Review of this Type I Action;

WHEREAS, the Board of Trustees held public hearings on the draft LWRP on January 22, 2013 and February 4, 2013, and allowed an additional 10 day written comment period to provide the public ample opportunity for review and comment; and

WHEREAS, Village Staff has provided to the Board a revised draft LWRP incorporating comments submitted; and now therefore let it be

RESOLVED, that Village Board of Trustees adopts the draft Local Waterfront Revitalization Program (LWRP), dated February 15, 2013; and be it further

RESOLVED, that Village Staff is hereby directed forward the draft Local Waterfront Revitalization Program (LWRP) to the New York State Department of State to initiate the requisite 60-day formal review period; and be it further

RESOLVED, that Board looks forward to such input so it will be in the position to adopt a final Local Waterfront Revitalization Plan in short order.

APPROVED AS TO FORM:

Village Attorney

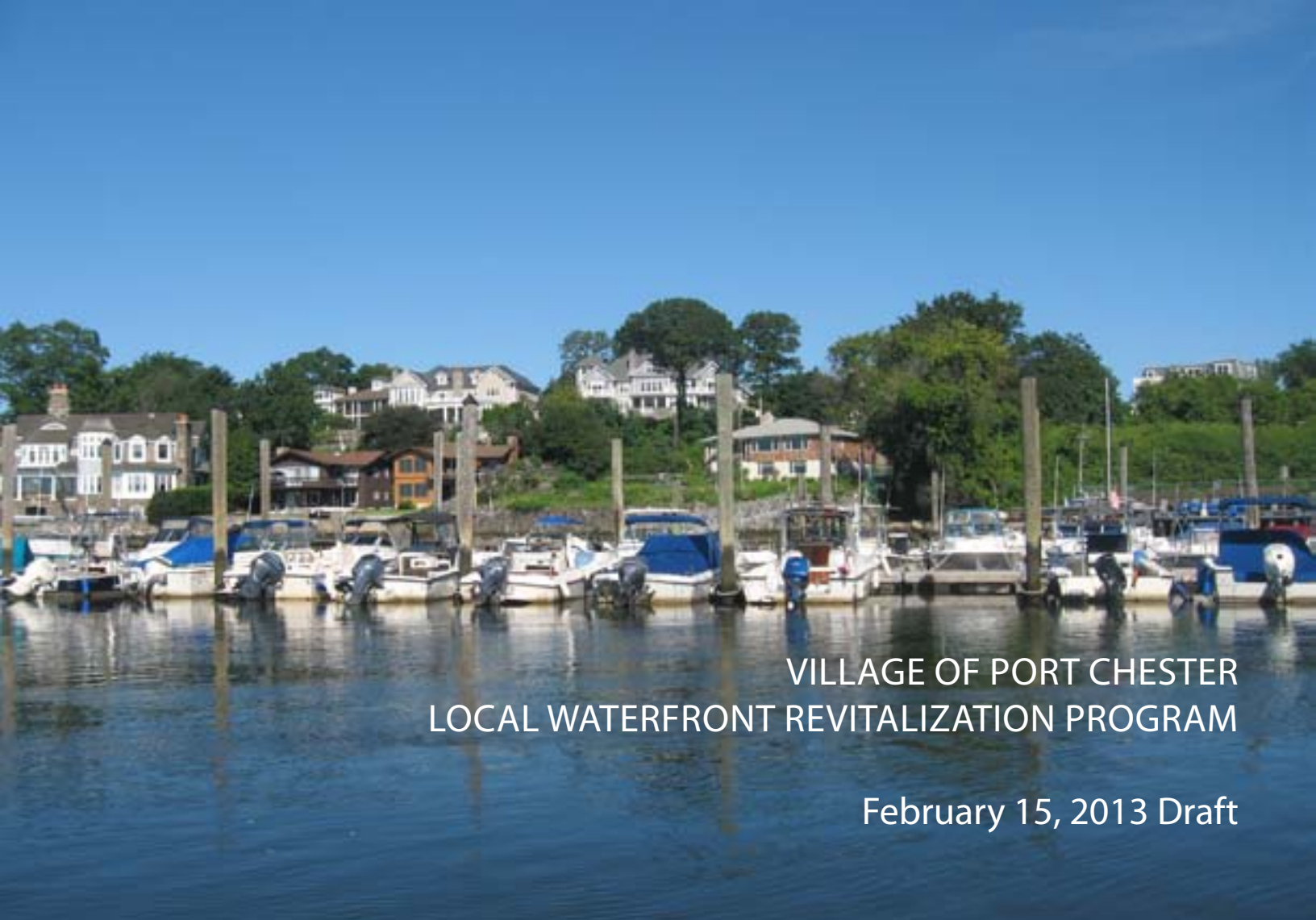
ROLL CALL

AYES:

NOES:

ABSENT:

DATE: February 19, 2013



VILLAGE OF PORT CHESTER
LOCAL WATERFRONT REVITALIZATION PROGRAM

February 15, 2013 Draft



Prepared for:
The Village of Port Chester Board of Trustees

Prepared by:
The Village of Port Chester Waterfront Commission,
with assistance from BFJ Planning and Charles McCaffrey

**VILLAGE OF PORT CHESTER
LOCAL WATERFRONT REVITALIZATION PROGRAM (LWRP)**

February 15, 2013 Draft

**Prepared on behalf of:
Village of Port Chester, NY**

**Prepared by:
BFJ Planning
115 Fifth Avenue
New York, NY 10003**

Acknowledgments:

Village Board of Trustees

Dennis Pilla, Mayor
Daniel Brakewood
Joseph Kenner
John Branca
Saverio Terenzi
Luis Marino
Bart Didden

Village of Port Chester Waterfront Commission

Gene Ceccarelli, Chairman
John Hiensch
Mike O'Connor
Tav Passerelli
Alejandro Payan

Peter Pascale, former Chairman
Mary Kelley, former member

Village of Port Chester Staff

Christopher Steers, Village Manager
Anthony Cerreto, Village Attorney
Christopher Gomez, Director of Planning and Development
Jessica Youngblood, Village Planner
Patrick Cleary, Village Planning Consultant
Dolph Rotfeld, P.E., Village Consulting Engineer
Janusz Richards, Village Clerk

BFJ Planning Team

Frank Fish, FAICP, Principal
Susan Favate, AICP, PP, Senior Associate
Joanna Todaro, Planner
Charles McCaffrey, Consultant, Former Chief of Local Waterfront Revitalization Programs
Jonathan Martin, Ph.D., Urban Design
Winnie Liu, Graphic Design

This document was prepared for the New York State Department of State with funds provided
under title 11 of the Environmental Protection Fund

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(February 2013 Draft)

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INTRODUCTION

A. PURPOSE AND THEMES OF THE LOCAL WATERFRONT REVITALIZATION PROGRAM

The Local Waterfront Revitalization Program (LWRP) is a New York State-sponsored program under the direction of the State Coastal Management Program. An LWRP is intended to be a comprehensive, realistic program for the beneficial use, revitalization and protection of a community's waterfront resources. Its major components are:

- A clearly delineated local waterfront revitalization area boundary based on the State's federally approved coastal zone.
- An inventory and analysis of the natural and man-made characteristics and resources of the waterfront area.
- Policies for the management of activities within the waterfront revitalization area which apply to the State coastal policies expressed in the State Coastal Management Program to specific local waterfront resources and conditions and to reflect local objectives.
- Proposed land and water uses for the entire waterfront revitalization area and proposed waterfront projects.
- Local techniques for implementing the policies of the LWRP and ensuring that local actions will comply with the LWRP.

Once completed, an LWRP is submitted to the New York Secretary of State and the U.S. Department of Commerce for review and approval. After approval, the local program replaces the State Coastal Management Program within the local waterfront area and becomes the official plan for governing local, State and Federal actions affecting the defined waterfront revitalization area.

The benefits of a Local Waterfront Revitalization Program include the following:

- A municipality has the opportunity to evaluate its waterfront resources, to develop a comprehensive strategy for the best use of these resources and to put in place a local program to implement that strategy in a fair and predictable manner.
- The consistency provisions of the Coastal Management Program require State and Federal agencies to adhere to the policies of an approved LWRP when those agencies undertake, fund or grant a permit for a project within the LWRP area.

Coastal Management Program Themes

The Waterfront Revitalization of Coastal Areas and Inland Waterways Act, Article 42 of the Executive Law, is the foundation of the New York State Coastal Management Program. The legislative findings declare that:

The social and economic well-being and the general welfare of the people of the state are critically dependent upon the preservation, enhancement, protection, development and use of the natural and man-made resources of the state's coastal area and inland waterways.

The legislature further finds that it is in the interest of the people of the state that coordinated and comprehensive policy and planning for preservation, enhancement, protection, development and use of the state's coastal and

inland waterway resources take place to insure the proper balance between natural resources and the need to accommodate the needs of population growth and economic development.

In 1999, the New York State Department of State (DOS) released the Long Island Sound Coastal Management program. The program draws its authority from Article 42 of the Executive Law. It refined the existing New York State Coastal Management Program, incorporated existing programs and laws governing activities in the coastal area and integrated the capabilities of state and local government into an enforceable program for the Sound. The Long Island Sound Coastal Management Program replaced the state Coastal Management Program for the Sound shorelines of Westchester County, New York City to the Throgs Neck Bridge, Nassau County and Suffolk County. The program defines what constitutes a balance between appropriate and needed economic development, and protection and restoration of the natural and living resources of the Sound.

The Long Island Sound Coastal Management Program is organized around four themes: the natural coast, the working coast, the public coast and the developed coast. Each coast must be considered for both its own intrinsic value and for its interrelationship with the other coasts. The following section briefly describes these themes.

- **Developed Coast**

The Long Island Sound coastal region is essentially a developed coast. Much of community character is defined by the existing patterns and style of development, a pattern and style that over the years have exhibited a close relationship to Long Island Sound and to natural landscapes in the coastal area.

Changing development patterns can enhance the community character of the Long Island Sound coastal region and the sense of place of the individual communities that come together to form the region's identity. To ensure that change maintains or enhances community character and ties to the Sound and the surrounding landscape, the impacts of development must be managed to improve quality of life and the environment. This can lead to the coexistence of successful built-up areas and surrounding natural and working landscapes that respects the natural and economic values of the Sound.

According to the Long Island Sound Coastal Management Program, the Village of Port Chester is one of 17 waterfront centers that serve as the focal point of the developed land pattern. These communities are centers of economic and cultural activity within the region and should be maintained to enhance the region's quality of life, coastal character, and remaining open lands and natural resources. Port Chester has also been identified as one of six waterfront centers that have brownfields and/or significant underused, previously built sites available for redevelopment which, if revitalized, would have a regional economic benefit.

- **Natural Coast**

The natural coast is comprised of a rich diversity of natural resources that are the basis for the productivity of Long Island Sound, as well as a source of scenic beauty and recreational enjoyment. The Long Island Sound Coastal Management Program

concentrates on the integrity of ecological communities, appropriate responses to natural coastal processes and improved management of water resources and overall water quality.

Long Island Sound is a complex ecosystem consisting of physical (non-living) and biological (living) components and their interactions. The physical components include the open waters, embayments, and tributaries of the Sound, as well as coastal lowlands, headlands, bluffs, adjacent upland areas, small offshore islands, and soils. These features continue to develop and change through the action of tides and offshore currents, and through weathering by precipitation and surface runoff. The biological components include the plants and animals that make up a wide range of ecological communities in and around the Sound. These ecological communities provide vital habitat for waterfowl, finfish, and shellfish.

Erosion and flooding have been causing changes in the coastal geography of the Long Island Sound region since glacial retreat began thousands of years ago. Beaches and dunes have developed and changed; bluffs have slumped and been washed away; bays have changed shape and depth; wetlands have appeared and disappeared. These events, whether occurring incrementally or in a single storm event, are part of a dynamic natural process that never allows coastal landforms to remain the same for more than a moment in geologic time.

Natural processes acting upon unencumbered coastal features, such as nearshore areas, beaches, dunes, bluffs, wetlands, and floodplains, are not considered hazardous. Coastal hazards arise when people build on these dynamic landforms, which continue to change. This eventually results in those structures being damaged or lost by the naturally occurring erosion or flooding.

While population levels have been relatively stable for the Long Island Sound region in recent years, development in coastal areas, including locations of dynamic shoreline change, has steadily increased. As growing numbers of people choose to live in these areas, greater numbers of structures are at risk.

Population growth and associated development have also had negative effects on the quality of water in the Sound. In urban areas, numerous point and nonpoint sources of pollution have degraded the Sound's waters. Wastewater treatment facilities discharge permitted levels of pollutants into the Sound, and combined storm and sanitary sewers channel untreated overflows directly into its waters.

- **Public Coast**

The public's right to gain physical and visual access to the recreational opportunities and beauty of New York's coastal resources has long been recognized. However, this right has not always been easily exercised, particularly in the Long Island Sound region. The nature of existing, as well as continuing, development can make the provision of additional coastal access and recreation facilities difficult. Visual access to the waters and shores of the Sound is often blocked by development. The basic right to use and enjoy public trust lands can be hindered by structures that limit the public's ability to reach public trust lands.

- **Working Coast**

The working coast consists of uses and businesses that share a common trait: they require a location on the shoreline to function or they depend on harvesting the living or mineral resources in coastal waters. The Sound's working coast consists of areas where: individual public or private marinas, yacht clubs, and boat yards exist; concentrations of commercial or recreational fishing vessels exist; petroleum products, aggregates, or other waterborne commerce are imported or exported; or ferries arrive or depart from the shore. These uses generate significant revenue for the regional economy and are vital to the economic health of the region. Long Island Sound's working coast uses should be protected and promoted as important elements of the region's maritime heritage and economy.

The Long Island Sound Coastal Management Program notes that there are approximately 200 working coast uses located along the Long Island Sound shoreline, nearly two-thirds of which are clustered in sheltered bays and harbors that have historically been developed with water-dependent commercial and industrial uses. These sheltered bays and harbors, or maritime centers, are essential for waterborne commerce, recreation, and the state's transportation system.

A maritime center is defined as:

A discrete portion or area of a harbor or bay that is developed with, and contains concentrations of, water-dependent commercial and industrial uses or essential support facilities. The harbor or bay area is a center for waterborne commerce, recreation, or other water-dependent business activity, making it an important component of the regional transportation system.

Major challenges facing all water-dependent uses to varying degrees include: competition for space on the waterfront and the water, inadequate or deteriorated coastal infrastructure, impacts of regulation and taxation, degradation of coastal resources, lack of public awareness of working coast uses and businesses, and changing markets and business climate. The designation of maritime centers is a means to address these problems. As noted above, the Village of Port Chester has been designated as a maritime center by the Long Island Sound Coastal Management Program.

Maritime centers are identified to enable better protection of existing water-dependent uses, to foster the development of new water-dependent uses in appropriate locations where growth opportunities exist, to protect and ensure the wise use of underutilized commercial waterfront land that is suitable for water-dependent uses, and to ensure the efficient and effective operation of water-dependent uses. Water-dependent uses have unique siting requirements; thus, it is important to protect suitable developed and underutilized waterfront commercial properties, which are limited in number in the Sound region.

B. THE LOCAL WATERFRONT REVITALIZATION PROGRAM IN PORT CHESTER

Port Chester's first LWRP was prepared as a comprehensive, long-range guide to the future development of the Village's waterfront, and was adopted by the Village Board of Trustees and approved by the New York State DOS in 1992. Since the adoption of the original LWRP, the Village has grown by more than 3,500 residents and has experienced land-use issues within the waterfront area. This updated LWRP is necessary to reflect existing conditions; update graphic elements; and outline policies that both reflect those of the Long Island Sound Coastal Management Program and that will shape future waterfront planning by addressing the key issues of development pressure, population growth and cultural diversification.

In addition, Port Chester recently adopted its first ever Comprehensive Plan in December 2012; the plan has identified the need for:

- Updated land-use regulations to utilize the waterfront as an opportunity for economic development
- Continued improvement and protection of the waterfront for appropriate public and private use
- Protection of environmentally significant and sensitive areas such as the Byram River

The Village began the process of updating its LWRP in June 2011, with the existing Waterfront Commission – which is tasked with reviewing land-use actions to determine consistency with the existing LWRP – acting as a steering committee. The Commission met regularly during 2011 and 2012 to prepare the update, and the Village hosted two public workshops to present draft versions of the updated LWRP and to solicit feedback.

C. LOCAL AND REGIONAL SETTING

1. Location

The Village of Port Chester is located along the Byram River in the southeastern portion of Westchester County, New York, bounded on the south by Long Island Sound and the City of Rye; on the north and west by the Village of Rye Brook and on the east by the Town of Greenwich, Connecticut (see Figure 1: Regional Map). Port Chester is within a densely developed metropolitan area, approximately 20 miles northeast of New York City, and at the junction of two major regional highways, Interstates 95 and 287, providing easy access throughout the Tri-State area of New York, New Jersey and Connecticut. In addition, U.S. Route 1 and Metro-North Railroad's New Haven line pass through the Village center and the Local Waterfront Revitalization Area (see Figure 2: Local Map).

Port Chester was incorporated as a Village within the Town of Rye in 1868, and its key industries have evolved over time from shipping to manufacturing, and now the service industry. Between 1990 and 2010, the Village's population increased more than 17%, from 24,728 to 28,967 people, and residents of Hispanic origin now comprise 59% of the

total population. Comprising a total of 2.4 square miles in land area, Port Chester is the second most densely populated municipality in Westchester County.

2. Land Use and Development Patterns

Southeastern Westchester County is almost completely developed and is characterized by mature suburbs with only a small percentage of vacant land. Early residential and industrial growth at the turn of the century was along the major transportation route, the Boston Post Road, which is the main street of many of the shoreline municipalities. Development also took place quickly along the coast, adjacent to Long Island Sound.

Port Chester, more than neighboring communities, experienced an early surge of local industrial growth, accompanied by related commercial and residential expansion. Port Chester, and in particular its riverfront, remained one of the county's industrial centers until recent years. The Village is still an employment center for the area, although most residents commute to jobs either in New York City or its suburbs. Port Chester's commercial districts also serve neighboring towns for some shopping needs. In comparison, the surrounding municipalities of Rye and Greenwich developed primarily as residential communities. They were built following the construction of the railroad and the establishment of good commuter links to New York City.

The construction of I-287 (the Cross Westchester Expressway) and I-95 (New England Thruway) in the 1950s and 60s fostered increased commercial growth throughout the region. These interstates meet at Port Chester, and have generated considerable construction of retail centers, corporate headquarters, speculative office buildings, hotels and light industrial/back office buildings in proximity to these highways. In Port Chester, this growth is most evident with the Waterfront at Port Chester development, an approximately 500,000-square-foot shopping complex which opened in 2004 and is anchored by Costco, Super Stop & Shop, Loews Cineplex and Bed Bath and Beyond. This complex draws shoppers from throughout the region and has played a key role in spurring the revitalization of downtown Port Chester with new restaurants and small-scale retail establishments.

Westchester County's policy framework, *Patterns* (1996) (supplemented and reinforced by the County's current planning document *Westchester 2025*) identifies Port Chester as an intermediate-sized center, characterized by "unmistakable urban activity." Nearly all intermediate centers are on rail lines, and most provide essential services to a wide surrounding area. In addition to the services and facilities found in smaller local centers, intermediate centers are likely to have mid- and high-rise apartments, large-scale retail stores, office buildings and often light manufacturing.

In addition, the Village is identified as a maritime center by the Long Island Sound Coastal Management Program, which defines maritime centers as "the most suitable and appropriate locations on the Sound coast for expansion of existing, or the development of new, water-dependent commercial and industrial uses."



— County boundary
 — Highways

PORT CHESTER LWRP

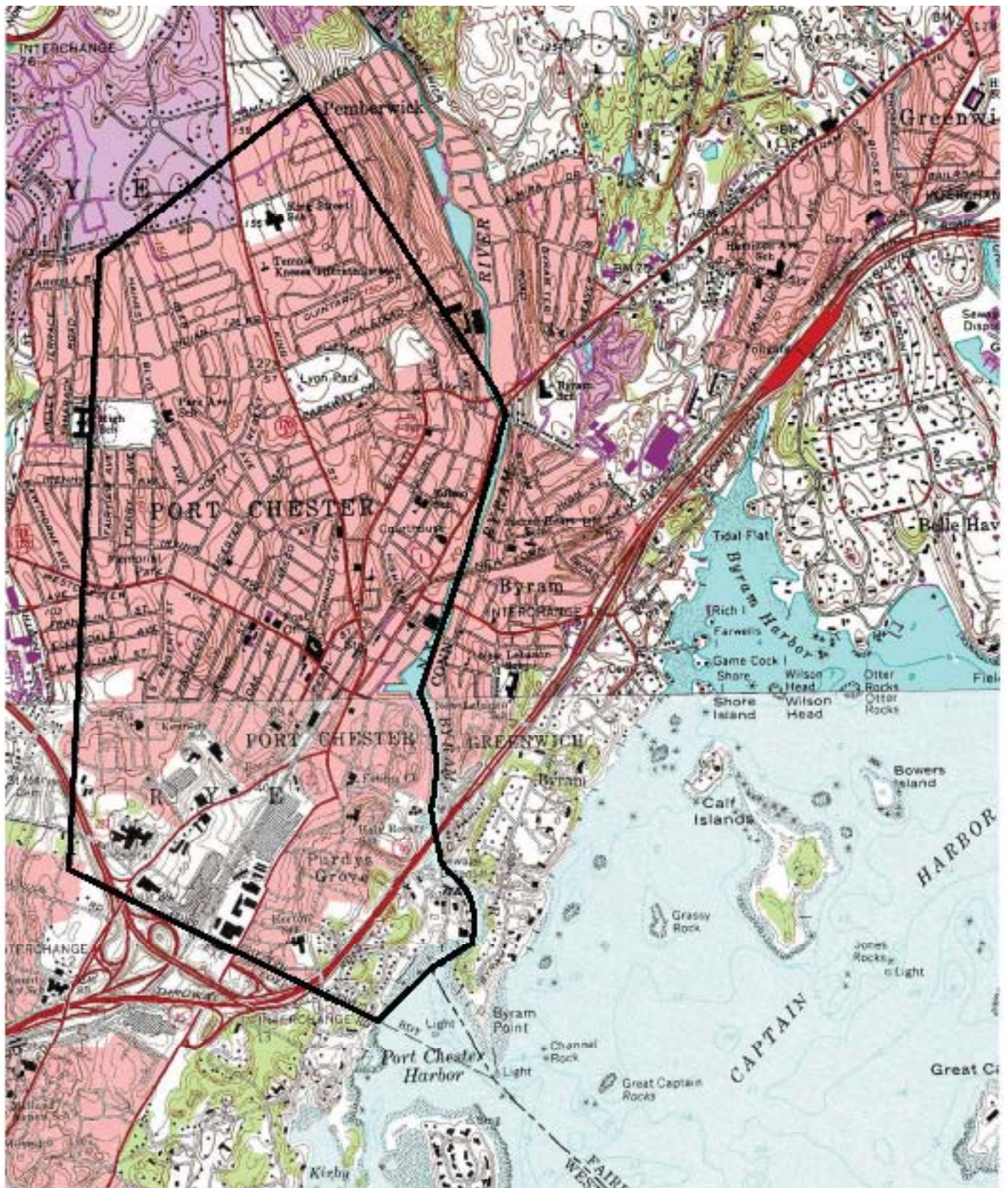
FIGURE 1: REGIONAL MAP

PORT CHESTER, NY

SOURCE: NYS DEP GIS CLEARINGHOUSE



BEJ Planning



 Port Chester Village Boundary



SECTION I

LOCAL WATERFRONT REVITALIZATION PROGRAM BOUNDARY

SECTION I LOCAL WATERFRONT REVITALIZATION PROGRAM BOUNDARY

A. EXISTING LWRP BOUNDARY

The boundary of the current Port Chester Waterfront Revitalization area, as set by the Village's 1992 LWRP and implemented by its Boating and Watercraft Law, is shown on Figure 3 and is as follows: Beginning at the northern end of the LWRP area where North Main Street meets the Greenwich border at the Byram River, the LWRP boundary runs southerly along the center of the Byram river, then the harbor following the Port Chester-Greenwich border, to a point 1,500 feet from the Port Chester shoreline and parallel with the Port Chester-Rye border; thence northwesterly along this border to the New England Thruway; thence northeasterly along the Thruway to Fox Island Road; thence northwesterly along the rear property lines of the properties on the north side of Fox Island Road to Grace Church Street; thence northerly along Grace Church Street to Don Bosco Place; thence northerly along Don Bosco Place to Westchester Avenue; thence westerly along Westchester Avenue to King Street; thence northerly along King Street to the railroad right-of-way; thence northeasterly along that right-of-way to North Main Street; thence northerly along North Main Street to the point of beginning.

The coastal area boundary, as originally defined in the State's Coastal Management Plan, incorporated more inland area, particularly at the southern end of the Village, and merely followed U.S. Route 1 through much of the municipality. The coastal boundary was revised to exclude three areas which did not meet the inclusion criteria described below, and did not have clear connections to the waterfront either by proximity or use.

Specifically, the relationship between the Route 1 commercial corridor and the Midland Avenue Industrial Park was interrupted when Interstates I-95 and I-287 were constructed. Prior to the Interstates, it could have been inferred that these commercial areas did have a link to the coast. The advent of inexpensive truck transportation permanently severed this relationship.

The residential neighborhood between Midland Avenue and Grace Church Street was also removed from the coastal boundary. As was the case with the previous two areas, this portion of the Village did not meet any of the criteria established below, and further has no intrinsic association with the coast. To the east of Grace Church Street is where the residential neighborhoods (i.e. Greyrock) begin to take on a definitive waterfront character. Grace Church Street therefore became an obvious and natural coastal boundary.

The criteria found in the New York State Coastal Management Program which were utilized in defining the coastal boundaries for Port Chester include the following:

- Conform with the nearest cultural features or political boundary.
- Include all land and water uses impacting coastal waters.
- Include any specially designated management area such as a State Park.
- Include tidal and saline waters, islands and beaches.
- Provide buffer areas where appropriate.
- Coordinate boundary lines with those of adjacent municipalities.

B. PROPOSED LWRP BOUNDARY

This LWRP proposes one minor change to the existing LWRP boundary, primarily to reflect existing built conditions. As described above, from Fox Island Road, the existing boundary follows Grace Church Street to Don Bosco Place, then proceeds northerly along Don Bosco Place to Westchester Avenue and continues westerly along Westchester Avenue. However, this boundary pre-dates the Waterfront at Port Chester development, which encompasses the entire area bounded by Purdy Avenue to the south, South Main Street/Route 1 to the west, Westchester Avenue to the north and Traverse Avenue to the west, and also includes the waterfront area at the foot of Westchester Avenue. The portion of the existing LWRP boundary that follows Don Bosco place would place portions of the Waterfront at Port Chester complex within the LWRP area, and portions outside of the boundary. Thus, this LWRP proposes that the new boundary be somewhat extended to include the entire Waterfront at Port Chester development, as well as some adjacent properties. The new proposed boundary is as follows and is shown in Figure 3:

Beginning at the northern end of the LWRP area where North Main Street meets the Greenwich border at the Byram River, the LWRP boundary runs southerly along the center of the Byram river, then the harbor, to the Port Chester-Rye border; thence northwesterly along this border to the New England Thruway; thence northeasterly along the Thruway to Fox Island Road; thence northwesterly along the rear property lines of the properties on the north side of Fox Island Road to Grace Church Street; thence northerly along Grace Church Street to South Main Street; thence northerly along South Main Street to Westchester Avenue; thence westerly along Westchester Avenue to King Street; thence northerly along King Street to the railroad right-of-way; thence northeasterly along that right-of-way to North Main Street; thence northerly along North Main Street to the point of beginning.

Figure 3a shows the proposed change to the existing LWRP boundary in greater detail.

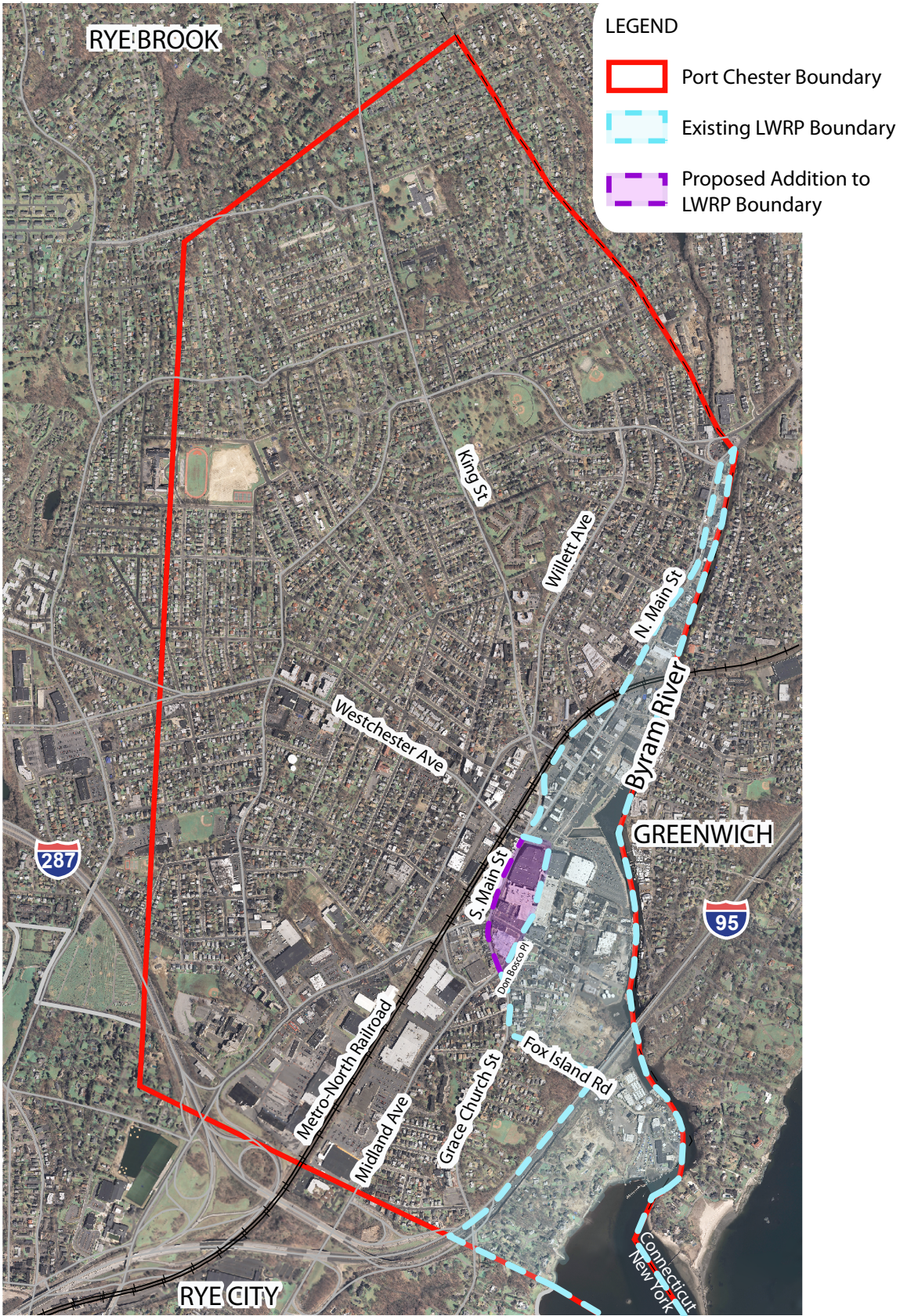
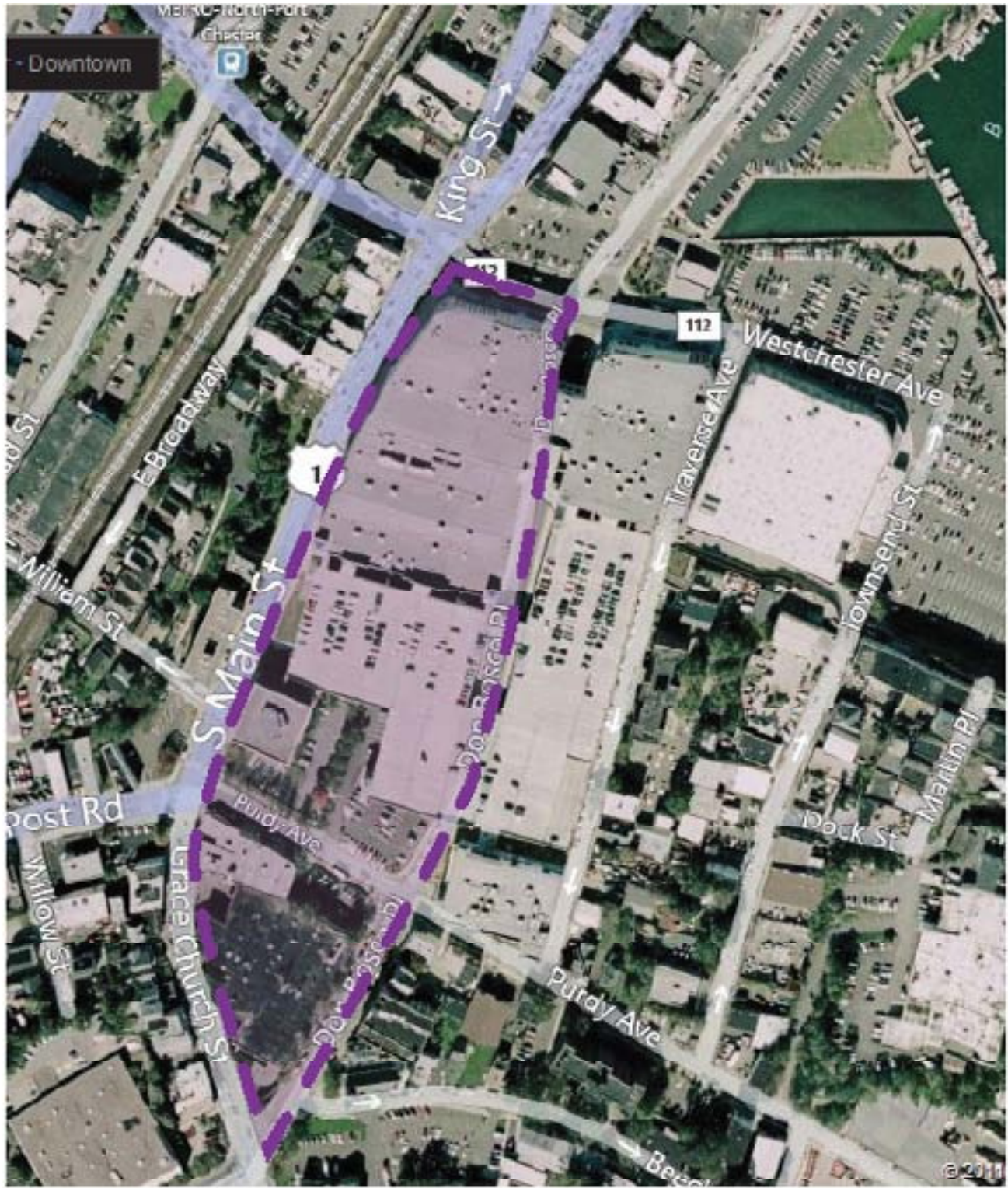


FIGURE 3: PROPOSED NEW LWRP BOUNDARY





 Proposed Addition to LWRP Boundary



SECTION II

LOCAL WATERFRONT REVITALIZATION PROGRAM INVENTORY AND ANALYSIS

SECTION II LOCAL WATERFRONT REVITALIZATION PROGRAM INVENTORY AND ANALYSIS

A. COMMUNITY PROFILE

Port Chester exhibits many characteristics common to older urban areas. The Village was a busy industrial area in the late 19th and early 20th centuries. As shown in Table 11-1 below, the period of greatest growth was 1910-1940, when local industrial activity was strong. During that period, almost all local residential areas were completely built. The villagescape that resulted is characterized by dense mixed-use development. However, the Village experienced a population decline of 9% between 1970 and 1980. Some population decrease was experienced by all but a few of the fast-growing northern Westchester towns during this period, which paralleled a national trend of decreasing population in older urban areas.

Table II-1: Village and County Population Change 1910-2010

<u>Year</u>	<u>Port Chester (% Change)</u>		<u>Westchester (% Change)</u>	
1910	12,810		283,055	
1920	16,570	(+29)	344,436	(+21)
1930	22,660	(+37)	520,946	(+51)
1940	23,070	(+2)	573,558	(+10)
1950	23,970	(+4)	625,816	(+9)
1960	24,960	(+4)	808,891	(+29)
1970	25,803	(+3)	894,104	(+11)
1980	23,565	(-9)	866,599	(-3)
1990	24,728	(+5)	874,866	(+1)
2000	27,867	(+13)	923,459	(+6)
2010	28,967	(+4)	949,113	(+3)

Source: U.S. Census Data

The Village saw a large population revival after the 1980s, with an increase of 13% between 1990 and 2000. In 2010, the population of Port Chester stood at 28,967, having risen by 1,100 persons, or approximately 4% over 27,867 persons in 2000.

Port Chester's population is racially and ethnically diverse, and its composition has changed dramatically in the past 30 years. The 1980 Census recorded the population as approximately 80% white, 14% black and 16% Hispanic. The 2010 Census recorded the population as approximately 32% white, 5% black and 59% Hispanic. The rate of Hispanic growth was fourfold the rate of the total population growth between 2000 and 2010. Non-Hispanics, by contrast, contracted 21%, or declined by 3,209 persons over that decade.

All of the Village's population growth between 2000 and 2010 occurred in three age groups: under 15 years, between 25 and 34 years and between 40 and 64 of age. The median age of male residents is 33.1 years, a few years younger than that of female residents at 36.2 years. Between the sexes, there is a growing disparity at every age cohort, with males dominant from birth through 54 years of age, and females dominant from 55 years of age and over.

In 2009, the most recent year for which data are available, the median family income in Port Chester was \$58,125, and median household income was \$51,652. Family households comprise roughly two in every three households and have remained relatively unchanged in number over the decade, standing at 6,348 families in 2010. Virtually all the decline in households has occurred among nonfamily units, which contracted by 265 households, or 8.4%, since 2000.

Although the number of households has declined in Port Chester over the past decade, the number of dwelling units has increased, leading to a rise in vacant housing units. At present (2010), there are 10,046 housing units in the Village, an increase of 274 over 2000 conditions. The rental vacancy rate stands at 5%, compared with a homeowner vacancy rate of 2.2% in 2010. Approximately 57% of the housing units are renter-occupied. However, compared with homeowner housing, of which the average household size represents 2.80 persons, rental housing is occupied by 3.30 persons on average, leading to a 10% increase in household size over the decade.

Port Chester has a fairly old housing stock; units built before 1940 comprise 35% of total housing, and units constructed between 1940 and 1970 account for another 43%. Units built in the last 30 years of the 20th century amount to only 2,000 units, or 19% of the total.

Historical Development on the Waterfront

Port Chester's character and land use have historically been defined by its Long Island Sound and Byram River coastline. Although the Village is relatively small in area, approximately 2.4 square miles, it has 2.25 miles of waterfront on the Byram River and Port Chester Harbor.

In the early colonial period, the Long Island Sound waterfront proved to be an area with abundant natural resources which could be easily settled. The scattered settlements in the area of present-day Port Chester and Rye were merged in 1665 under the name of "Rye" by the Colony of Connecticut. For nearly 100 years, Rye was disputed territory between the New York and Connecticut colonies, until finally, in 1788, the New York State legislature officially established the Town of Rye boundaries.

The Byram River area attracted settlers that engaged in farming, fishing, logging and trading. As the hamlet grew, boat building emerged as a dominant industry, and by the early 19th century, it had become the area's principal economic activity. Large pits were created to cut timber for boat building, which lent the town its original name: Saw Pit. In 1837, the New York State Legislature changed the name from Saw Pit to Port Chester.

Port Chester had a superior transportation network due to the river and its railroad line, which was completed in 1849. This enabled the expansion of 19th century and early 20th century industries, and a number of notable companies operated in the Village, such as:

- Abendroth Brothers Eagle Foundry, established 1840. Largest foundry in the east.
- Russell Burdsall and Ward Bolt Works, established 1882.
- Ernest Simons Manufacturing Company, established 1876.
- P.R. Mallory Plant, largest producer of tungsten filament wire, established 1916.
- Arnold Bakers, moved to Port Chester in 1941.
- Mint Products Company (Life Savers), established 1920.

Many of these industries relied to varying degrees on the waterfront for transportation, power, storage and various other products.

Since about 1900, the Byram River waterfront has been filled in extensively. The river once extended inland from the present marina cove at the foot of Westchester Avenue as far as Main Street and ran south along where Don Bosco Place is today, toward Grace Church Street. The manmade inlet area just north of Westchester Avenue (also known as “the Cove”) remained to allow for oil tankers serving facilities on the Greenwich side of the river to maneuver. These fuel facilities in Greenwich have now been demolished and replaced with condominiums; thus, this inlet area has limited practical use. The Fox Island area has also been substantially infilled, including a large central v-shaped area where the village's leaf mulching facility is located. The Byram River in general is much narrower today than it was 50 years ago.

The first residential development began on the waterfront in the 1930s, when a large harborfront estate on the Rye border was subdivided. Eventually, 47 residences were built in this Greyrock neighborhood. Along Port Chester's downtown waterfront, a large area was cleared and streets were closed in the 1940s to build the present parking lots, which are now privately owned but leased to the Village for public use.

After World War I, the commercial and industrial use of the waterfront began a slow, gradual period of decline. The Abendroth Foundry closed and the Port Chester Transportation Company discontinued steamer service to New York City. The construction of I-95 and 1-287 in the 1950s and 1960s also contributed to this decline of the Port Chester waterfront. Because traffic no longer had to pass through Port Chester, the retail hub of the downtown began to deteriorate.

Also during this period, river pollution reached perhaps its highest levels, and nearly all marine life in the Byram River disappeared. Pollution had been a serious problem since World War I, when major upstream industries began dumping large amounts of acids, oils and toxic metals. Thus, swimming and fishing activities were gradually restricted by the continuously worsening pollution. By the 1950s and 1960s boat mooring was the sole recreational use. In the mid-1950s the Port Chester Marina was built and the river was dredged to provide docking space for boats.

Although the waterfront in Port Chester was not a priority throughout much of the latter 20th century, in the 1990s the community began to place more emphasis on revitalizing this underused asset. In 1998, Port Chester made an agreement with Long Island-based G&S Developers permitting a redevelopment of a portion of the downtown waterfront through the use of the Village's power of eminent domain. G&S opened in 2002 the Waterfront at Port Chester, a 500,000-square-foot complex of retail and entertainment use, anchored by Costco, Super Shop & Stop, Loews Cineplex, and Bed Bath & Beyond. The developer is expected to seek the addition of nearby hotel and residential uses in the near future. The Waterfront at Port Chester helped spur other economic development in the Village's downtown. Three new restaurants have opened in the area since 2005: Q Restaurant & Bar (2005), bartaco (2010), and Tarry Lodge (2008), the latter owned by celebrity chef Mario Batali. A new residential building, the Mariner, was recently constructed on the waterfront north of the Village-leased parking lot at Abendroth Avenue and Willett Avenue.

B. LOCAL WATERFRONT REVITALIZATION PROGRAM (LWRP) AREA

1. Orientation and General Character

The Port Chester Local Waterfront Revitalization Program area lies along the west bank and harborfront of the Byram River and the shores of Port Chester Harbor. The area extends in a generally north-south direction from the Putnam Avenue Bridge to the Rye City boundary. The width that the LWRP area extends inland varies from less than 100 feet at the north end to approximately 1,500 feet at other points. The land area encompasses approximately 185 acres and has a river frontage of about 2.25 miles.

2. LWRP Subareas

As shown in Figure 4, the LWRP area has been divided into five subareas on the basis of land use, development density, area character and topography:

- a. Greyrock Subarea: This is a single-family residential neighborhood consisting of approximately 27 acres, with approximately 1,500 feet of waterfront on the Sound between the City of Rye border and the Village Department of Public Works (DPW) facilities on Fox Island Road.
- b. Fox Island Subarea: This area consists of the portion of land east of the New England Thruway (I-95), and includes the Village's DPW facilities, the Port Chester Yacht Club and the Westchester County sewage treatment plant.
- c. Columbus Park/Purdy Avenue Subarea: This area extends from I-95 westward generally to Grace Church Street to the intersection with South Main Street (U.S. Route 1), then northward to Purdy Avenue, then eastward to Traverse Avenue, then north along Traverse to Townsend Street and eastward to the Byram River. This subarea includes Columbus Park and the residential neighborhood immediately west of the park, as well as the industrial uses along Purdy Avenue and the mixed-use neighborhood centering on Townsend Street.
- d. Downtown Subarea: This subarea is a substantial section of the Village center, generally bounded by Westchester Avenue and Liberty Square on the south, and on the north by North Main Street and the Metro-North right-of-way and bridge. It includes the Waterfront at Port Chester development as well as the traditional low-scale waterfront area and a number of surface parking areas.

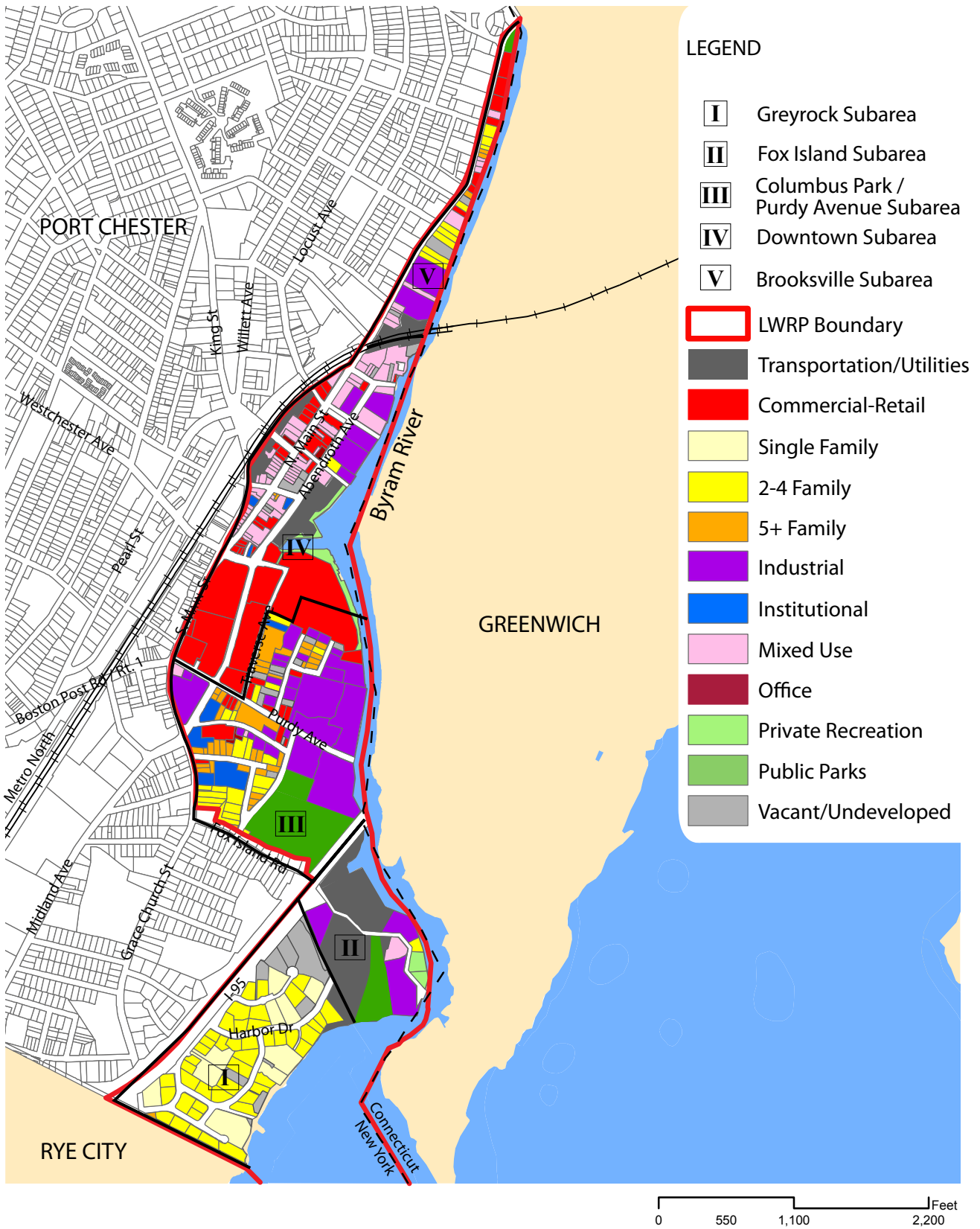


- e. Brooksville Subarea: This subarea is a narrow strip of land, primarily one lot deep, between North Main Street and the Byram River, with the Putnam Avenue Bridge at the north and the Metro-North overpass at the south end.

C. LAND USE AND DEVELOPMENT

The following is a generalized description of the land and water uses and the built character of the LWRP area, by subarea. The land use patterns are illustrated on Figure 5.

- Greyrock is an attractive, stable neighborhood of approximately 50 single-family houses built on the site of a large estate which was subdivided in the 1930s. The neighborhood faces onto the harbor on the east and is separated from the rest of the Village by the New England Thruway on the west. In character, Greyrock is similar to adjacent neighborhoods in Rye, immediately south. There are no plans for changes in this area in the foreseeable future.
- The New England Thruway defines the western border of the Fox Island subarea. This subarea presently contains the Village Department of Public Works and the Port Chester Yacht Club on 11 Village-owned acres. The Fox Island peninsula also houses the Westchester County Port Chester Wastewater Treatment Plant, industrial plants, an oil tank facility (not in use), and a former seafood restaurant (currently vacant). Additionally, currently one or more commercial fishing vessels operate from the shore.
- The Columbus Park/Purdy Avenue Subarea contains a mix of older single-, two- and multifamily residential buildings, and commercial, light industrial and institutional buildings. The uses along Fox Island Road, Nicola Place, Central Avenue and Grace Church Street are almost entirely residential and separated from streets east and north by a steep hill and lack of through streets. The upland areas contain some deteriorated residential, automotive and industrial shops, junkyards and a large block of warehouses. Along the riverfront are an asphalt plant and concrete plant, and in the southeast of the subarea is Columbus Park, occupying 9.4 acres. The park includes a soccer field, parking, playgrounds, a water feature, picnic pavilion, and basketball and volleyball courts. The waterfront is currently inaccessible from the park.
- The Downtown Subarea encompasses all of the riverfront in the Village's central business district, as well as a substantial portion of the downtown. The LWRP boundary of this subarea extends from the riverfront to the railroad right-of-way, and includes the most active commercial area of the traditional downtown, approximately four blocks along North Main Street and the Waterfront at Port Chester shopping center. East of Abendroth Avenue, the riverfront is lined with a large parking lot and landscaped area, a public marina facility, a small number of commercial uses and generally underutilized industrial buildings. The Mill Street Bridge connects Port Chester to the small commercial center of Greenwich, Connecticut. One block west of this subarea is the Port Chester railroad station.



- The Brooksville subarea is the neighborhood bordering the river north of the downtown. The LWRP subarea is a narrow strip running along North Main Street, paralleling the river, to the Putnam Avenue Bridge which crosses the river into Greenwich. This area is characterized by mixed land uses on small, shallow lots which back onto the Byram River. Generally, the condition of the properties is good, but there is an incompatibility among older residential and newer commercial uses. The subarea includes the William James Memorial Park and a restored pumphouse at the north end. West of Main Street in Port Chester and also on the east side of the narrow Byram River in Greenwich is stable, pleasant residential neighborhoods.

1. Underutilized, Abandoned or Deteriorated Sites

Much of the waterfront area within the LWRP is underutilized. In the most severe cases, such as the Fox Island peninsula and the downtown blocks east of Abendroth Avenue, old industrial uses that formerly occupied those sites are gone. The former area is a storage and leaf mulch site for the Department of Public Works. The latter is a large parking lot owned by developer G&S and leased to the Village, and does not appear to be used at full capacity.

Underutilized Areas are identified on Figure 6. Although most land within the LWRP is put to some use, in many cases it is underutilized for economically marginal purposes or by uses that located there because the land was inexpensive and industrially zoned. Many structures, including houses, warehouses and the industrial buildings, are old and deteriorated and date from a period when the waterfront was commercially active. Many of these structures are not well-built, and it is likely that building regulations on the waterfront were never well controlled.

A significant concentration of underutilized lots is in the Columbus Park/Purdy Avenue subarea; at least 10 individual sites have been identified that are underutilized or vacant. While the Fox Island subarea does not appear to have as great a number of vacant or underutilized lots, many large uses in this area are not considered optimal for waterfront land. One example is the Village's Department of Public Works. The facility covers approximately 75% of the Fox Island peninsula and includes garages, an abandoned incinerator, outdoor storage of vehicles, machinery and materials, windrows of leaves, and a closed landfill. The site is kept locked during normal business hours, except for security purposes, further limiting its public accessibility. The remaining parcels primarily include light industrial uses which are not water-dependent nor the best use of waterfront property. Taken as a whole, the peninsula is an underutilized area. The two coves north and south of the I-95 overpass are vacant and largely inaccessible, and the area east of the highway is occupied by the sewage treatment plant.

The neighborhood between Purdy and Westchester Avenues, east of Traverse Avenue, is a mix of residential and underutilized lots. These lots include vehicle storage, industrial uses, and automotive service stations, many of which are deteriorated. West of Traverse Avenue is the large commercial development, The Waterfront at Port Chester, located along South Main Street, bordered by Purdy Avenue to the South and Westchester Avenue to the north and east.



From Westchester Avenue to Willett Avenue, most of the waterfront is bordered by a large public parking lot. The parking lot is bordered by a grassy area and trellis-covered benches that overlooks the public marina. From Willett Avenue north to the railroad bridge, there is a mixture of old buildings, partially occupied for retail, office, automotive, warehouse or light industrial uses. There are also a few residences and more parking and vacant lots. North of the railroad overpass, in Brooksville, North Main Street is a mixture of residential and commercial uses. The former residential character of the street has been lessened by the spread of commercial uses and parking lots. In this subarea, many of the residences are old and in need of repair, but most appear structurally sound.

2. Water-Dependent Uses and Harbor Management

In looking at various uses along Port Chester's waterfront, it is useful to differentiate among water-dependent, water-enhanced and other types of uses. 19 NYCRR Part 600 (Policies and Procedures) defines a water-dependent use as "an activity which can only be conducted on, in, over or adjacent to a water body because such activity requires direct access to that water body, and which involves, as an integral part of such activity, the use of the water." Examples of these uses include waterborne transportation of both passengers and cargo, commercial fishing, aggregate transshipment, ship repair and petroleum transfer. A water-enhanced use, by contrast, is defined as "a use or activity which does not require a location adjacent to coastal waters, but whose location on the waterfront adds to the public use and enjoyment of the water's edge. Water-enhanced uses are primarily recreational, cultural, retail or entertainment uses." Some examples would include public parks and restaurants. Other uses may also be present along the waterfront that are neither water-dependent or water-enhanced.

The following sections describe all in-water and shoreline uses (including those that are water-dependent) on the Port Chester waterfront.

a. Water-Dependent Uses

According to the Long Island Sound Coastal Management Program, Port Chester is defined as a maritime center, "essential for waterborne commerce, recreation, and the state's transportation system." Maritime centers are designated to address common problems such as inadequate or deteriorating coastal infrastructure, the impacts of regulation and taxation, degradation of coastal resources, and lack of public awareness of working coast uses, among others.

In Port Chester, as in many waterfront communities, the industrial uses along the Byram River have become less dependent upon the waterfront location. Water-dependent industries which once lined the river up to the Mill Street Bridge are now almost entirely limited to the stretch of water in the vicinity of Purdy Avenue. Peckham Asphalt Company, at the end of Purdy Avenue, formerly used the river for transporting raw materials but can no longer be considered a true water-dependent use. Additionally, oil storage facilities located at the foot of Purdy Avenue and off Fox Island Road continue to rely on waterborne transportation. Any future maintenance by the U.S. Army Corps of Engineers is dependent upon the continued presence of these and other waterborne transport facilities on the Byram River.

In addition to these industries, two marinas are also included in the water-dependent category. The Port Chester Yacht Club, located at the mouth of the Harbor at the end of Fox Island Road, leases space for approximately 118 boaters. The Port Chester Municipal Marina, located near the municipal parking lot off of Abendroth Avenue in downtown Port Chester, provided tie-ups for another 59 boats for the 2011 season. In recent years, the municipal marina has accommodated between 78 and 89 boat slips; the low number in 2011 reflects space limitations caused by the collapsed section of bulkhead. The Village estimates the capacity for approximately 150 boat slips at the municipal marina once the bulkhead situation is resolved. Also, an unknown number of large boats are kept on moorings in the Port Chester Harbor. In the past, this number totaled nearly 40 boats, but current monitoring and oversight of these moorings is not in place, and an accurate count is not available. Dockage for recreational boating exists as an accessory use at several properties along the Byram River.

Some commercial fishing vessels operating in Long Island Sound use dock facilities in Port Chester, but commercial fishing within the Village itself does not appear to be present. Some recreational fishing still occurs off the Mill Street Bridge and at the mouth of the Byram River.

In addition to water-dependent uses, there are water-enhanced uses including the William James Memorial Park, waterfront restaurants, and the public walkway and park adjacent to the Waterfront at Port Chester shopping area. All of these uses benefit, to varying degrees, from the proximity to the water. See Figure 7.

Based on the information above, it can be summarized that the water-dependent potential of the waterfront as a whole is significantly underutilized. Port Chester's designation as a maritime center is the first step in an effort to foster development of new water-dependent uses and better protect those that already exist.

b. Harbor Management

i. Shoreline Uses

Most of the Byram River and the Port Chester Harbor shoreline of the Village of Port Chester are characterized by water-dependent recreational, industrial or public uses. For the most part, these uses encompass a fairly narrow band of shoreline land and water. The two extremes of the waterfront, the river above Highland Street and the Greyrock neighborhood, contain no water-dependent uses. See Figure 7 and Figures 8-11, which provide for reference aerial photos, moving south to north, of the Village waterfront. The text following the figures describes the uses for each section of the waterfront.

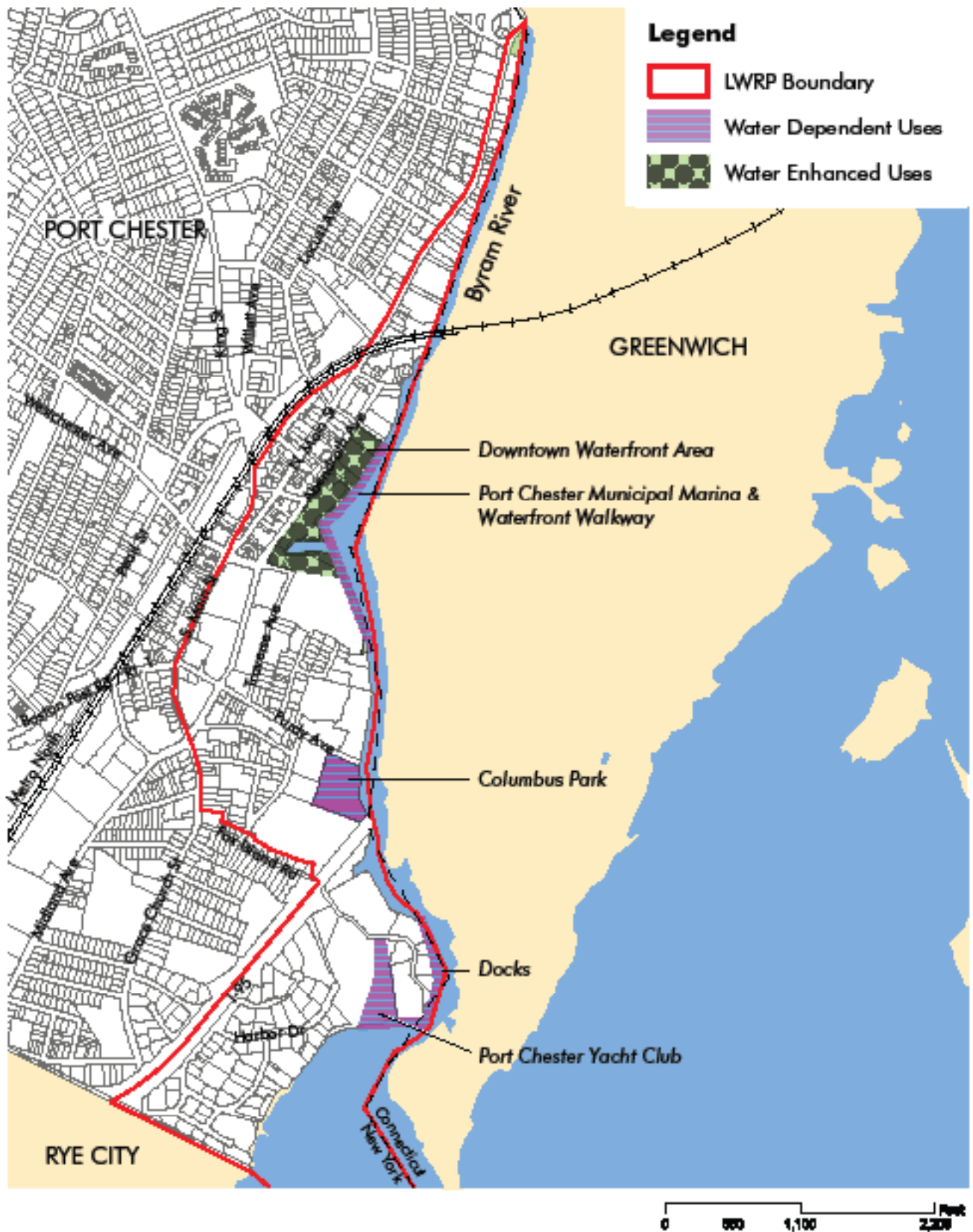








FIGURE 10: WATERFRONT SECTION 3

SOURCE: GOOGLE MAPS, 2012



0 ft 325 ft



FIGURE 11: WATERFRONT SECTION 4

SOURCE: GOOGLE MAPS, 2012



0 ft 150 ft

Fox Island Area (Figure 8)

Beginning from the Port Chester Yacht Club and extending to the Westchester County Sewage Treatment Plant (WCSTP), the entire shoreline consists of docks and the mooring of recreational boats to those docks. The parcel just south of the WCSTP also contains dockage for marine construction barges and upland storage of boats and marine construction supplies or equipment. This facility's docks extend partly in front of the WCSTP. It should be noted that the WCSTP outfall is located off the coast of the City of Rye, outside of Port Chester Harbor and the Byram River. The Port Chester Yacht Club, which occupies land and underwater land leased from the Village, has substantial upland facilities, parking, a public ramp and some permanent dockage to serve recreational boating. The other several properties that provide for recreational boating consist of floating docks and little or no upland service facilities. A mix of non-water-dependent uses comprise the upland portion of this area. There is a small public parcel at the end of Fox Island Road; however, the shoreline at this area is fronted by docks and recreational boats placed by various upland property owners. Above the WCSTP is a small parcel of undeveloped public land with a small cover shoreline. Other than this parcel, the shoreline in this area has been stabilized by bulkhead or other means.

Thruway to Purdy Avenue (Figure 9)

Only one parcel of land encompasses this stretch of shoreline, that of the Purdy Avenue Terminal LLC, an oil storage facility. This facility is a water-dependent use with dock facilities to serve oil barges. However, the portion of the property immediately north of the Thruway bridge is not developed and is not developable for any active use due to the property's narrow upland and the wetland characteristics of the cove that defines this stretch of shoreline. Here the shoreline is natural, while the shoreline adjacent to the oil storage facility is generally stabilized.

Purdy Avenue to Downtown (Figure 9)

There are two parcels of land between Purdy Avenue and the Village marina/Costco parking lot. The first is a former water-dependent use, an asphalt plant which no longer uses water transportation for its operations. The other parcel has water-dependent uses along its shoreline consisting of dockage for commercial fishing vessels and recreational boats. The upland portion of the area is not a water-dependent use. The shoreline is stabilized.

Downtown to Willett Avenue (Figure 10)

The shoreline extending from the Costco parking lot to Willett Avenue consists of a public walkway and Village marina. In the middle of this area is a shoreline indentation formerly serving as a turning basin for commercial vessels. The marina docks extend across the front of the former turning basin. At the present time, the walkway and marina are temporarily closed due to a collapsed bulkhead from the former turning basin ("Cove") to the end of the Costco parking lot. The entire shoreline is bulkheaded. The marina consists primarily of floating docks parallel to the shore, with boats moored perpendicular to the docks.

Willett Avenue to Highland Street (Figure 11)

This area consists of in-water water-dependent uses with the upland devoted to non-water-dependent uses. The shoreline is bulkheaded by a floating dock accommodating recreational boats moored perpendicular to the dock. At the north end of this area, a large floating entertainment vessel is moored.

ii. Underwater Land Grants

Much of the shoreline of the Village consists of formerly underwater lands that were filled over the last two centuries. New York State allowed this filling of State land, which is held in trust for the benefit of the public, primarily to facilitate commercial navigation, by making grants to private individuals or corporations. These grants convey varying degrees of property interest to the grantee. Most grants also contained conditions regarding what would be done with the underwater lands. Many grants were for *Beneficial Enjoyment* which convey a full property interest, while others were *Commerce* grants which conveyed less interest, often limited to a particular use. Since 1995, State law limits grants of underwater land to exceptional circumstances. Information on the locations and terms of all grants may be obtained from the New York Office of General Services and in some cases the State Archives. These grants generally extended to the line of the U.S. War Department bulkhead or pierhead line established around the turn of the 19th century. This line appears to be the current shoreline along most stretches of the Byram River shoreline.

iii. Federal Channel

A Federal navigation project is the principal feature of the Byram River and Port Chester Harbor. The project, adopted by Congress and modified in 1930, consists of the breakwater at Byram Point in Connecticut, an anchorage area near the breakwater, the turning basin and the channel from Long Island Sound to 100 feet south of the Mill Street Bridge over the Byram River. The authorized channel varies in depth and width. In Port Chester Harbor, the channel is authorized at 150 feet wide and 12 feet deep, from Fox Island to approximately Highland Street it is authorized at 100 feet wide and 10 feet deep, and from Highland Street south of the Mill Street Bridge the channel is authorized at 100 to 175 feet wide and 3 feet in depth. In many parts of the Byram River, the river itself is little more than 100 feet in width. The project was last dredged in 1990 with the removal of 40,000 cubic yards of sediment. In 2011, the Corps of Engineers undertook a survey of the channel to determine the current depths.¹ The minimum mean low water depths in the Harbor portion of the project were 10.1 feet in the middle part of the channel, 10 feet on the left side of the channel and only 4.1 feet on the right side of the channel. This latter area is in Connecticut. The channel from Fox Island to Highland Street had a minimum depth of 5.3 feet in the middle 50 feet, with a minimum depth of 1.5 feet on the Port Chester quarter of the channel, and 6.5 feet on the Connecticut side quarter of the channel. Shoaling occurs along the outside quarters of this portion of the channel. The bathymetry survey also shows the location of docks

¹<http://www.nan.usace.army.mil/Portals/37/docs/civilworks/ConDep/Feb12/Port%20Chester%20Harbor,%20NY.pdf> and <http://www.nan.usace.army.mil/Portals/37/docs/civilworks/ConDep/Feb12/Port%20Chester%20Harbor,%20NY%20Survey.pdf>
Village of Port Chester Local Waterfront Revitalization Program
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along the shoreline. In many instances, moored boats and portions of the docks that line the shore extend into the channel. Currently, there are no funds available for the dredging of the channel.

iv. The Water Boundary

The Village has jurisdiction related to navigation and all issues pertaining to harbor management to a distance of 1,500 feet from shore. This jurisdiction is based on Article 46a of the Navigation Law and Article 42 of the Executive Law. In the Byram River, the jurisdiction is much less because of the width of the river and the New York and Connecticut State line. The state line does not follow the center line of the river but varies in its proximity to the New York or Connecticut shore. Above the railroad bridge, the boundary is closer to the New York shore, and from there to Highland Street it generally follows the middle of the river. Opposite the downtown area, it is closer to the Connecticut side and then generally follows the middle of the river to Purdy Avenue. The Connecticut line comes close to the New York shore near the southern end of Fox Island and runs parallel to the Port Chester Yacht Club dock lying just beyond any boats moored at the dock. Close cooperation with Connecticut is therefore necessary for effective harbor management.

v. Harbor Regulations

Vessel operation is primarily regulated by the provisions of the New York State Navigation Law and the Village Boating and Watercraft Law, Chapter 148. The regulation of structures in the water, such as docks or bulkheads, is done by each level of government. At the local level, the Village Waterfront Commission advises as to the consistency of an activity both directly under the Boating and Watercraft Law and also through the Village LWRP. At the state level, the New York State Department of Environmental Conservation primarily oversees wetland and water quality concerns. At the federal level, the U.S. Army Corps of Engineers, subject to the concurrence of the New York State Department of State, oversees and enforces action relating to coastal policy consistency (the Village LWRP forms the basis for the NYSDOS determination). The Coast Guard's role is generally limited with focus on the safety of vessels, primarily commercial vessels.

vi. Harbor Management Issues

It is generally prohibited for structures or vessels to lie within the lines of a channel. Along the Byram River, many vessels moored at docks, and some docks themselves, lie within the Federal channel. This is specifically prohibited by the Village Boating and Watercraft Law (Chapter 148). Nevertheless, given the width of the channel and the narrowness of the River, most of the boating facilities could not operate without some encroachment on the channel. Additionally, many of these facilities have existed in their present form for many years, and boating facilities are a preferred use of the shoreline in the LWRP.

The Village Boating and Watercraft Law requires that all moored vessels within the Village waters obtain a permit from the harbormaster. This law is not being enforced, with the result that the Village does not have adequate information to manage the safety of boating in the Village waters.

The Federal channel will require dredging at some point, and given the channel's reduced depth, this may be necessary in the near future. Dredging is a long, costly and complicated process, and planning for it should begin. This, and other harbor issues, will require cooperation with Greenwich, Connecticut.

While shoreline stabilization structures are subject to Village approval, the Village should consider improved standards for review of these structures.

There are some open waters in Port Chester Harbor within the Village's jurisdiction; the question arises as to whether the Village should consider establishing a small mooring field, as allowed by water depths in this area.

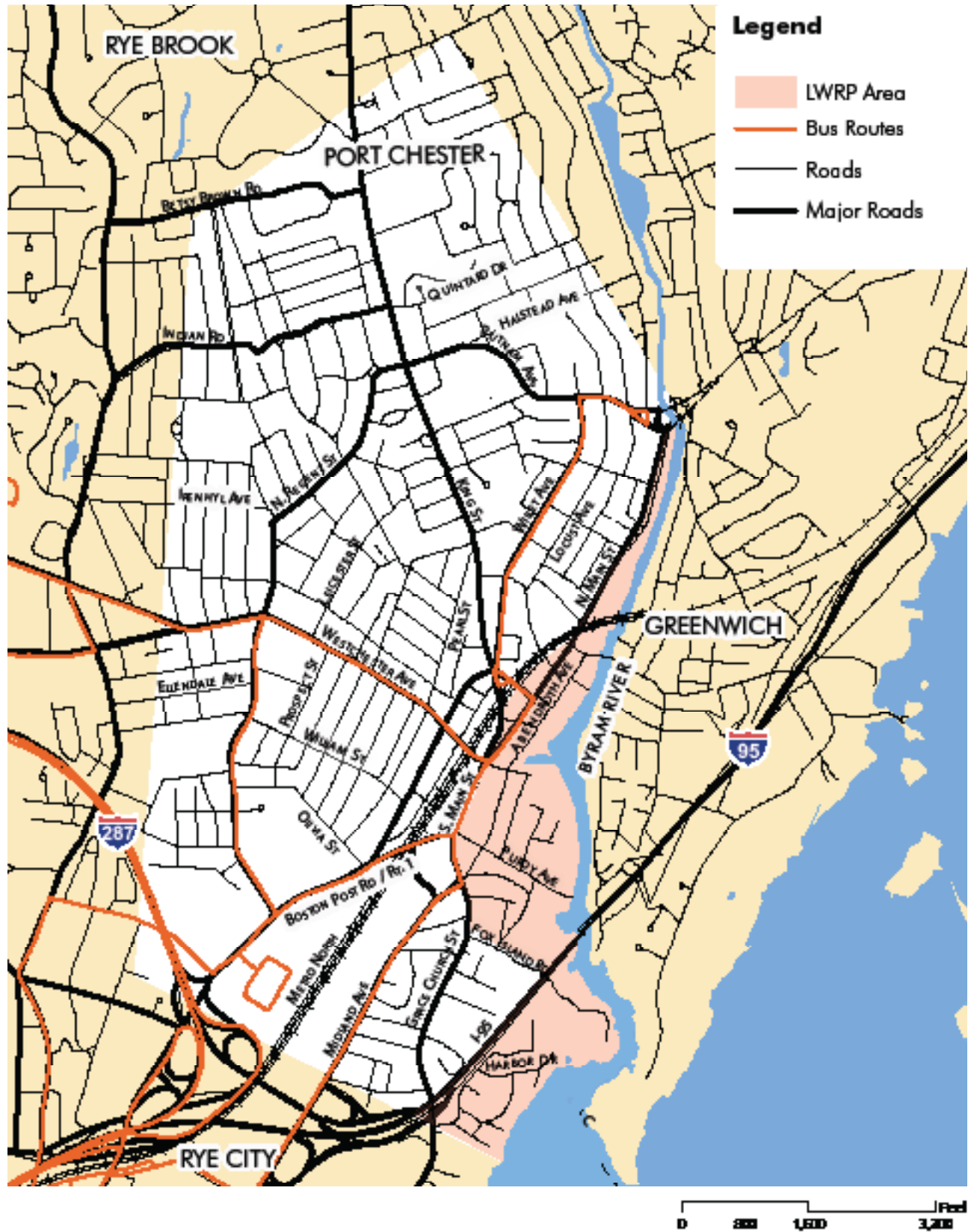
D. INFRASTRUCTURE

1. Transportation

Although the LWRP area is close to or includes many of Port Chester's major roads, access to the waterfront itself is limited, as shown in Figure 12. The New England Thruway (I-95), which bisects the southern portion of the study area just north of the Sewage Treatment Plant, provides regional access for local roads to the southwest in Rye. For local north-south access, Boston Post Road, or Route 1, becomes Port Chester's Main Street before crossing the Byram River into Connecticut at the northern tip of the LWRP. Although this northern section of Main Street runs parallel to the water, there is limited access and views of the water until the area immediately around the bridge which passes into Connecticut. Westchester Avenue provides the major east-west route, with a connection to the Cross Westchester Expressway about two miles to the water. The scale of the road is diminished after Main Street, when it becomes a narrow local street that runs through The Waterfront at Port Chester shopping center.

These roads, plus other major local roads like Midland Avenue and King Street, converge on Main Street in the Village center, providing an opportunity for clear signage and improved streetscapes to encourage movement toward the water. On local roads, actual access to the water is provided only at Fox Island Road, Westchester Avenue, the streets and parking lots off of Abendroth Avenue and from Main Street itself just before the Putnam Avenue Bridge to Connecticut.

Public transportation is provided by Metro-North Railroad. The train station is located just beyond the study area boundary to the west. It is within easy walking distance of most of Subarea IV. Bus service is provided by Westchester County along all major roads like Route 1 in the Village. Port Chester is a major terminus for County bus routes. The Village is accessible by routes 13, 61, and 67 on the Westchester County Bee Line Bus system, and by route 11 on the CT Transit bus.



2. Water Supply

The water supply for the LWRP area is provided for by the United Water Company. The primary source of the supply is in Greenwich, where the surface water is sand-filtered to remove the impurities and hardness. Currently, Port Chester's water demand and maximum day demand are at or near the safe yields of the system. Due to small diameter pipe sizes, demands from the City of Rye, storage tank sizes and increases in peak demands from the high storage areas, the Village periodically experiences low system water pressures. In recent years, the construction of larger homes in the area, together with new lawn sprinkler systems, has taxed the system and increased the average and maximum day demands. United Water currently has plans to build a larger clear well at the Aquarion Water plant in Greenwich, making additional water available. Westchester Joint Water Works has some additional water available; however, new agreements to purchase more water would be required between the two water companies.

3. Sanitary Sewer

All sanitary sewage generated in the Village is handled by the Westchester County Wastewater Treatment Plant, located on Fox Island Road. The treatment plant is owned, operated and maintained by the Westchester County Department of Environmental Facilities and provides both primary and secondary wastewater treatment. The Port Chester facility sends treated wastewater to the Blind Brook Plant in Rye, where it is then discharged into the Long Island Sound.

The Sewage Treatment Plant presently has the capacity to treat an average wastewater influent flow of 5.5 million gallons per day (MGD). Secondary treatment processes have a peak hydraulic capacity of 12.2 MGD or 13.4 MGD including recycled flows.

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.

The Sewer District has separate storm and sanitary sewers. 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. There are two pump stations in the Village. The first is just outside the LWRP boundary on North Main Street at the intersection of Putnam Avenue, serving approximately 75 houses and businesses. The second is located outside the LWRP boundary on Comly Avenue near the Connecticut state line, serving approximately 30 houses.

A Sewer System Evaluation Survey (SSES) was completed in 1995 on the Port Chester Sanitary Sewer District by the Westchester County Department of Environmental Facilities to identify sources of Inflow and Infiltration (I/I) into the County's sewer system. This survey verified and quantified I/I problems within the system as a result of manhole deficiencies, pipe breaks/fractures, joint defects, pipe dips, service connection defects, storm/sewer cross-connections and tidal inflows. The study identified 734,000 gallons per day (GPD) of observed infiltration from defective pipe; 265,840 GPD infiltration from defective manholes

and total estimated inflow of approximately 1.6 (MGD) (for a 3-inch rainfall) from both public and private direct connections of storm sewers into the sanitary sewer system.

The results of the study are generally what could be expected of a sewer system comprised mainly of vitrified clay pipe. Open or offset joints, cracked and broken pipes are not uncommon within the system and have led to significant I/I effects, including tidal inflow into the system along the Byram River where the Village sewers are at or below the high tide level of the river. This condition greatly reduces the system's capacity to varying degrees on any given day. Maintenance issues also contribute to reduced capacity, including grease and sediment buildup and root intrusion. These problems are exacerbated by the age and pipe material of the system.

The Village has been actively investigating and addressing the identified I/I sources. A fraction of these sources have been rehabilitated with a combination of techniques including pipe joint repair or manhole replacement, trenchless technology (cured in place pipe liners) and sealing techniques (manhole sealing). In April 2007, Port Chester 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.

4. Storm Sewer

As discussed above, the Village's storm sewer system is separate from the sanitary sewer pipes. The storm sewer system serves an area roughly contiguous with the Village boundaries, and, as with the sanitary sewer system, much of the infrastructure dates back more than 100 years. There are five outflows into the Byram River in the LWRP area, ranging in size from 9 ft. x 6 ft. to 20 inches (see Figure 13).

Two large outflows serve major portions of the Village. One located at Purdy Avenue is approximately 7 ft. x 4.5 ft. The second, located at the gut, near the intersection of Westchester and Abendroth Avenues, is approximately 9 ft. x 6 ft. Two other outflow points are located in the downtown area, where infrastructure improvements are planned in support of future development. The fifth is located at the end of Wilkins Avenue, just north of the Metro-North railroad tracks.

The Village's stormwater infrastructure is aging and in need of upgrading and/or replacement. In some cases it has deteriorated due to age and lack of repair, and in other locations it is inadequate to meet current needs for capacity.

Port Chester is subject to U.S. Environmental Protection Agency (EPA) regulation for operation, maintenance and discharge of its stormwater collection system. Federal oversight is delegated to the New York State Department of Environmental Conservation (NYSDEC), which has extended permit coverage to the Village via the municipal separate stormwater system (MS4) stormwater management program. The Village has prepared and filed with NYSDEC a five-year program to address six minimum measures for ensuring that stormwater quality discharged to Federal waters meets applicable requirements: public education and outreach, public participation/involvement, illicit discharge detection and

elimination, construction site runoff control, post-construction runoff control, and pollution prevention good housekeeping.

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, and eliminating, cross-connections of the sanitary sewer system and stormwater system. Much of the downtown area is being inspected for locations where pollutants may be entering the system and then discharged to the Byram River.

E. NATURAL CONDITIONS AND ENVIRONMENTAL QUALITY

1. The Land

The topography of the LWRP area is diverse, ranging from the gentle, relatively flat slopes of subareas IV and V to the hilly uplands of subareas I, II and III. From Westchester Avenue to the south, steep slopes (15% or greater) separate upland development from a flat stretch of land next to the water. This flat land area varies greatly in depth, ranging from less than 5 feet around the I-95 overpass to more than 1,500 feet in the vicinity of Fox Island Road. This area has been artificially widened by past landfill activities.

Soils are generally classified as urban land, meaning that they have been extensively filled and graded. Most of the soils along the water's edge and in subareas IV and V are former flood plains. The uplands are generally Charlton and Paxton soils, which are both well drained, medium to moderately coarse soils. There are a number of rock outcroppings along the steep embankment.

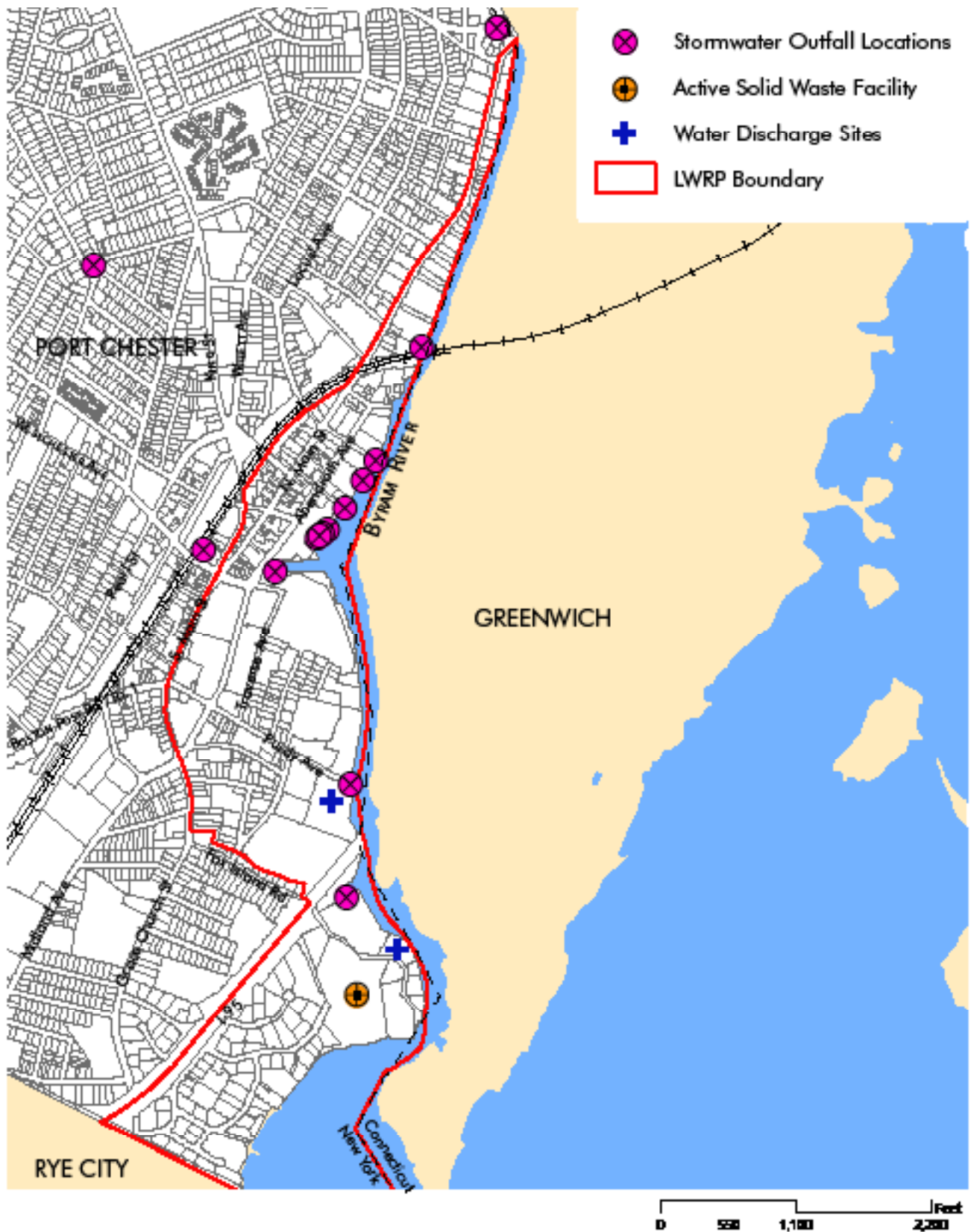
As noted, there are several areas where fill has occurred, and one landfill site exists in Subarea II. Subsurface conditions will be tested and analyzed through the State Environmental Quality Review Act (SEQRA) process required for any development of this site.

There are no existing Critical Erosion Hazard Areas in the LWRP area.

2. The Water

The Byram River flows into Long Island Sound on the boundary between Port Chester, New York, and Greenwich, Connecticut. It originates in New York State at the Byram Lake Reservoir south of Mount Kisco and empties into Port Chester Harbor on the Sound. Major tributaries of the Byram River include its East branch and the Wampus River. The major portion of the central basin enters New York State approximately two miles above the river mouth at the north end of the LWRP area. The regions drained include primarily urban and industrial areas in the study area near the mouth, and woodland, fields and residential land for the remainder of the stream's length.

The river is relatively narrow, ranging in width from 300 feet in the Harbor to 120-160 feet through most of the Village center and down to a narrow 50-foot width in the Brooksville section.



The primary outfall for the Sewage Treatment Plant has been relocated off the coast of the City of Rye. Only an emergency outfall remains at the plant in Port Chester. There is no other identifiable major point source of contamination in the study area along the river; however, there are other potential sources of pollutants. Although it is illegal in New York State, some watercraft may still be discharging untreated sanitary waste. Also, accidental spills from the transportation of petroleum compounds are a potential threat.

Since 1999, the EPA has mandated urbanized communities, including Port Chester, to establish stormwater management programs aimed at controlling stormwater on developed sites to the maximum extent possible. In accordance with this mandate, Port Chester adopted in 2007 Chapter 281 (Stormwater Management) of the Village Code. The chapter delineates a program that includes public education, detection and elimination of illicit connections, construction site runoff control, postconstruction stormwater control and pollution prevention. Chapter 281 also gives performance and design criteria for stormwater management and erosion control, outlines necessary permits and required maintenance procedures, and authorizes a Stormwater Management Officer to conduct inspections for construction and stormwater management practices (SMPs).

In 2009, however, the EPA found that Port Chester's stormwater contained high levels of two types of bacteria, which exceeded New York State's water quality standards. As a result, the EPA mandated that the Village improve its stormwater management and correct violations of the federal Clean Water Act. In 2011, the Village responded by amending Chapter 281 of the Village Code, adding a new subsection to "encourage the use of green infrastructure practices to control stormwater runoff such as protecting natural areas, reducing impervious cover, and runoff reduction techniques to the maximum extent possible." The amendment also outlines water quantity and quality controls pertaining to land development activities, protocol for the maintenance and repair of stormwater facilities, and deed restrictions on those facilities.

Port Chester stakeholders are also involved with the Byram Watershed Coalition, an organization aimed at improving the watershed and obtaining public support for a water management plan. In September 2011, the coalition released the Byram River Watershed Management Plan, an extensive document that includes significant data on the state of and issues facing the river and its watershed, and outlining a set of goals and an action plan to address these issues. The Village has also made some improvements to infiltration/inflow conditions, tidal influences on the sanitary and storm sewer systems, and the municipal use of pesticides. Additionally, Port Chester participates in the Westchester County's Citizens' Volunteer Monitoring Program, whose mission is to collect and share data about the county's water resources.

Also in 2009, the Interstate Environmental Commission (IEC) received a grant from the NYSDEC to perform sampling and modeling of the Byram River to measure the water quality of the River and its watershed. As of 2010, the IEC had completed the first of two rounds of water sampling, the results of which will be used to develop a water quality model. The model will be used as a GIS-based watershed planning tool, to help design specific programs, prioritize sub-basins that contribute significant nitrogen and pathogen loads, and identify green infrastructure projects for funding recommendations.

While the water quality of the Byram River has improved over time and the Village has taken important steps toward remediation, the River is still listed as a priority water body by the NYSDEC, and aquatic life, recreation, and aesthetics are considered “stressed” due to urban runoff and storm sewers. The NYSDEC has assigned the Byram River a “C” classification for the northern portion – representing water that is suitable for fisheries and non-contact activities – and an “SC” classification for the lower segment – signifying that the water is characterized as saline and that shellfishing may be a use in the area. Recreational fishing on the river exists but is limited in scope. In addition, the area of Port Chester Harbor located within the Village is currently included in the EPA’s Impaired Waters 303(d) List.

The health of the Byram River and Port Chester Harbor have significant impacts on the health of the Long Island Sound, which itself is faced with major water quality issues such as hypoxia, pathogen contamination, debris and threatened habitats.

Port Chester is one of 13 municipalities that make up the Long Island Sound Watershed Intermunicipal Council (LISWIC), formed in 1999 to collectively make decisions promoting a cleaner Long Island Sound. The group’s primary goals include pollution prevention and remediation; preservation of open space and natural resources; provision of open space, recreational and cultural opportunities; and preservation and restoration of wetlands and associated habitat areas. To further these goals, LISWIC commissioned a study on the feasibility of creating a Regional Stormwater Management District (RSMD). The study, completed in 2007, recommended an RSMD to be established as a public authority under New York State law, with implementation of regional watershed management and stormwater management plans. In 2008, Port Chester adopted a draft resolution in support of an RSMD, and in 2009, the LISWIC Board of Representatives began writing legislation for the RSMD.

3. Wetlands

There are three levels of wetland protection: national, state, and municipal. The U.S. Army Corps of Engineers is responsible for regulating national wetlands, and issues permits for regulated activities under Section 404 of the Clean Water Act. Any construction activity that may affect these wetlands (excavation, filling, building, obstructions, potential pollution sources, etc.) is regulated, whether it occurs in the wetland itself or in the 500-foot buffer of the wetland.

In New York State, two main types of wetlands are the focus of protection: tidal wetlands around Long Island, New York City and up the Hudson River all the way to Troy Dam; and freshwater wetlands found on river and lake floodplains. Tidal wetland areas are dominated by grasses and other marsh plants which are adapted to the rise and fall of the tide and the salty water it brings. The NYSDEC New York State Official Tidal Wetlands Inventory delineates and classifies all tidal wetlands in the state.

Freshwater wetlands, also known as marshes, swamps, bogs and wet meadows, are transition areas between uplands and aquatic habitats. Although standing water is a key clue that a wetland may be present, many wetlands only have visible water during certain seasons of the year. New York’s Freshwater Wetlands Act (1975) identifies wetlands on the basis of their vegetation, and protects wetlands 12.4 acres and larger. Wetlands smaller

than this threshold size may be protected if they are considered of unusual local importance. Around each protected wetland is an “adjacent area” of 100 feet that is also regulated to provide protection for the wetland itself.

Although Port Chester’s Village Code, in Chapter 281 (Stormwater Management), makes reference to general best practices for protecting wetlands (from the New York State Stormwater Management Design Manual), the Village does not have any specific provisions for regulating development in wetland areas. Thus, only wetlands of 12.4 acres or larger would meet the threshold for regulatory protection, at the state or federal level.

Since much of the LWRP area has been filled or disturbed in some way, there are few natural areas left, including wetlands. A small area of tidal wetlands exists in the coastal vicinity of the Port Chester Yacht Club. This area, equaling about 13,000 square feet, is classified SM (coastal shoals, bars and flats that at high tide are covered by water and at low tide are exposed or covered to a maximum depth of one foot). It is not vegetated by low marsh cordgrass. Past biological inspections have determined that this shore does not contain productive wetlands. A second area of regulated tidal wetlands is located at the “north cove” between Purdy Avenue and I-95. This area is 1.4 acres and also classified as “SM.” Unlike the small wetland in Subarea II, however, past site investigation of this area revealed evidence of biological activity. Mitigation of development impacts on these wetlands should be considered in the event of any development in this area.

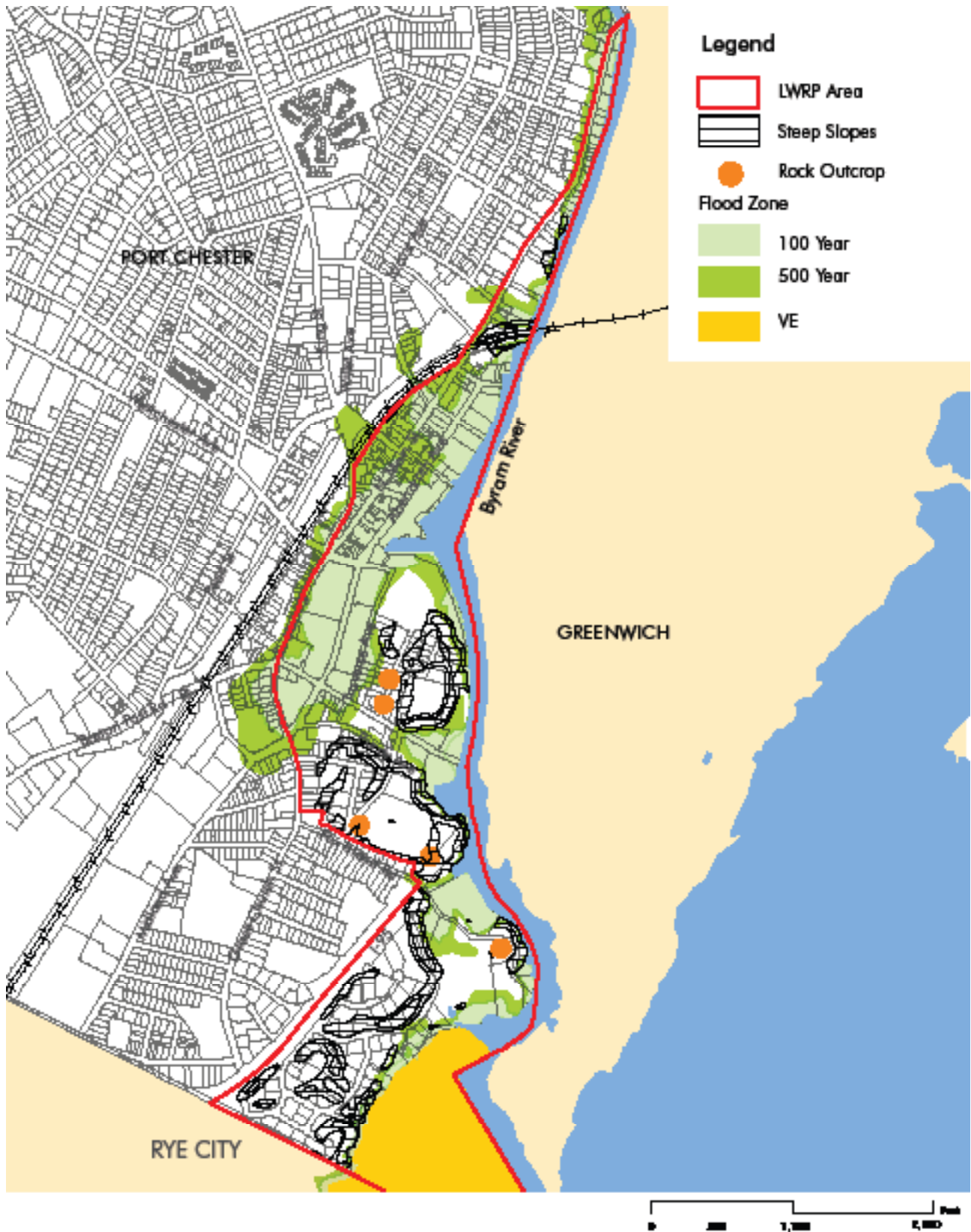
4. Flood Hazard and Floodplain Areas

The Federal Emergency Management Agency (FEMA) has delineated the 100-year floodplains for the Byram River through the preparation of Flood Insurance Rate Maps (FIRMs), which show base flood elevations and identify flood risk zones including Special Flood Hazard Areas (SFHAs). The SFHA is the land area that is subject to a 100-year flood or greater. These high-risk areas are where National Flood Insurance Program (NFIP) regulations must be enforced and where the mandatory purchase of flood insurance applies. Properties located outside of these high-risk areas are still subject to flooding, and owners have the option of purchasing flood insurance.

The FEMA flood hazard areas are divided into zones:

- Zone A – areas of 100-year flood (1% chance of occurring in any given year)
- Zone B – areas between the limits of the 100-year flood and 500-year flood (0.2% chance of annual occurrence); or certain areas subject to 100-year flooding with average depths less than one foot or where the contributing drainage area is less than one square mile; or areas protected by levees from the base flood
- Zone C – areas of minimal flooding
- Zone VE – areas within the 100-year floodplain with additional hazards associated with storm-induced waves.

As shown in Figure 14, floodplains are generally located along the entire length of the Port Chester waterfront; however, the VE zone is generally confined to the Greyrock area along Port Chester Harbor.



Section 181 (Flood Damage Prevention) of the Port Chester Village Code provides for flood damage prevention measures and appoints the Building Inspector as local administrator for granting development permits within the areas of flood hazard. Among the requirements of the law, new and substantially improved construction must have the lowest floor (including the basement) elevated to at least 2 feet above the base flood elevation. Utilities must also be designed and/or located to prevent water damage during flooding. Adoption of the local flood damage laws is a prerequisite for participation in the National Flood Insurance Program. The law was enacted by the Village Board of Trustees in July 2007 and reflects guidelines set by the NYSDEC.

5. Fish and Wildlife Habitats

Both fish and wildlife habitats are limited in the Port Chester LWRP area. On land, there are no natural habitats remaining. Various species of birds do inhabit the developed areas where vegetation is present. 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.

While no detailed wildlife surveys have recently been conducted in Port Chester, the U.S. Fish and Wildlife Service has determined that several species of endangered and threatened species are found in Westchester County: bald eagle, bog turtle, Indiana bat and shortnose sturgeon. There is a possibility that some of these species could pass through or inhabit areas within the Village. In addition, the NYSDEC 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.

Improved water quality due to the removal of the sewage treatment plant outflow, plus the decline of waterfront industry usage and improved stormwater management practices, may provide future improvements to some degree. This process will be slow, however, as many pollutants are retained in the sediment at the river bottom.

6. Critical Environmental Areas

A Critical Environmental Area (CEA) is a State or locally designated geographic area with special or unique physical and environmental characteristics. Typically, a CEA is established by identifying fragile or threatened environmental conditions within the State Environmental Quality Review Act (SEQRA). Port Chester's coastline falls into the Long Island Sound CEA, which is a Westchester County-designated CEA. As part of a designated CEA, the potential impact of any Type I or Unlisted Action under SEQRA on the environmental characteristics of the CEA is a relevant area of environmental concern and must be evaluated in the determination of significance prepared pursuant to Section 617.7 of SEQRA.

7. Air Quality

Air pollution can stem from point (stationary) sources (such as power plants); area sources (the cumulative impact of small individual sources such as body shops or dry cleaners); mobile sources (such as automobiles); and biogenic sources that naturally occur in vegetation. The most significant sources of carbon monoxide emissions are single-occupancy automobiles.

National Ambient Air Quality Standards (“NAAQS”) have been established for six air pollutants – particulates, sulfur dioxide, nitrogen oxides, carbon monoxide, ozone, and lead. In 1990, ultrafine particulate matter was added to the list of criteria pollutants. This is associated with the combustion of fossil fuels, including natural gas and propane. Primary and secondary standards for varying exposure times have been established for each of these criteria pollutants. Primary standards are designed to protect public health, while secondary standards are established to prevent other adverse environmental impacts and to protect the public welfare.

In 2008, NYSDEC designated most of the New York Metropolitan Area (NYMA) Combined Statistical Area (CSA) a non-attainment area for the 2008 ozone NAAQS. Of the counties included in this CSA, Suffolk, Nassau, Bronx, Kings, New York, Putnam, Queens, Richmond, Rockland, and Westchester, only Putnam County achieved acceptable standards.

Under the Clean Air Act, New York State will be required to develop a State Implementation Plan (SIP) for submission to the EPA. The plan must include enforceable measures for reducing air pollutant emissions and must describe the steps the area will take toward attaining the fine particulate (PM 2.5) standards.

Generally, the air quality in the study area meets or exceeds national and State air quality standards. Degradation may occur in localized areas such as around new construction sites.

8. Climate Change and Sea Level Rise

According to the DEC’s policy for assessing energy use and greenhouse gas emissions in environmental impact statements (EISs), global climate change is a significant environmental challenge, and one that will continue to affect the environmental and natural resources of New York State. There is scientific consensus that human activity is increasing the concentration of greenhouse gases in the atmosphere, and that this, in turn, is contributing to climate change. The six main greenhouse gases are carbon dioxide, nitrous oxide, methane, hydrofluorocarbons, perfluorocarbons and sulfur hexafluoride. Emissions of carbon dioxide represent an estimated 89% of the total greenhouse gas emissions in the state, and the vast majority of these emissions result from fuel combustions. Other sources of greenhouse gases include electricity distribution, refrigerant substitutes, management of municipal waste, municipal wastewater and agriculture, and natural gas leakage.

In 2001, Westchester County joined the Cities for Climate Protection Campaign, a program of the International Council of Local Environmental Initiatives (ICLEI), in order to take stock of and create a plan for reducing the county’s greenhouse gas emissions. An initial study concluded that the county as a whole produced almost 12 million tons of carbon dioxide in

1999, with just over half of the emissions coming from the transportation sector alone, and another third generated by the residential sector.

A federal report, *The Potential Impacts of Global Warming on the Mid-Atlantic Region*, released in 2000, concluded that impacts of climate change could be very severe in Westchester:

- Under different climate change scenarios, the Mid-Atlantic region, with its extensive coastline, is likely to suffer from the impacts of increased flooding and sea level rise.
- Extreme weather events such as heavy rainfall, floods, heat waves, and drought are likely to become more frequent.
- Changes in temperature and rainfall could contribute to summer heat stress, smog and other health risks, and will adversely impact forests, parks and animal habitats.

More recently, in December 2010, a task force created by the New York State Legislature released a report (*New York State Sea Level Rise Task Force: Report to the Legislature*) on sea level rise stemming from climate change, which included a set of findings and recommendations for an action plan to protect coastal communities and natural resources from these rising sea levels. The report documented a number of hazards, including rising water tables, saltwater intrusion into estuarine and freshwater environments, inundation and flooding, storm surge and coastal erosion. The sea level rise report outlined the following general recommendations:

1. Adopt official projections of sea level rise and ensure continued and coordinated adaptation efforts.
2. Require State agencies responsible for the management and regulation of resources, infrastructure and populations at risk from sea level rise to factor the current and anticipated impacts into all relevant aspects of decision making.
3. Classify areas where significant risk of coastal flooding due to storms has been identified and implement risk reduction measures in those areas.
4. Identify and classify areas of future impacts from coastal flooding from projected sea level rise and storms to reduce risk in those areas.
5. Reduce vulnerability in coastal areas at risk from sea level rise and storms. Support increased reliance on non-structural measures and natural protective features to reduce impacts from coastal hazards, where applicable.
6. Develop maps and other tools required to assist local decision makers in preparing for and responding to sea level rise.
7. Amend New York State laws and change and adopt regulations and agency guidance documents to address sea level rise and prevent further loss of natural systems that reduce the risk of coastal flooding.
8. Provide financial support, guidance and tools for community-based vulnerability assessments and ensure a high level of community representation and participation in official vulnerability assessments and post-storm recovery, redevelopment and adaptation-planning processes.
9. Undertake a comprehensive assessment of the public health risks associated with sea level rise, coastal hazards and climate change, including compromised indoor air quality, drinking water impacts, post-traumatic stress and other mental health

problems, increases in disease vectors, impaired access to health care and loss of reliable access to food and medical supplies.

10. Raise public awareness of the adverse impacts of sea level rise and climate change and of the potential adaptive strategies.
11. Develop mechanisms to fund adaptation to sea level rise and climate change.
12. Fund research, monitoring and demonstration projects to improve understanding of key vulnerabilities of critical coastal ecosystems, infrastructure and communities from sea level rise.
13. Ensure continued and coordinated adaptation to sea level rise.
14. Seek federal funding, technical assistance and changes to federal programs to make them consistent with, or accommodating to, State policies, programs and adaptation measures related to sea level rise.

Also in 2010, a separate study on sea level rise in New York State (*The Likelihood of Shore Protection Along the Atlantic Coast of the United States, Volume 1: Mid-Atlantic*) found that sea level is rising approximately one inch about every eight years along the State's coast. Effects from this rise would become more widespread if rising global temperatures cause the rate of sea level rise to accelerate. The Intergovernmental Panel on Climate Change, for example, estimates that, by the end of the next century, sea level is likely to be rising 0 to 3 inches per decade more rapidly than today (excluding possible impacts of increasing ice discharges from the Greenland and Antarctic ice sheets).

According to this study – which was part of a larger, multiyear project by the EPA on sea level rise along the Eastern Seaboard – coastal communities must ultimately choose between one of three general responses: using seawalls, dikes, revetments, bulkheads and other structures; elevating the land and perhaps the wetlands and beaches as well; or retreating by allowing the wetlands and beaches to take over land that is dry today. Each of these approaches has both advantages and disadvantages, and each is being pursued somewhere in the state. Because the vast majority of Port Chester's waterfront is already protected with a hardened structure, and few natural areas remain along the water, it is likely that these structures will continue to be strengthened as sea levels rise.

While climate change is often perceived as a federal, state or regional issue, local communities can take actions to mitigate its impacts. In 2008, Westchester County released the Westchester Global Warming Action Plan, created to identify workable strategies and practical actions the County can implement to reduce greenhouse gases and promote sustainable development. The plan's task force set a goal to reduce greenhouse gases by 20% below the 2005 base year by 2015. By 2050, the task force set a goal of an 80% reduction in total greenhouse gas emissions below the base year.

To achieve these goals, the plan identified short-, medium- and long-term strategies on a countywide, municipal, business, educational institution and household level to address five key areas: energy, transportation, land use, water resources and recycling.

Finally, in November 2011, the New York State Energy Research and Development Authority (NYSERDA) released the *Climate Adaptation Guidebook for New York State*, an extensive report intended to provide the state's decision-makers with the latest data on New York's vulnerability to climate change and to facilitate the development of adaptation strategies

informed by both local experience and scientific knowledge. Adaptation strategies do not directly include actions that reduce the likelihood of climate change from occurring (i.e., climate change mitigation), but instead present actions to lessen the impact of climate change or take advantage of changes caused by a shifting climate. Key tools identified in the report include regulatory, design and engineering standards; legal structures; and insurance opportunities. The report's recommendations include that governmental entities incorporate projections of increased sea levels and heavy rains when constructing large infrastructure projects; protecting and nurturing natural barriers to sea-level rise such as coastal wetlands; and revising building codes in areas such as roof strength and foundation depth in regions that would be hit hardest by storms.

F. PUBLIC RECREATIONAL RESOURCES

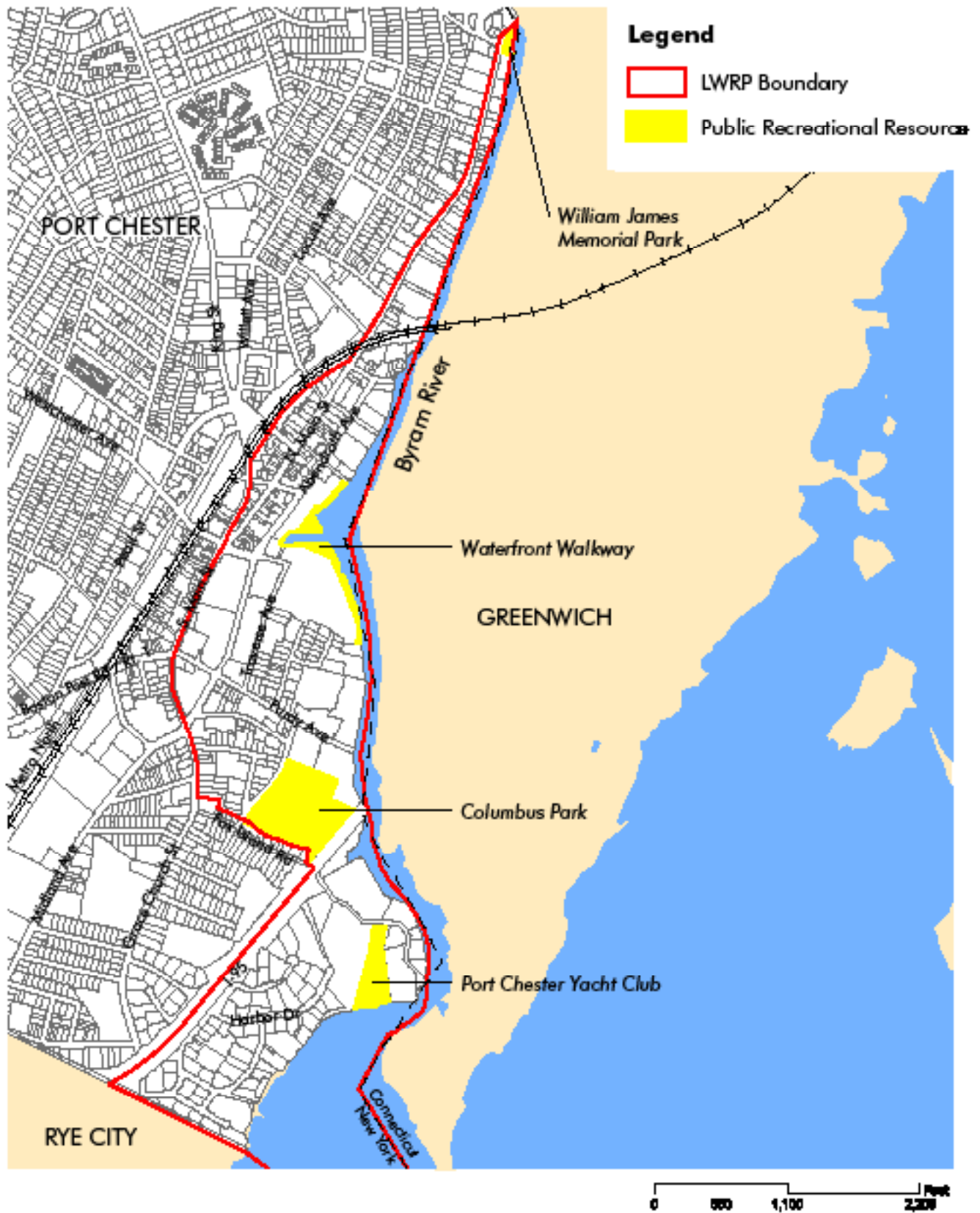
There are several public recreational resources within the LWRP area, as shown in Figure 15. The largest is Columbus Park, occupying 9.4 acres and featuring amenities such as a new soccer field with spectator seating and parking, a playground and water-spray playground, picnic pavilion, and basketball and volleyball courts. The public walkway along the Byram River in downtown Port Chester is another of the Village's recreational resources. The walkway runs from Willett Avenue south to the end of the Costco parking lot, where there is a steep grade change. This southern portion of the walkway is currently closed to pedestrians because of safety reasons; the bulkhead that supports the walkway is falling apart and in need of immediate repair.

Another public Village recreational resource is the boat ramp at the Port Chester Yacht Club on Fox Island (see Figure 15a). The club has parking for cars and boats, and a ramp leading into a small marina in the Byram River. Under the terms of the club's lease from the Village, the boat ramp must be open to the public at no cost during daytime hours. Unlimited emergency access must be provided to the U.S. Coast Guard and State, County and Village emergency services.

The final public recreational resource is William James Memorial Park, at the northern tip of the LWRP area. The main feature of this park is the restored pumphouse along the waterfront. Because of its location at the intersection of North Main Street and Putnam Avenue at the entrance to Port Chester, the park is not easily accessible by pedestrians and is thus not well used even for passive recreational use. William James Park mainly serves as a green gateway space.

Although not used as such, the end of Fox Island Road represents a potential public water access point. As a public right-of-way, the street-end is municipally owned, and the Village has in the past attempted to assert its rights to this area, with limited success. Nonetheless, Port Chester may wish to reexamine its ownership rights to the street-end as part of efforts to increase and enhance public waterfront access on the Fox Island Peninsula.

Chapter 148 (Boating and Watercraft) of the Village code governs harbor management for Port Chester, including the location of anchorages and moorings, marina sanitation requirements, dredging regulations, permitting, and penalty and enforcement policies. Although this chapter designates a Harbor Master as responsible for assigning mooring areas, keeping records of their locations and enforcing tackle and buoy permits, this position is apparently not active.





PORT CHESTER LWRP

PORT CHESTER, NY

FIGURE 15A: PORT CHESTER YACHT CLUB

SOURCE: BILLY FRENZ



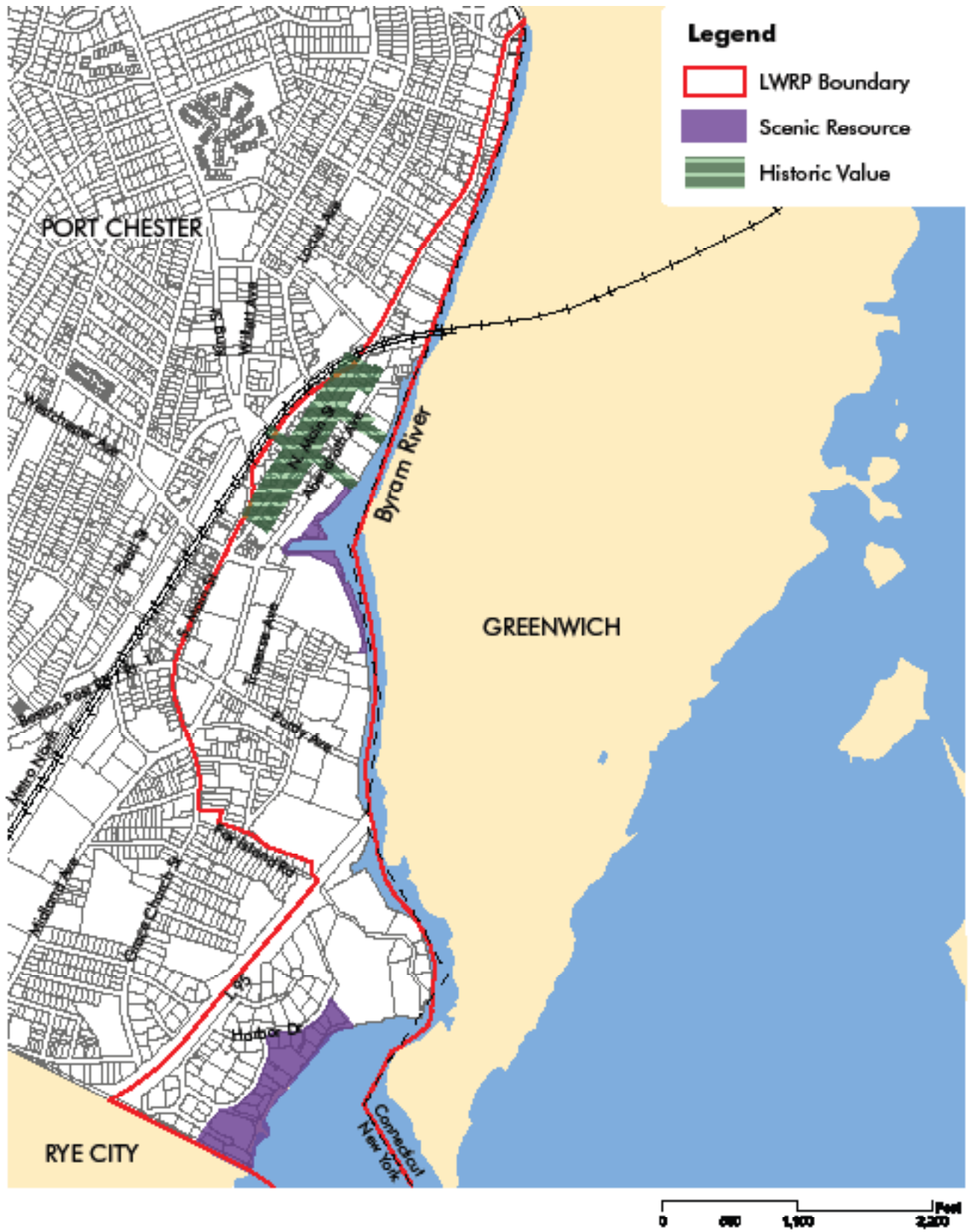
G. SCENIC, HISTORIC AND ARCHAEOLOGICAL RESOURCES AND VISUAL QUALITY

The visual quality of the Port Chester waterfront is extremely variable due to the differences in river widths and the scenic quality of surrounding land uses. The best views are long water views or views of open space or attractive housing on the Connecticut side of the river. The area with the highest visual quality is the Greyrock residential area. In this area, well-maintained, mature vegetation contributes to the visual quality of the waterfront. William James Memorial Park and the pedestrian walkway downtown along the river also have strong visual quality (see Figure 16). No scenic resources of statewide significance have been identified.

No historic resources are listed on the National or State Registers of Historic Places within the LWRP area, but several properties are either individually eligible for National Register listing or are within a district that is eligible for National Register listing. These properties are predominantly located on Highland Street, Willett Avenue and North Main Street in the downtown area (See Figure 16). Other properties in Port Chester outside of the LWRP area that are included on the registers are the Life Savers Building, the Bush-Lyon Homestead, the Capitol Theater, the Port Chester Post Office murals, and the Putnam and Mellor Engine and Hose Company Building. These five sites are also listed on the Westchester County Inventory of Historic Places, along with three other sites in Port Chester: the War Memorial at Wesley and Westchester Avenue; the Spanish American War Memorial at Willett, King and Pearl Streets; and St. Peter's Episcopal Church at 19 Smith Street. There are some properties on Fox Island Road, just outside the study area boundary, that are also eligible for National Register listing.

Other special structural features in the waterfront area include the restored William James Memorial pump house, Putnam Avenue Bridge and the Mill Street Bridge.

Port Chester contains one large archeologically sensitive area in the southern end of the Village, which occupies all of the LWRP area south of Highland Street. Archeologically sensitive areas are designated when a site of some archeological significance is discovered, and represent 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.



H. DEVELOPMENT CONSIDERATIONS

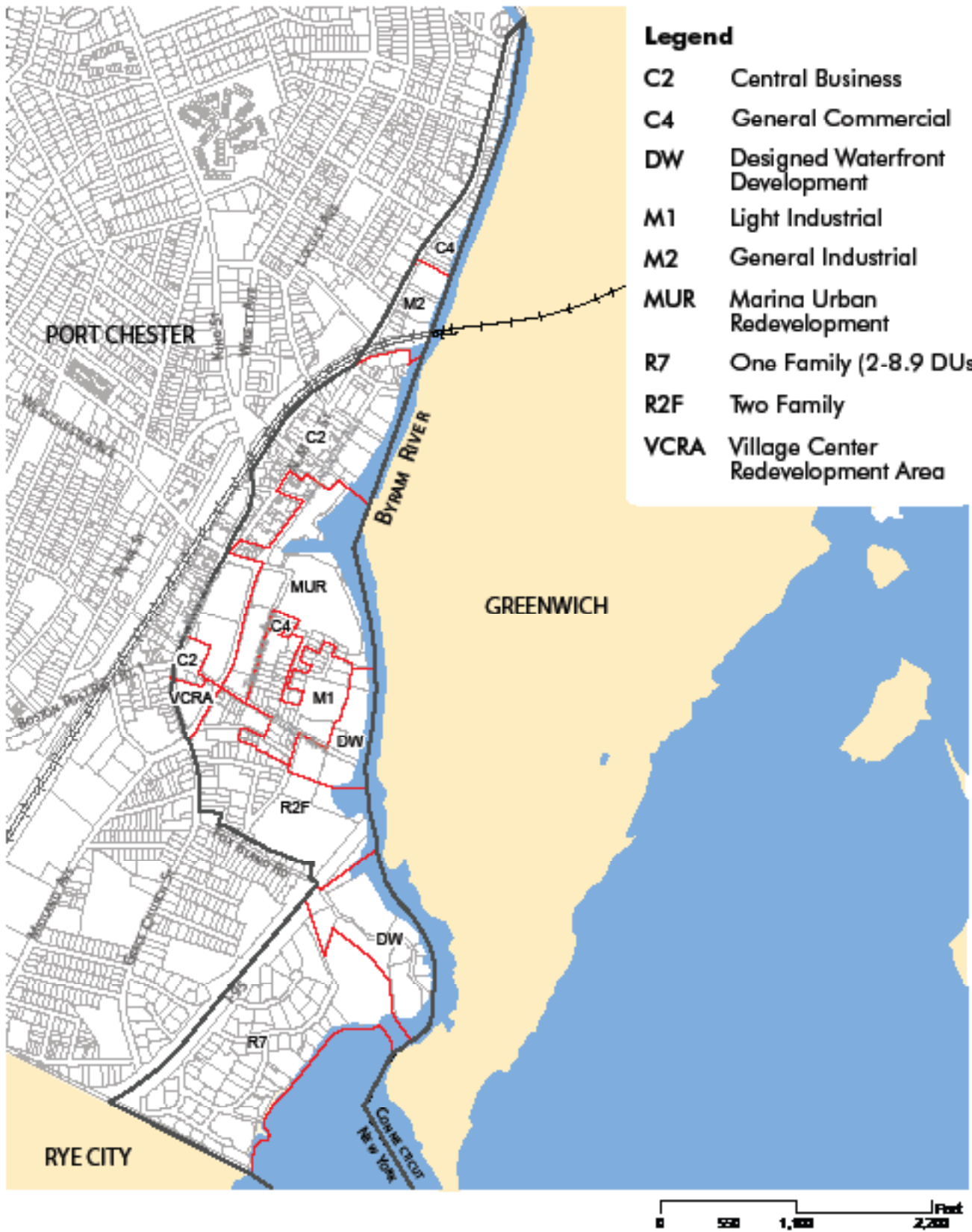
1. Existing Zoning

Existing zoning forms the framework for regulations regarding land use, densities, and building regulations. Figure 17 depicts existing zones. These include:

- Residential Zones
 - **R7 (Single Family):** Permits one-family dwellings, parks and playgrounds, residential community facilities and schools. No businesses are permitted other than home professional offices, although home occupation uses may be granted as a special exception. Maximum FAR is 0.60 while minimum lot size is 7,500 square feet.
 - **R2F (Two Family):** Permits one-family dwellings, parks and playgrounds, residential community buildings, schools, hospitals, membership clubs, nursery schools, public utility buildings and nonresident physicians. No businesses are permitted other than home professional offices, although home occupation uses may be granted as a special exception. Maximum FAR is 0.80 and minimum lot size is 5,000 square feet.

- Commercial Zones
 - **C2 (Central Business District):** Permits offices above the first floor, radio or television studios, table-service restaurants, tax preparation offices, retail stores and personal service shops. It is the only commercially oriented district that permits a residential use – multifamily above the first floor – which is granted by special exception. Other special exception uses include medical and dental offices, catering and event facilities, drive-in establishments, health clubs, hotels, movie theaters and other theaters and ground-floor offices as an accessory use to multifamily development.
 - **C4 (General Commercial):** Permits banks (no drive-in), health clubs, movie theaters or other theaters, offices, radio or television studios, table-service restaurants, wholesale businesses, creameries, non-nuisance industry and printing plants. Special exception uses include churches and other religious institutions, assembly halls, membership clubs, public utility facilities, automobile repair garages, bars, bowling alleys, cabarets, drive-in establishments, food processing shops, funeral homes, gas stations, motor vehicle sales lots, veterinary hospitals and research laboratories.

- Manufacturing Zones
 - **M1 (Light Industry):** Permits public utility facilities, banks (no drive-in), offices, radio/television studios, wholesale businesses, creameries, laundry/dry-cleaning facilities, non-nuisance industry, printing plants and research laboratories. Special exception uses include churches or other religious uses and gas stations.
 - **M2 (General Industry):** Permits public utility facilities, banks (no drive-in), offices, radio/television studios, shooting ranges, wholesale businesses, cold storage plants, creameries, non-nuisance industry, printing plants and research laboratories. Special exception uses include churches or other religious uses and related businesses, gas stations and open storage of equipment or materials.



- Special Zones
 - **DW (Design Waterfront – multiple uses)**: Only special exception uses have been created for this district, and include multifamily dwellings, churches, convalescent homes, membership clubs, public utility facilities, schools, banks, cabarets, marinas, offices, radio and television studios, table-service restaurants, veterinary hospitals, creameries, non-nuisance industry, printing plants and research laboratories.
 - **ROO (Residential Office Overlay)**: Intended to encourage the adaptive reuse of industrial land and buildings of historic significance, preserving the historical character of the property and providing suitable residential units and amenities. Permitted uses include all those listed in the M1 and M2 districts (see below) in addition to multifamily dwelling uses of all types, and cultural/recreational/athletic facilities.
 - **MUR (Marina Urban Redevelopment)**: Intended to revitalize a blighted area along the waterfront. Permits retail shops, supermarkets, movie theaters, open storage of materials and equipment, offices, personal service shops, parking and loading uses, parks, water-dependent features and water-related recreational uses.
 - **VCRA (Village Center Redevelopment Area)**: Permits light industrial operations, wholesale businesses, storage buildings, warehouses, offices incidental to the primary use, research and laboratory facilities, creameries, ice cream plants, laundry and dry-cleaning facilities, non-nuisance industry, motor vehicle filling stations, printing plants, public utilities, architecture/land surveying/engineering offices, businesses and banking offices.

2. Proposed Zoning

The Comprehensive Plan recently adopted by the Village Board of Trustees proposes certain changes to existing zoning within the LWRP area, including:

- Decreased floor area ratios (FAR) in all residential districts
- Consideration of site plan approval for two-family dwellings
- Extension of the existing DW zoning district to include the neighborhood north of Purdy Avenue and the area north of Willett Avenue along the waterfront.
- Rezoning the Fox Island subarea to a new district that would encourage “wharf-type” development (restaurants and retail) and a mix of commercial/office uses with the possibility of some light industrial uses. New residential uses would be by special exception permit only, and limited to studio and one-bedroom units. Building heights would be limited to 4 stores, or 50 feet.
- Modifying the C-2 zoning district to a “Main Street Business” zone that will allow for context-sensitive mixed-use development. This district would permit residential uses over ground-floor retail and would reduce maximum allowable building heights from 8 stories to 5 stores (4 residential stories over ground-floor retail).

SECTION III

COASTAL MANAGEMENT POLICIES

SECTION III COASTAL MANAGEMENT POLICIES

Introduction

The Policies of the Village of Port Chester Local Waterfront Revitalization Program are adapted from the Coastal Policies of the New York State Coastal Management Program as expressed in the Long Island Sound Coastal Management Program and the 1992 Port Chester LWRP. They account for the circumstances that define the nature and uses of the Village's waterfront and coastal resources, and consider the economic, environmental, and cultural characteristics of the Village. The policies are comprehensive and reflect Village and State laws and authorities. They represent a balance between economic development and preservation that will permit beneficial use of, and prevent adverse effects on, the Village's waterfront and coastal resources. They effectively take the place of the Coastal Policies of the New York State Coastal Management Program within the Village of Port Chester. The Policies are the basis for federal, State and Village consistency determinations of activities within or affecting the waterfront area of the Village. Any policy area covered by the New York State Coastal Management Program but identified as "not included" in the following statement of policies remains applicable for any agency subject to federal or State consistency regulations and the relevant New York State Coastal Policy is to be adhered to.

Where a policy explanation cites a Village law, regulation, or plan to which adherence is required in determining the consistency of an activity, the full text of the law or plan is included as an appendix in official copies of the printed Village of Port Chester Local Waterfront Revitalization Program. Electronic versions of the Program will include links to any referenced law, regulation, or plan. Adherence to a referenced law is to the standards and purposes of that law, adherence to the procedures of the law are not required rather the procedures of the federal, State or Village consistency laws or regulations govern.

The activities of federal, State or Village agencies that are required to be consistent with the Village's Waterfront Policies are determined by the provisions of federal, State or Village law respectively and may vary. The federal agency activities are identified in the New York State Coastal Management Program, as amended, and in consistency determinations for certain U.S. Army Corps of Engineers' general permits. State agency actions that are required to be consistent with the Village's Policies are identified in Section VI of the Village Waterfront LWRP.

The Village's Coastal Policy statements and their explanation are followed by sub policies that refine the policy statement for certain situations and are also subject to consistency; however, they are not to be construed as exhaustive of the intent or scope of the policy statement. Likewise, narrative explanations are not exhaustive of the meaning and intent of the policy or sub policy which they explain.

A. SUMMARY LIST OF POLICIES

I. Developed Coast Policies

- Policy 1 Foster a pattern of development in the Port Chester coastal area that enhances community character, preserves open space, makes efficient use of infrastructure, makes beneficial use of a coastal location and minimizes adverse effects of development. Applicable
- Policy 2 Preserve historic resources of the Port Chester coastal area. Applicable
- Policy 3 Enhance visual quality and protect scenic resources throughout the Port Chester coastal area. Applicable

II. Natural Coast Policies

- Policy 4 Minimize loss of life, structures and natural resources from flooding and erosion. Applicable
- Policy 5 Protect and improve water quality and supply in the Port Chester coastal area. Applicable
- Policy 6 Protect and restore the quality and function of the Port Chester coastal area ecosystem. Applicable
- Policy 7 Protect and improve air quality in the Port Chester coastal area. Applicable
- Policy 8 Minimize environmental degradation in Port Chester’s coastal area from solid waste and other hazardous substances and wastes. Applicable

III. Public Coast Policies

- Policy 9 Provide for public access to, and recreational use of, coastal waters, public lands and public resources of Port Chester’s coastal area. Applicable
- Policy 9A Incorporation of a public pedestrian walkway along the waterfront shall be included as part of development or redevelopment of waterfront parcels wherever practicable. Applicable

IV. Working Coast Policies

- Policy 10 Protect Port Chester’s water-dependent uses and promote siting of new water-dependent uses in suitable locations. Applicable
- Policy 11 Promote sustainable use of living marine resources in Long Island Sound and the Byram River. Applicable
- Policy 12 Protect agricultural lands in the eastern Suffolk County portion of Long Island Sound’s coastal area. Not Applicable
- Policy 13 Promote appropriate use and development of energy and mineral resources. Applicable

B. VILLAGE OF PORT CHESTER COASTAL MANAGEMENT POLICIES

DEVELOPED COAST POLICIES

POLICY 1 FOSTER A PATTERN OF DEVELOPMENT IN THE PORT CHESTER COASTAL AREA THAT ENHANCES COMMUNITY CHARACTER, PRESERVES OPEN SPACE, MAKES EFFICIENT USE OF INFRASTRUCTURE, MAKES BENEFICIAL USE OF A COASTAL LOCATION AND MINIMIZES ADVERSE EFFECTS OF DEVELOPMENT.

Development that does not reinforce the traditional pattern of human use would result in an undesirable loss of the community and landscape character of the Port Chester coastal area. Development, public investment and regulatory decisions should preserve open space and natural resources and sustain the historic waterfront community as a center of activity. Water-dependent uses generally should locate within Port Chester so as to support the economic base and maintain its character, and to avoid disturbance of shorelines and waters in open space areas.

The policy is intended to foster a development pattern that provides for the beneficial use of the Village's natural resources, and, by extension, of Long Island Sound's coastal resources. The primary components of the desired development pattern are: strengthening the traditional waterfront community as a center of activity, encouraging the appropriate expansion of water-dependent uses, enhancing stable residential areas and preserving open space.

To facilitate such a pattern of development, the Village of Port Chester will make every effort to coordinate existing permit procedures and regulatory programs, as long as the integrity of the regulations' objectives is not jeopardized. The Village adopted its first ever Comprehensive Plan in December 2012 and is in the process of updating its Zoning Law to foster complementary development patterns within Port Chester. See Section IV for the proposed land and water uses and the Appendix for the Zoning Law.

As part of any development or redevelopment project within the Port Chester coastal area, the following infrastructure needs will be met:

- Village public services located within or in close proximity to development or redevelopment projects will be made adequate to meet anticipated growth.
- Any substandard Village facilities will be upgraded as necessary to support new development.
- All infrastructure improvements will be designed to minimize natural hazards, consistent with Policy 4.

- Overhead utility lines will be placed underground as part of any redevelopment which requires the relocation of such facilities.

1.1 Concentrate development and redevelopment in the Village of Port Chester waterfront area to achieve the proposed land and water uses of Section IV, to advance the Village Comprehensive Plan and to comply with the Village zoning law.

Maintain the traditional waterfront community and ensure that development within this community supports and is compatible with the character of the community, as identified in the Long Island Sound Coastal Management Program.

Support existing and encourage future commercial uses along the downtown marina waterfront to include a mix of uses, including restaurants, transient parking for boats, boating equipment service stores, and other water-enhanced and water-dependent uses.

Focus public investment, actions and assistance in waterfront redevelopment areas to reclaim unused and underutilized waterfront land and brownfields for new purposes.

Locate new development where infrastructure is adequate or can be upgraded to accommodate new development.

1.2 Ensure that development or uses take appropriate advantage of their coastal location.

Generally, reserve coastal waters for water-dependent uses and activities. However, a limited number of water-enhanced floating structures may be appropriate in the Village.

Accommodate water-enhanced uses along the Port Chester waterfront where they are consistent with the Village Zoning Law, are compatible with surrounding development, do not displace or interfere with water-dependent uses and reflect the unique qualities of a coastal location through appropriate design and orientation. Restaurants and waterfront parks are particularly appropriate water-enhanced uses for the Village waterfront.

Allow other uses that derive benefit from a waterfront location, such as residential uses, in appropriate areas, and of a density as is permitted by the Village Zoning Law.

1.3 Protect stable residential areas.

Maintain stable residential areas and allow for continued compatible residential and supporting development in or adjacent to such areas.

1.4 Maintain and enhance natural areas, recreation and open space.

Avoid loss of economic, environmental and aesthetic values associated with these areas.

Avoid expansion of infrastructure and services which would promote conversion of these areas to other uses.

Maintain natural, recreational and open space values including those associated with marinas and yacht clubs.

1.5 Minimize adverse impacts of new development and redevelopment.

Minimize potential adverse land use, environmental and economic impacts that would result from proposed development.

Minimize the potential for adverse impacts of types of development which individually may not result in a significant adverse environmental impact, but when taken together could lead to or induce subsequent significant adverse impacts.

Ensure that all Village public services are, or will be made, adequate to meet anticipated growth, and that substandard facilities will be upgraded as necessary to support new development.

Provide that overhead utility lines will be placed underground as part of any redevelopment which requires the relocation of such facilities.

POLICY 2 PRESERVE HISTORIC RESOURCES OF THE PORT CHESTER COASTAL AREA.

Among the most valuable of the manmade resources are those structures or areas which are of historic, archeological or cultural significance. The protection of these structures must involve recognition of their importance by all agencies and the ability to identify and describe them. Protection must include concern not just with specific sites but with areas of significance and with the area around specific sites. The policy is not to be construed as a passive mandate but must include effective efforts when appropriate to restore or revitalize through adaptive reuse.

The structures, districts, areas or sites that are of significance in the history, architecture, archeology or culture of the State, its communities or the nation include those resources listed, nominated for listing or determined eligible to be on the National or State Registers of Historic Places. See Section II.G for a general description of such resources within the Village's waterfront area.

No archeologically significant sites have been identified as being located within the LWRP boundary.

This policy shall not be construed to prevent the construction, reconstruction, alteration or demolition of any building, structure, earthwork or component thereof of a recognized historic,

cultural or archeological resource which has been officially certified as being imminently dangerous to life or public health. Nor shall the policy be construed to prevent the ordinary maintenance, repair or property restoration according to the U.S. Department of Interior's Standards for Rehabilitation of component of a recognized historic, cultural or archeological resource which does not involve a significant adverse change to the resource, as defined above.

2.1 Maximize preservation and retention of historic resources.

Preserve the historic character of the resource by protecting historic materials and features or by making repairs using appropriate measures.

Provide for compatible use of the historic resource, while limiting and minimizing alterations to the resource.

Minimize loss of historic resources or historic character when it is not possible to completely preserve the resource.

Relocate historic structures only when the resource cannot be preserved in place. Allow demolition only where alternatives for retention are not feasible.

Avoid potential adverse impacts of development on nearby historic resources.

2.2 Protect and preserve archeological resources.

Minimize potential adverse impacts by redesigning projects, reducing direct impacts on the resource, recovering artifacts prior to construction and documenting the site.

Prohibit appropriation of any object of archeological or paleontological interest situated on or under lands owned by New York State, except as provided for in Education Law, § 233.

2.3 Protect and enhance resources that are significant to the coastal culture of Port Chester and the surrounding region.

Protect the character of the historic maritime community.

Provide public amenities, such as a museum or learning center, to foster interest towards the preservation of the Byram River, the Long Island Sound, and their respective ecologies.

POLICY 3

ENHANCE VISUAL QUALITY AND PROTECT SCENIC RESOURCES OF THE PORT CHESTER COASTAL AREA.

As discussed in Section II, few significant scenic resources exist along Port Chester's waterfront, as the area has experienced significant physical alteration over the course of its history. Much of the waterfront is dominated by industrial uses or cleared land that was once industrial. A few features such as the Greyrock neighborhood, the stone bridges crossing the river, Columbus Park and the 19th century quality of portions of Fox Island Road, have been noted as contributing to the visual quality of the LWRP area. With the exception of the Greyrock area, these visually significant areas will be preserved as publicly accessible.

In addition, the potential for scenic vistas exists, particularly from the Fox Island Peninsula and the waterfront ends of Westchester, Willett and Purdy Avenues. Because the Byram River is so narrow in many portions, no significant view corridors along streets perpendicular to the water exist across the river. Views up and down the river from prominent street endings, however, are very attractive.

3.1 Protect and improve visual quality throughout the coastal area.

Enhance existing scenic characteristics by minimizing introduction of discordant features.

Restore deteriorated and remove degraded visual elements, and screen activities and views which detract from visual quality.

Preserve existing vegetation and establish new vegetation to enhance scenic quality.

Group or orient structures to preserve open space and provide visual organization.

Improve the visual quality associated with urban areas and the traditional waterfront community within the Port Chester coastal area through the oversight of various committees, such as the Architectural Board of Review.

Anticipate and prevent impairment of dynamic landscape elements that contribute to ephemeral scenic qualities.

Recognize water-dependent uses as important additions to the visual interest of Port Chester's waterfront.

Protect scenic values associated with public lands, including public trust lands and waters, and natural resources.

accessory structures shall be prohibited within the mean high water area. In the area adjacent to Columbus Park, non-structural means shall be used to the greatest extent practicable to protect the site from flood erosion damage. For areas that are already bulkheaded, efforts to replace or rebuild deteriorated erosion protection structures shall be undertaken for reasons of safety and to create an attractive riverfront walkway.

For development areas in the LWRP area that lie within the 100-year floodplain, non-structural measures shall also include (a) the avoidance of risk or damage from flooding by the siting of buildings outside the hazard area, or (b) the flood-proofing of buildings or their elevation above the base flood level.

This policy shall apply to the planning, siting and design of proposed activities and development, including measures to protect existing activities and development. To ascertain consistency with the policy, it must be determined whether any one, or a combination of, non-structural measures would offer sufficient protection, and if so, then consistency with the policy would require the use of such measures, whenever possible. In determining whether or not non-structural measures protect against erosion or flooding and would afford the degree of appropriate protection, an analysis and, if necessary, other materials such as plans or sketches of the proposed activity or development of the site and of the alternative protection measures should be prepared to allow an assessment to be made.

Dredging of the Byram River has been undertaken previously by the Army Corps of Engineers in order to maintain the channel depths necessary for vessels traveling to and from the water-dependent industries along both the Port Chester and Greenwich banks of the river. All dredging and excavation activities must be conducted in compliance with Federal and State regulations.

4.1 Minimize losses of human life and structures from flooding and erosion hazards.

Use the following management measures, which are presented in order of priority: (1) avoid development other than water-dependent uses in coastal hazard areas; (2) locate or move development and structures as far away from hazards as practical; (3) use vegetative non-structural measures which have a reasonable probability of managing flooding and erosion; (4) enhance existing natural protective features and processes, and use non-structural measures which have a reasonable probability of managing erosion; (5) use hard structural erosion measures for control of erosion only where the above measures are not sufficient to protect the principal use, or the use is water-dependent or reinforces Port Chester's role as a maritime center and waterfront redevelopment area.

Mitigate the impacts of the existing erosion control structures in Port Chester, such as the upgrade or replacement of the bulkhead.

Manage development in floodplains outside of coastal hazard areas so as to avoid adverse environmental effects, to minimize the need for structural flood protection measures and to meet Federal flood insurance program standards.

4.2 Preserve and restore natural protective features.

Prevent development in natural protective features except development as specifically allowed in 6 NYCRR Part 505.8. For example, portions of the Greyrock shoreline could be considered beach, even if not identified as such under the Coastal Erosion Management Regulations.

Maximize the protective capabilities of natural protective features by: avoiding alteration or interference with shorelines in a natural condition; enhancing existing natural protective features; restoring impaired natural protective features; and managing activities to minimize interference with, limit damage to or reverse damage which has diminished the protective capacities of the natural shoreline.

Minimize interference with natural coastal processes by: providing for natural supply and movement of unconsolidated materials; minimizing intrusion of structures into coastal waters and interference with coastal processes; and mitigating any unavoidable intrusion or interference.

4.3 Protect public lands and public trust lands and use of these lands when undertaking all erosion or flood control projects.

Retain ownership of public trust lands which have become upland areas due to fill or accretion resulting from erosion control projects.

Avoid losses or likely losses of public trust lands or use of these lands, including public access along the shore, which can be reasonably attributed to or anticipated to result from erosion protection measures.

Mitigate unavoidable impacts on adjacent property, natural coastal processes and natural resources and on public trust lands and their use.

4.4 Manage navigation infrastructure to limit adverse impacts on coastal processes.

Manage navigation channels to limit adverse impacts on coastal processes by designing channel construction and maintenance to protect and enhance natural protective features and prevent destabilization of adjacent areas, including bulkheads and other shoreline stabilization structures, and to allow for shore parallel dockage of vessels; and make beneficial use of suitable dredged material.

Manage stabilized inlets to limit adverse impacts on coastal processes.

4.5 Ensure that expenditure of public funds for flooding and erosion control projects results in a public benefit.

Give priority in expenditure of public funds to actions which: protect public health and safety; mitigate flooding and erosion problems caused by previous human intervention; protect areas of intensive development; and protect substantial public investment in land, infrastructure and facilities.

Expenditure of public funds is: limited to those circumstances where public benefits exceed public cost; and prohibited for the exclusive purpose of protecting private development, except where actions are undertaken by an erosion protection district.

4.6 Consider sea level rise when siting and designing projects involving substantial public expenditures.

Utilize sea level rise projections as are published in the most recent reports of New York State agencies.

POLICY 5 PROTECT AND IMPROVE WATER QUALITY AND SUPPLY IN THE PORT CHESTER COASTAL AREA.

The purpose of this policy is to protect the quality and quantity of water in the Port Chester coastal area. Quality considerations include both point source (“end-of-the-pipe” discharges) and nonpoint source (site runoff, leaching, spillages, sludge and waste disposal and drainage from raw material storage sites) pollution management. The primary quantity consideration is the maintenance of an adequate supply of potable water in the area.

The Comprehensive Conservation Management Plan developed by the Long Island Sound Study (1994) clearly summarizes the major surface water quality impairments in the region. These impairments reflect the intensity of upland and water uses in the Sound coastal area, and result from both point and nonpoint sources. Impairments also result from pollution sources outside the Sound coastal area. Consequences of water quality impairments include hypoxia; reduced availability of crustaceans and certified, marketable shellfish; increased closure days for beaches; and reduced enjoyment of the Sound shoreline.

Water quality protection and improvement in the coastal area must be accomplished by the combination of managing new and remediating existing sources of pollution. In some areas with existing water quality impairments, more aggressive remediation measures will be needed than for the coastal area or surrounding region as a whole.

Site engineering standards in accordance with best management practices and the Village’s stormwater management law (Chapter 281 of the Village code) are in effect, which ensure that approved development plans will not contribute significantly to the degradation of Port Chester’s water quality. The Village is served by separate sanitary and stormwater collection systems under the supervision of the Village Engineer.

Best management practices which are set forth in the latest New York State Department of Environmental Conservation (NYSDEC) Stormwater Management Design Manual (August 2010) include both structural and non-structural methods of preventing or mitigating pollution caused by the discharge of stormwater runoff, as well as planning and design of green infrastructure.

Other general best practices used to reduce nonpoint sources of pollution include soil erosion control practices and surface drainage control techniques. The U.S. Environmental Protection Agency (EPA) has also developed a National Menu of Stormwater Best Practices, establishing guidelines for public education, public involvement, illicit discharge detection and elimination, construction, post-construction and pollution prevention/good housekeeping.

The Village has also researched the techniques and practices which are becoming increasingly prevalent in the mitigation of nonpoint source pollution in urban areas. Included among these are extended detention ponds, wet ponds, infiltration trenches, infiltration basins, porous pavement, swales and filter strips, marsh creation and water quality inlets. Of all these best management practices, it has been determined that the most appropriate and effective technique available for the Port Chester coastal area would be the use of water quality inlets (also known as oil/grit separators). The remaining techniques or the utilization of various elements of these techniques may also be of value depending upon the location for which the technique is intended within the coastal area.

Water quality inlets are designed to remove sediment, grit and oil loadings from runoff before they are conveyed to the storm drain network. These devices are normally part of or adjacent to catch basins. While relatively effective in removing pollutants, water quality inlets require periodic manual clean-outs of the chambers to maintain their usefulness.

All new development within the Port Chester coastal area must evaluate the current and most effective nonpoint source mitigation techniques available and incorporate the appropriate technique as a condition of plan or permit approval.

Best management practices which are directly connected to the storm drainage system are only effective if they are beyond the reach of tidal influences. High tides which would back through the drainage system would defeat the purpose of the mitigation measures. As a result, implementation of best management practices must be evaluated on a case-by-case basis for suitability.

In addition to the State and Federal water quality standards which must be adhered to, locally non-stormwater discharges to the storm drainage system are regulated by Chapter 199 of the Village Code, which establishes standards for controlling the introduction of pollutants into the municipal separate storm sewer system (MS4) in order to comply with the requirements of the National Pollutant Discharge Elimination System (NPDES) permit process.

The discharge of sewage, garbage, rubbish and other solid and liquid materials from watercraft and marinas into coastal waters is also regulated, and specific effluent standards for marine toilets have been promulgated by the U.S. Department of Transportation. All marinas accommodating 25 or more boats in Port Chester are required to provide pump-out stations

sufficient in capacity for the boats moored at the facility, in accordance with Chapter 148 (Boating and Watercraft) of the Village Code.

Dredging of the Byram River is undertaken periodically by the U.S. Army Corps of Engineers in order to maintain the channel depths necessary for vessels traveling to and from the water-dependent industries along both the Port Chester and Greenwich banks of the river. Dredging, although important for maintaining navigation channels at sufficient depths, waterfront revitalization and development, pollutant removal and meeting other coastal management needs, can adversely affect water quality, fish and wildlife habitats, wetlands and other key coastal resources. Often, these adverse effects can be minimized through careful design and timing of the dredging operation and proper siting of the dredge spoil disposal site. Chapter 148 of the Village Code provides that all dredging activities in the Byram River and Port Chester Harbor must be conducted in compliance with Federal and State regulations. In addition, dredge material will be removed and disposed of in approved landfill areas only. Maintenance dredging will be the responsibility of the operating organization.

Since there are no significant fish or wildlife habitats, natural protective features, important agricultural lands or significant wetlands along the Port Chester waterfront, no negative impacts from dredging are anticipated. Dredging of waterfront areas is also not anticipated to negatively affect scenic quality.

Local controls and best management practices, combined with potential future improvements at the County sewage treatment plant and other point sources of pollution, should result in continued improvements to water quality. It should be noted that the upstream users of the Byram River in Connecticut contribute significantly to the water quality of the river, and those uses are not controlled by the Village's LWRP.

5.1 Prohibit direct or indirect discharges which would cause or contribute to contravention of water quality standards.

Restore water quality in Long Island Sound and the Byram River by reducing impairments caused by major sources of pollution by: limiting nitrogen loadings from waste water treatment plants to levels at or below levels occurring in 1990, reducing nitrogen discharges sufficient to limit the occurrence of hypoxia, remediating existing contaminated sediment and limiting introduction of new contaminated sediment.

Prevent point source discharges into coastal waters and avoid land and water uses which would: (1) exceed applicable effluent limitations, or (2) cause or contribute to contravention of water quality classification and use standards, or (3) materially adversely affect receiving water quality, or (4) violate a vessel waste no-discharge zone prohibition.

Ensure effective treatment of sanitary sewage and industrial discharges by maintaining efficient operation of treatment facilities, providing secondary treatment of sanitary sewage, improving nitrogen removal capacity, incorporating treatment beyond secondary for new wastewater treatment facilities, reducing demand on facilities,

reducing loading of toxic materials, reducing or eliminating combined sewer overflows and managing on-site disposal systems.

Comply with the substantive provisions of Chapter 281 of the Village Code, Stormwater Management (see Appendix for the text of the local law), pertaining to stormwater prevention plans, performance and design criteria, maintenance and repair of stormwater facilities, and schedules A1, A2, A3 and B.

5.2 Manage land use activities and use best management practices to minimize nonpoint pollution of coastal waters.

5.3 Protect and enhance the quality of coastal waters.

Protect water quality based on physical factors (pH, dissolved oxygen, dissolved solids, nutrients, odor, color and turbidity), health factors (pathogens, chemical contaminants and toxicity) and aesthetic factors (oils, floatables, refuse and suspended solids).

Minimize disturbance of streams, including their beds and banks, in order to prevent erosion or soil, increased turbidity and irregular variation in velocity, temperature and level of water.

Protect water quality of coastal waters from adverse impacts associated with excavation, fill, dredging and disposal of dredged material.

5.4 Limit the potential for adverse impacts of watershed development on water quality and quantity.

Protect water quality by ensuring that watershed development protects areas that provide important water quality benefits, maintains natural characteristics of drainage systems and protects areas that are particularly susceptible to erosion and sediment loss.

Limit the impacts of individual development projects to prevent cumulative water quality impacts upon the watershed which would result in a failure to meet water quality standards. Development plans shall include appropriate industry standards and practices so as to minimize impacts from impervious surfaces.

Consider, as appropriate, the recommendations of the Byram River Watershed Management Plan.

5.5 Protect and conserve the quality and quantity of potable water.

Prevent contamination of potable waters by limiting discharges of pollutants and limiting land uses which are likely to contribute to contravention of surface and groundwater quality classifications for potable water supplies.

SM: Coastal Shoals, Bars and Flats – The tidal wetland zone that at high tide is covered by saline or fresh tidal waters, at low tide is exposed or is covered by water to a maximum depth of approximately one foot, and is not vegetated.

Since much of the LWRP area has been filled or disturbed in some way, there are few natural areas left, including wetlands. The smallest of the tidal wetlands is located in the vicinity of the Port Chester Yacht Club. This area is approximately 13,000 square feet in area. As a result, it has been determined that this shore does not contain productive wetlands. The second area of regulated tidal wetlands is located at the north cove, between Purdy Avenue and I-95. This wetland is 1.4 acres and is also classified as “SM.”

Mitigation of development impacts on these wetlands will be considered. Mitigation may include consideration of creating a wetland of equal or higher value to the current wetland.

6.1 Protect and restore ecological quality throughout the Port Chester coastal area.

Avoid significant adverse changes to the quality of the Port Chester coastal ecosystem as indicated by physical loss, degradation or functional loss of ecological components.

Maintain values associated with natural ecological communities.

Retain and add indigenous plants.

Avoid fragmentation of natural ecological communities and maintain corridors between ecological communities. Maintain structural and functional relationships between natural ecological communities to provide for self-sustaining systems.

Avoid permanent adverse change to ecological processes.

Reduce adverse impacts of existing development when practical.

Mitigate impacts of new development; mitigation may also include reduction or elimination of adverse impacts associated with existing development.

6.2 Protect and restore Significant Coastal Fish and Wildlife Habitats

Protect Long Island Sound’s designated significant coastal fish and wildlife habitats from uses or activities which would destroy habitat values or significantly impair the viability of the designated habitat beyond its tolerance range which is the ecological range of conditions that supports the species population or has the potential to support a restored population where practical.

Where destruction or significant impairment of habitat values cannot be avoided, minimize potential impacts through appropriate mitigation.

Wherever practical, enhance or restore designated habitats so as to foster their continued existence as natural systems.

Protect the Manursing Island Flats Significant Coastal Fish and Wildlife Habitat, which is outside the Village but adjacent to Port Chester Harbor.

6.3 Protect and restore tidal and freshwater wetlands.

Comply with statutory and regulatory requirements of the State's wetland laws.

Use the following management measures, which are presented in order of priority: (1) prevent the net loss of vegetated wetlands by avoiding fill or excavation; (2) minimize adverse impacts resulting from unavoidable fill, excavation or other activities; and (3) provide for compensatory mitigation for unavoidable adverse impacts. Provide and maintain adequate buffers between wetlands and adjacent or nearby uses and activities to protect wetland values.

Restore tidal and freshwater wetlands wherever practical to foster their continued existence as natural systems.

6.4 Protect vulnerable fish, wildlife and plant species, and rare ecological communities.

6.5 Protect natural resources and associated values in identified regionally important natural areas.

Protect natural resources comprising a regionally important natural area. Focus State actions on protection, restoration and management of natural resources.

Protect and enhance activities associated with sustainable human use or appreciation of natural resources.

Provide for achievement of a net increase in wetlands when practical opportunities exist to create new or restore former tidal wetlands.

Adhere to management plans prepared for regionally important natural areas.

POLICY 7 PROTECT AND IMPROVE AIR QUALITY IN THE PORT CHESTER COASTAL AREA.

This policy provides for protection of the Port Chester coastal area from air pollution, either generated within the coastal area or from outside, which adversely affects coastal air quality.

The requirements of the Federal Clean Air Act are the minimum air quality control requirements applicable within the coastal area. In particular, the sewage treatment plant will use the best available technology to maintain these standards.

The type and intensity of development should not impact air quality standards.

The policies of the State and Port Chester LWRP concerning proposed land and water uses and the protection and preservation of special management areas will be taken into account prior to any action by the State to reclassify land areas pursuant to the regulations of the Clean Air Act. In addition, the Department of State will provide the DEC with recommendations for proposed prevention of significant land classification designations based upon State and local coastal management programs.

7.1 Control or abate existing and prevent new air pollution.

Not included in the Port Chester LWRP; see the New York State Coastal Management Program policy on air quality as expressed in the Long Island Sound Coastal Management Program for purposes of State and federal consistency.

7.2 Limit discharges of atmospheric radioactive material to a level that is as low as practicable.

7.3 Limit sources of atmospheric deposition of pollutions to the coastal waters, particularly from nitrogen sources.

POLICY 8 MINIMIZE ENVIRONMENTAL DEGRADATION IN THE PORT CHESTER COASTAL AREA FROM SOLID WASTE AND HAZARDOUS SUBSTANCES AND WASTES.

The intent of this policy is to protect people from sources of contamination and to protect Port Chester's coastal resources from degradation through proper control and management of wastes and hazardous materials. Attention is also required to identify and address sources of soil and water contamination resulting from landfill and hazardous waste sites and in-place sediment contamination in the coastal area.

Solid wastes include sludges from air or water pollution facilities, demolition and construction debris and industrial and commercial wastes. 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 "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.” A list of hazardous wastes has been adopted by the DEC (6NYCRR Part 371).

Chapter 345-17 of the Village Code regulates the deposits of waste materials or landfill. Further, the transfer, storage and disposal of solid wastes and hazardous wastes shall be prohibited within the Port Chester LWRP area.

Local collection of refuse is the responsibility of the municipality along with private carters. Westchester County is responsible for the permanent disposal of Port Chester’s solid and hazardous wastes.

Sites in Port Chester where this policy has immediate application include hazardous materials storage systems on the Byram River, the sewage treatment plant and former industrial sites where waste materials may have been dumped or buried.

There shall be no new oil storage facilities established within the Village’s LWRP area, nor any addition to the number of existing tanks or the existing tank capacity. All existing storage facilities must be maintained in conformance with Federal and State regulations. During the use of such facilities by private operators, the Village will monitor for spills which occur as a result of shipment and storage of petroleum and other hazardous materials. In the event that the Village determines either individually or in conjunction with an agency of the State, County or other jurisdiction that environmental damage results from a hazardous material storage facility in Port Chester, the Village shall notify the appropriate agencies to begin mitigating the condition, and cooperate in the recovery of public cleanup costs.

Removal of oil storage facilities, or any other tanks or containers used for the storage of petroleum products, shall be undertaken by an appropriate contractor who must assume all liability for accidental spills during dismantling, and shall ensure that the facilities are properly cleaned and inspected prior to dismantling.

In Port Chester, major riverfront industrial facilities are located from Westchester Avenue south to Fox Island Road. The area from Fox Island Road north to Purdy Avenue is designated primarily for residential redevelopment with a large recreational component (Columbus Park). No new industrial facilities shall be located in this area. The area from Purdy Avenue north to Westchester Avenue does contain a large number of industrial facilities, with effluent discharges conforming to State water quality standards. Any expansion or new construction in this area resulting in effluent discharges must conform to any applicable Village performance standards as well as State water quality standards.

8.1 Manage solid waste to protect public health and control pollution.

Plan for proper and effective solid waste disposal prior to undertaking major development or activities generating solid wastes.

Manage solid waste by: reducing the amount of solid waste generated, reusing or recycling material and using land burial or other approved methods to dispose of solid waste that is not otherwise being reused or recycled.

Prevent the discharge of solid wastes into the environment by using proper handling, management and transportation practices.

Operate solid waste management facilities to prevent or reduce water, air and noise pollution and other conditions harmful to the public health.

8.2 Manage hazardous wastes to protect public health and control pollution.

Manage hazardous waste in accordance with the following priorities: (1) eliminate or reduce generation of hazardous wastes to the maximum extent practical; (2) recover, reuse or recycle remaining hazardous wastes to the maximum extent practical; (3) use detoxification, treatment or destruction technologies to dispose of hazardous wastes that cannot be reduced, recovered, reused or recycled; (4) use land disposal as a last result.

Phase out land disposal of industrial hazardous wastes.

Ensure maximum public safety through proper management of industrial hazardous waste treatment, storage and disposal.

Remediate inactive hazardous waste disposal sites (none known at this time).

8.3 Protect the environment from degradation due to toxic pollutants and substances hazardous to the environment and public health.

Prevent release of toxic pollutants or substances hazardous to the environment that would have a deleterious effect on fish and wildlife resources.

Prevent environmental degradation due to persistent toxic pollutants by: limiting discharge of bioaccumulative substances, avoiding resuspension of toxic pollutants and hazardous substances and wastes and avoiding reentry of bioaccumulative substances into the food chain from existing sources.

Prevent and control environmental pollution due to radioactive materials.

Protect public health, public and private property and fish and wildlife from inappropriate use of pesticides.

Take appropriate action to correct all unregulated releases of substances hazardous to the environment.

8.4 Prevent and remediate discharge of petroleum products.

Minimize adverse impacts from potential oil spills by appropriate siting of petroleum offshore loading facilities.

Have adequate plans for prevention and control of petroleum discharges in place at any major petroleum-related facility.

Prevent discharges of petroleum products by following approved handling and storage, and facility design and maintenance principles.

Promptly clean up and remove any petroleum discharge, giving first priority to preventing impacts on public health, and then to minimizing environmental damage.

8.5 Transport solid waste and hazardous substances and waste in a manner which protects the safety, well-being and general welfare of the public; the environmental resources of the Village and State; and the continued use of transportation facilities.

8.6 Site solid and hazardous waste facilities to avoid potential degradation of coastal resources.

PUBLIC COAST POLICIES

POLICY 9 PROVIDE FOR PUBLIC ACCESS TO, AND RECREATIONAL USE OF, COASTAL WATERS, PUBLIC LANDS AND PUBLIC RESOURCES OF THE PORT CHESTER COASTAL AREA.

The Village of Port Chester lies within one of the most densely populated coastal regions along the eastern seaboard, yet physical and visual access to coastal lands and waters is somewhat limited for the general public. Limitations on reaching or viewing the coast are further heightened by a general lack of opportunity for diverse forms of recreation at those sites that do provide access. Existing development has limited the accessibility of the waterfront, and new development has diminished remaining opportunities to provide meaningful public access. In addition to loss of opportunities for physical access, visual access has also been lost due to the loss of vantage points or outright blockage of views.

Given the lack of adequate public access and recreation, this policy incorporates measures needed to provide and increase public access throughout the Port Chester coastal area. The need to maintain and improve existing public access and facilities is among these measures, and is necessary to ensure that use of existing access sites and facilities is optimized in order to accommodate existing demand. Another measure is to capitalize on all available opportunities to provide additional visual and physical public access along with appropriate opportunities for recreation.

Port Chester has significant publicly owned foreshore and public lands adjacent to the foreshore; however, these lands have limited public access and recreational opportunity both in terms of quantity and quality. Any future redevelopment of these areas with a mix of uses is intended to maintain and enhance the public waterfront element of the Village's land holdings. Although redevelopment could result in an overall reduction in the publicly owned foreshore or public lands adjacent to the foreshore, the quantity and quality of public access is intended to be increased.

No project will be undertaken or funded by the State or Village which increases access to a water-related recreation resource or facility that is not open to all members of the public. Nothing in this policy shall be construed to prevent the reasonable use and enjoyment of private property by its owners, including the right of such private property owners to physically occupy their homes or businesses and to make reasonable additions and renovations to the buildings or structures on their properties.

9.1 Promote appropriate and adequate physical public access and recreation throughout the public area.

Provide convenient, well-defined, physical public access to and along the coast for water-related recreation. See Section IV for specific proposals to improve public access, such as through the conversion of The Cove into a waterfront park or transient boat docking use to enhance scenic value and activity along the waterfront.

Provide a level and type of public access and recreational use that takes into account proximity to population centers, public demand, natural resource sensitivity, accessibility, compatibility with on-site and adjacent land uses and needs of special groups.

Protect and maintain existing public access and water-related recreation.

Provide additional physical public access and recreation facilities at public sites.

Provide physical access linkages throughout Port Chester's coastal area.

Include physical public access and/or water-related recreation facilities as part of development whenever development or activities are likely to limit the public's use and enjoyment of public coastal lands and waters.

Provide incentives to private development which provides public access and/or water-related recreation or facilities.

Restrict public access and water-related recreation on public lands only where incompatible with public safety and protection of natural resources.

Ensure access for the general public at locations where State or Federal funds are used to acquire, develop or improve parkland.

9.2 Provide public visual access from public lands to coastal lands and waters or open space at all sites where physically practical.

Avoid loss of existing visual access by limiting physical blockage by development or activities. Minimize adverse impact on visual access.

Mitigate loss of visual access by providing for on-site visual access or additional and comparable visual access off-site.

Increase visual access wherever practical.

9.3 The State shall preserve the public interest in and use of lands and waters held in public trust by the State and the Village of Port Chester.

Limit grants, easements, permits or lesser interests in lands underwater to those instances where they are consistent with the public interest in the use of public trust lands.

Determine ownership, riparian interest or other legal right prior to approving private use of public trust lands under water.

Limit grants, including conservation grants, in fee of underwater lands to exceptional circumstances.

Reserve such interests or attach such conditions to preserve the public interest in use of underwater lands and waterways which will be adequate to preserve public access, recreation opportunities and other public trust purposes.

Evaluate opportunities to re-establish public trust interests in existing grants which are not used in accordance with the terms of the grant, or are in violation of the terms of the lease, or where there are significant limitations on public benefits resulting from the public trust doctrine.

9.4 Assure public access to public trust lands and navigable waters.

Ensure that the public interest in access below mean high water and to navigable waters is maintained.

Allow obstructions to public access when necessary for the operation of water-dependent uses and their facilities.

Permit interference with public access for riparian non-water-dependent uses in order to gain the minimum necessary reasonable access to navigable waters.

10.2 Promote the Port Chester maritime center as a suitable location for water-dependent uses

Ensure that public actions enable the Port Chester maritime center to continue to function as a center of water-dependent uses.

Protect and enhance the economic, physical, cultural, and environmental attributes which support the Port Chester maritime center.

Allow and encourage non water-dependent shoreline commercial and industrial uses to provide water-dependent uses along their shoreline, such as docking facilities for recreational and commercial vessels.

10.3 Improve the economic viability of water-dependent uses by allowing for non-water-dependent accessory and multiple uses, particularly water-enhanced and maritime support services, such as a commercial establishment with dockage and a vessel refueling station.

10.4 Minimize adverse impacts of new and expanding water-dependent uses, provide for their safe operation and maintain regionally important uses.

Site new and expand existing marinas, yacht clubs, boat yards and other boating facilities where there is: adequate upland for support facilities and services; sufficient waterside and landside access; appropriate nearshore depth to minimize dredging; suitable water quality classification; minimization of effects on wetlands, shellfish beds or fish spawning grounds; and adequate water circulation.

10.5 Provide sufficient infrastructure for water-dependent uses.

Protect and maintain existing public and private navigation lanes and channels at depths consistent with the needs of water-dependent uses.

Provide for channels and basins when necessary to support water-dependent uses.

Use suitable dredged material for beach nourishment or other beneficial uses.

Avoid placement of dredged material in Long Island Sound when opportunities for beneficial reuse of the material exist.

Allow placement of suitable dredged material in nearshore locations to advance maritime or port-related functions or public access, provided it is adequately contained and avoids negative impacts on vegetated wetlands and other coastal resources. The former turning basin ("Cove") may be an appropriate nearshore location.

Avoid shore and water surface uses which would impede navigation. Accept seasonal minor encroachments of docks and moored vessels in the Federal channel as described in the Village Law, Chapter 148, Boating and Watercraft (see Appendix).

Give priority to existing commercial navigation in determining rights to navigable waters.

Provide for services and facilities to facilitate commercial, industrial and recreational navigation.

Foster water transport for cargo and people.

10.6 Promote efficient harbor operation.

Limit congestion of harbor waters and conflict among uses, foster navigational safety and minimize obstructions in coastal waters to reduce potential hazards to navigation.

Prohibit any increase or additional use of coastal waters if such an increase or addition poses a public safety hazard which cannot be mitigated.

Prohibit intrusions or encroachments upon navigation channels and other identified vessel use areas. Minor encroachments by vessels within the outer edge of the Byram River channel may occur for floating docks and vessels less provided they are removed on demand for dredging, bathymetric surveys and other public necessities, and do not impede navigation through the channel. The Village supports future dredging efforts on the river that extend northward to the Mill Street Bridge.

POLICY 11 PROMOTE SUSTAINABLE USE OF LIVING MARINE RESOURCES IN PORT CHESTER'S COASTAL WATERS.

The commercial fishing industry has had minimal impact on the Port Chester waterfront in the 20th century, and has now largely departed from the Village. Recreational uses of coastal fish and wildlife resources in Port Chester are presently limited. However, the Village is an access point to consumptive fishing in Long Island Sound. In addition, although there are at present no edible shellfish resources in the Byram River, and fishing opportunities are severely limited due to river water quality, recent and anticipated improvements in water quality may increase the opportunities for recreational fishing and shellfish harvesting. Improvement in the quality of the water and riverbed sediments is a major consideration and will be advanced through best management practices.

11.1 Ensure the long-term maintenance and health of living marine resources.

Ensure that commercial and recreational uses of living marine resources will be managed in a manner that: results in sustained useable abundance and diversity of the marine resource; does not interfere with population and habitat maintenance and restoration efforts; uses best available scientific information in managing the resources; and minimizes waste and reduces discard mortality of marine fishery resources.

Ensure that the management of the state's transboundary and migratory species is consistent with interstate, state-federal and interjurisdictional management plans.

Protect, manage and restore sustainable populations of indigenous fish, wildlife species and other living marine resources.

Foster occurrence and abundance of coastal marine resources by: protecting spawning grounds, habitats and water quality; and enhancing and restoring fish and shellfish habitat, particularly for anadromous fish, oysters and hard clams.

11.2 Provide for commercial and recreational use of finfish, shellfish, crustaceans and marine plants.

Maximize the benefits of marine resource use so as to provide a valuable recreational resource experience and viable business opportunities for commercial and recreational fisheries.

Where fishery conservation and management plans require actions that would result in resource allocation impacts, ensure equitable distribution of impacts among user groups, giving priority to existing fisheries in the state.

Protect the public health and the marketability of marine and fishery resources by maintaining and improving water quality.

Maintain existing artificial reefs to improve marine resources habitat and expand nearshore fishing opportunities.

11.3 Maintain and strengthen a stable commercial fishing fleet in Long Island Sound.

Protect and strengthen commercial fishing harvest operations, facilities and waterfront infrastructure to support a stable commercial fishing industry.

Support nearshore harvesting throughout the Sound region by providing access, berthing, and off-loading facilities suitable for nearshore operators.

Protect commercial fishing from interference or displacement by competing land and water uses.

Strengthen the economic viability of the Sound's commercial fishing fleet through appropriate domestic and international marketing.

11.4 Promote recreational use of marine resources.

Provide opportunities for recreational use of marine resources.

Provide adequate infrastructure to meet recreational needs, including appropriate fishing piers, dockage, parking and livery services.

Promote commercial charter and party boat businesses.

POLICY 12 THE STATE LONG ISLAND SOUND COASTAL POLICY REGARDING THE PROTECTION OF AGRICULTURAL LANDS IN THE EASTERN SUFFOLK COUNTY PORTION OF THE LONG ISLAND SOUND COASTAL AREA IS NOT APPLICABLE TO THE VILLAGE OF PORT CHESTER. NO AGRICULTURAL LANDS EXIST WITHIN THE VILLAGE.

POLICY 13 PROMOTE APPROPRIATE USE AND DEVELOPMENT OF ENERGY AND MINERAL RESOURCES.

In dealing with energy issues in Port Chester's coastal area, the first order of preference is the conservation of energy. Energy efficiency in transportation and site design, and efficiency in energy generation, are the best means for reducing energy demands. Reduced demand for energy reduces the need for construction of new facilities that may have adverse impacts on coastal resources.

For similar reasons, greater use should be made of sustainable energy resources, such as solar, wind and hydroelectric power. In addition to the impacts of construction of new energy generating facilities, the potential impacts of oil and gas extraction and storage and mineral extraction must be considered.

13.1 Conserve energy resources.

Promote and maintain energy efficient modes of transportation, including rail freight and intermodal facilities, waterborne cargo and passenger transportation, mass transit and alternative forms of transportation.

Plan and construct sites using energy-efficient design.

Capture heat waste from industrial processes for heating and electric generation.

Improve energy generating efficiency through design upgrades of existing facilities.

13.2 Promote alternative energy sources that are self-sustaining, including solar- and wind-powered energy generation.

In siting such facilities, avoid interference with coastal resources, including migratory birds, and coastal processes.

13.3 Ensure maximum efficiency and minimum adverse environmental impact when siting major energy generating facilities.

Site major energy generating facilities in a coastal location where a clear public benefit is established.

Site major energy generating facilities close to load centers to achieve maximum transmission efficiency.

Site and construct new energy generating and transmission facilities so they do not adversely affect natural and economic coastal resources.

13.4 Minimize adverse impacts from fuel storage facilities.

Regional petroleum reserve facilities are inappropriate in the Long Island Sound coastal area.

The production, storage or retention of petroleum products in earthen reservoirs is prohibited.

Liquefied Natural Gas facilities must be safely sited and operated.

Protect natural resources by preparing and complying with an approved oil spill contingency plan.

13.5 Minimize adverse impacts associated with mineral extraction.

Commercial sand and aggregate mining is generally presumed to be an inappropriate use in the Port Chester coastal area.

Preserve topsoil and prevent overburden using appropriate site preparation techniques and subsequent site reclamation plans.

SECTION IV

PROPOSED LAND AND WATER USES AND PROPOSED PROJECTS

SECTION IV PROPOSED LAND AND WATER USES AND PROPOSED PROJECTS

This LWRP does not contemplate any large-scale changes to existing land uses and patterns or any rezoning recommendations. In 2012, the Village of Port Chester adopted its first ever Comprehensive Plan, which recommends a series of changes to zoning districts, permitted uses and height and bulk regulations

Therefore, rather than initiating zoning changes, this LWRP focuses on specific projects and alternatives in the immediate waterfront area. These proposed projects and alternatives are intended to enhance public use and enjoyment of the Port Chester waterfront area, maintain and enhance its environmental quality and strengthen the Village's ability to manage it in the public interest. The recommended projects are also established to advance the Village's policies as outlined in Section III.

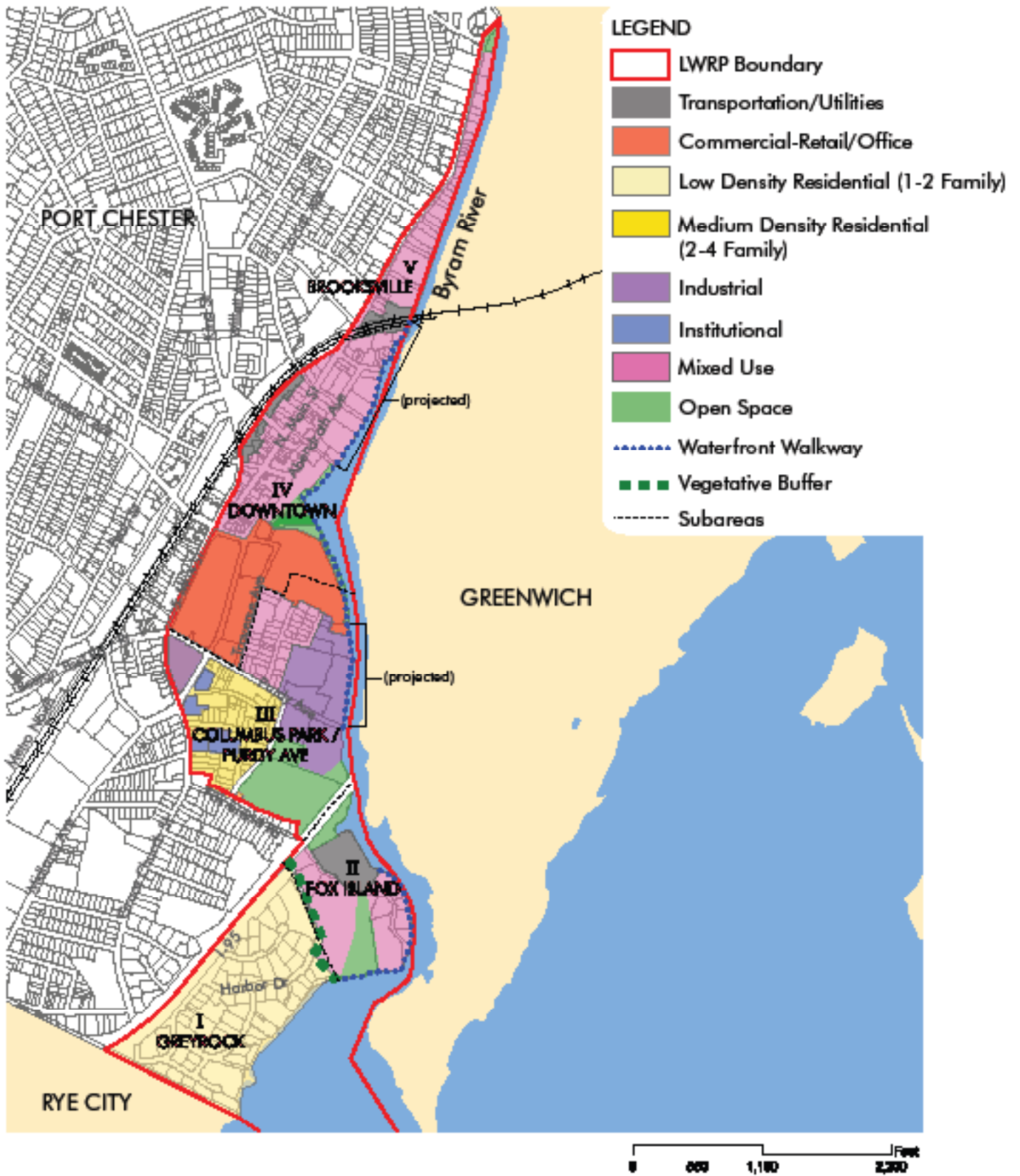
A. PROPOSED LAND USES

The proposed land and water uses recommended for the Village of Port Chester LWRP area are illustrated on Figure 18, Future Land Use Plan. Because this LWRP does not propose any significant changes to land use patterns, the Future Land Use Plan was derived mainly from the existing zoning map and generalized current land use, as well as consideration to future land uses proposed by the adopted Comprehensive Plan. This map is not intended to describe the proposed land use pattern on a parcel-by-parcel basis; rather, it is a broad expression of the range of uses intended for the LWRP area. Because the Future Land Use Plan largely stems from current zoning, no substantial changes to Port Chester's regulatory framework (e.g. zoning and subdivision regulations) are proposed.

Anticipated future land uses within the Port Chester LWRP area are described below for the five LWRP subareas.

1. Greyrock Subarea

Greyrock is a stable low-density residential neighborhood on Port Chester Harbor, virtually isolated from the rest of Port Chester by Interstate 95. It is anticipated that this subarea shall remain a low-density residential neighborhood, with the remaining vacant parcels to be built out with residential uses of a similar character as allowable under the existing R7 zoning. Due to Greyrock's character and location, opportunities for public open space are limited. No regulatory changes or projects for this area are proposed.



2. Fox Island Subarea

As discussed in Section II, the Fox Island Subarea presently contains the Westchester County sewage treatment plant, the Village's Department of Public Works (DPW), a number of light industrial operations and the Port Chester Yacht Club, as well as various small-scale assorted uses. This subarea is significantly underutilized, although the adjacent harbor and water areas are well-used by area boaters.

It is anticipated that the sewage treatment plant, the existing light industrial uses and the Port Chester Yacht Club will remain in place, and these uses should be encouraged to renovate and upgrade as appropriate. In addition, the Village's DPW facility will likely remain on Fox Island, although a consolidation and overall clean-up of this site is proposed, as discussed below. However, for the remainder of the Fox Island subarea, this LWRP promotes a combination of mixed use and public waterfront access. 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 Greyrock neighborhood immediately adjacent.

3. Columbus Park / Purdy Avenue Subarea

This subarea includes a wide range of uses: Columbus Park and the largely medium- and high-density residential neighborhood to the west (which includes several large institutional uses: Our Lady of the Rosary and the South End Fire House). Industrial uses are located primarily along Purdy Avenue as it approaches the Byram River, with a light industrial area found at the south side of the intersection of Purdy Avenue and South Main Street. Finally, the Columbus Park/Purdy Avenue Subarea includes the high-density residential areas along Traverse Avenue and Townsend Street, which also contains a number of vacant, industrial and underutilized sites.

This LWRP provides for continued support of the existing industrial uses at either end of Purdy Avenue, as they provide local employment and contribute to the Village's tax base. The generally stable neighborhood bounded by Purdy Avenue, Ryan Avenue/Columbus Park and Grace Church Street/Don Bosco Place, would remain as a medium-density residential area. However, the existing higher-density residential area north of Purdy Avenue, which is sandwiched between heavy industrial uses along the waterfront and the Waterfront at Port Chester large-scale commercial development, would become a mixed-used area with an overall reduced emphasis on residential use. Because much of this area is already used for industrial and commercial uses, and also contains a number of vacant or underutilized parcels, it would be best used as a transition area for industrial, commercial and some high-density residential uses as appropriate.

This LWRP also supports the creation of new public water access at Columbus Park. Currently, the portion of the park that fronts the Byram River is heavily vegetated, with

limited physical or visual access to the water. This area should be opened up and used for passive and water recreation, as described more fully below (see Section B (1) (c)).

4. Downtown Subarea

Reflecting the significant diversity of uses within downtown Port Chester, this entire subarea has been designated as mixed use, supporting the existing commercial and light industrial uses as well as promoting new residential development as appropriate.

The Downtown Subarea is also designated for increased public waterfront access, with the existing, manmade “cove” area carved out of the Byram River just north of the foot of Westchester Avenue to be filled in and converted to a public waterfront park. In addition, the existing riverfront walkway north and south of this cove area would be improved and extended northward as far as Mill Street.

5. Brooksville Subarea

This subarea presently contains a mix of uses including industrial at the southern end, open space (William James Park) and commercial uses at the northern end and medium-density residential uses in the middle portion. Because Brooksville is largely stable and provides little future redevelopment potential given the limited size and depth of its lots, no changes in its existing development pattern are proposed. This subarea is proposed to remain a mixed-use area, accommodating all the uses currently in place. No regulatory changes or projects are proposed for this area.

B. PROPOSED WATER USES

The principal use of the waters of the Byram River and Port Chester Harbor is continuation of the federal navigation project which extends from Long Island Sound to 100 feet south of the Mill Street Bridge.

1. Greyrock Subarea

The waters off the Greyrock neighborhood are to be mostly open with small docks along the shoreline as accessory uses to residential development. A small mooring field may be established off-shore within the Village’s 1,500-foot management jurisdiction and outside the current Federal project.

2. Fox Island Subarea

The Federal channel and the docks of the Port Chester Yacht Club are the primary use of the water in this subarea. Additionally floating docks for recreational boating and other vessels may line the Byram River shore. Opportunities for hand boat launch should exist in this subarea.

3. Columbus Park/Purdy Avenue Subarea

The Federal channel, along with shoreline docking facilities for recreational boating, barge shipment and/or commercial fishing occupy this subarea. A wetland resource will continue in the cove.

4. Downtown Subarea

This area's waterside is characterized by the Federal Channel and a public marina for resident and transient vessels that parallels the shore at its northern end. Existing uses include residential and commercial establishments in addition to docking facilities. Future water-enhanced uses such as restaurants or an entertainment vessel should be considered. Additionally, the former turning basin is no longer maintained as part of the federal navigation project but could be altered substantially (see discussion of the Cove area below).

5. Brookville Subarea

Due to shallow waters, there are no in-water uses beyond the navigation allowed by the water depths.

C. PROPOSED PROJECTS

The following section describes a set of site-specific and programmatic projects which will be or are being implemented to improve the Village's LWRP area. This section is not intended to anticipate all projects that would further the goals of the LWRP; other future projects may develop that could also improve the LWRP area.

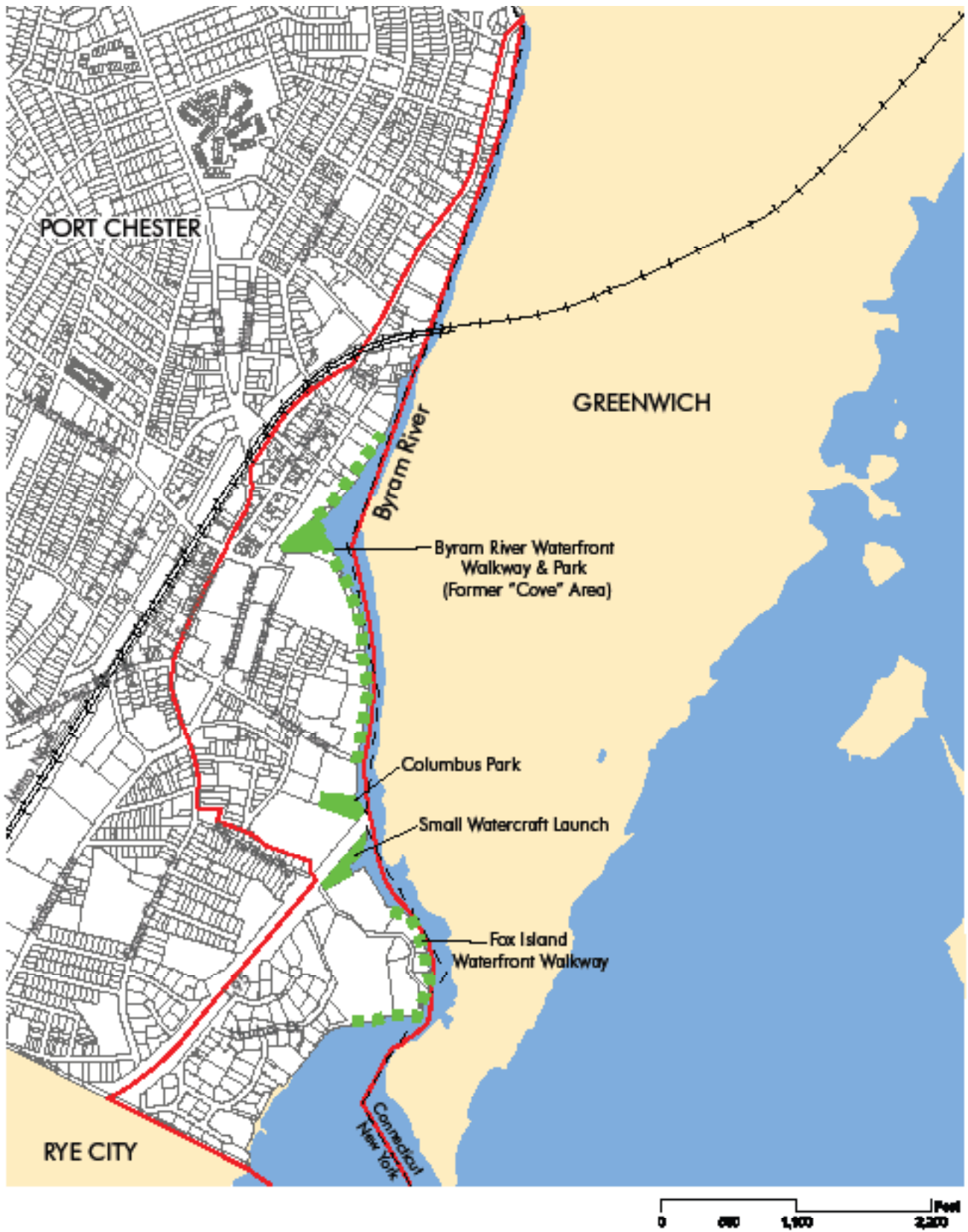
1. Enhance and Increase Public Waterfront Access

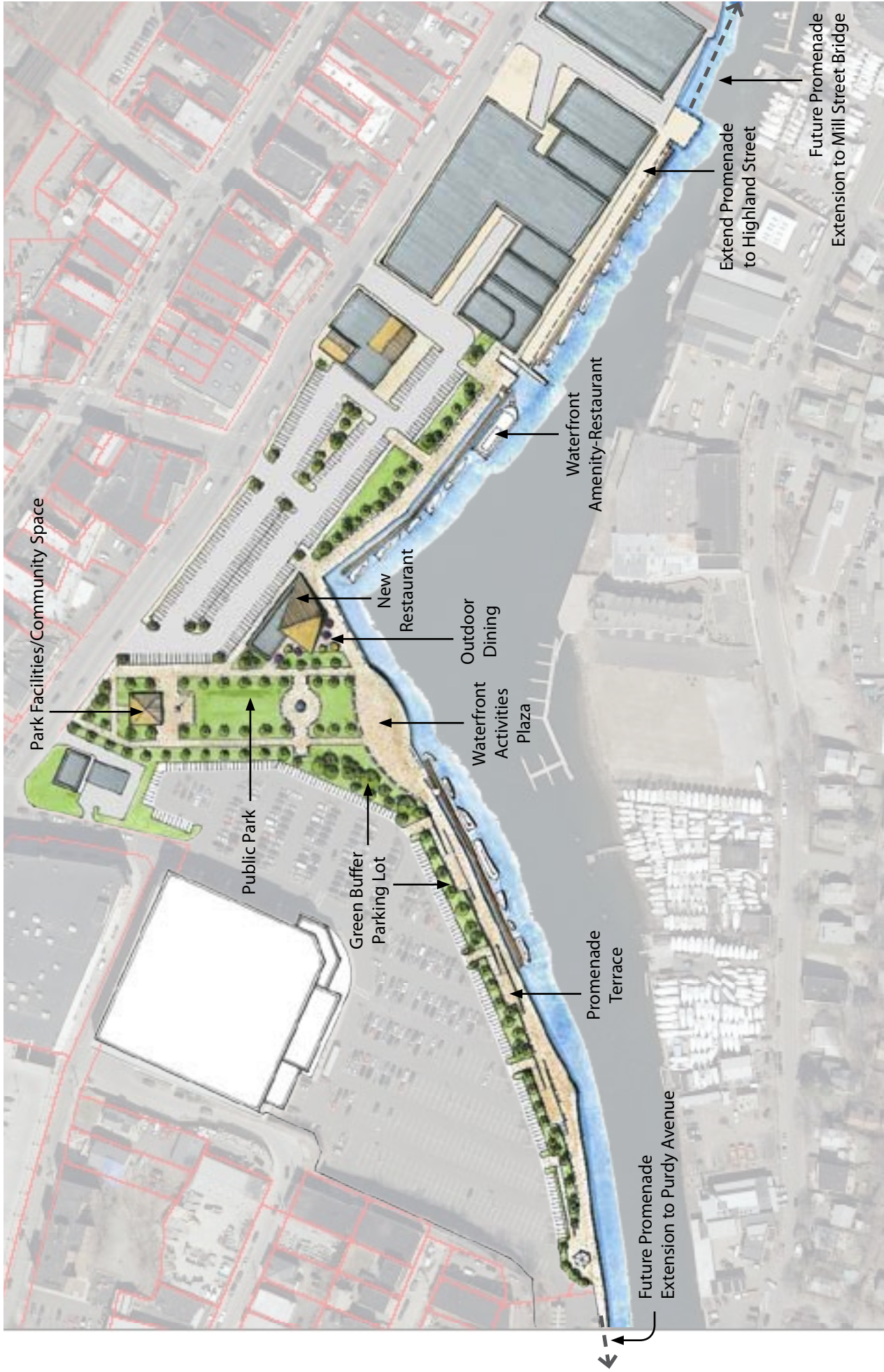
Port Chester presently contains a very limited amount of public waterfront space, with the existing resources primarily confined to the downtown riverfront walkway and the boat ramp at the Port Chester Yacht Club. The 1992 LWRP outlined a series of ambitious proposals for the creation of new waterfront park areas; however, these proposals were never realized. Therefore, the central goal of the proposed projects in this LWRP is to increase public waterfront access in a meaningful and achievable manner. The following specific areas are targeted (see Figure 19):

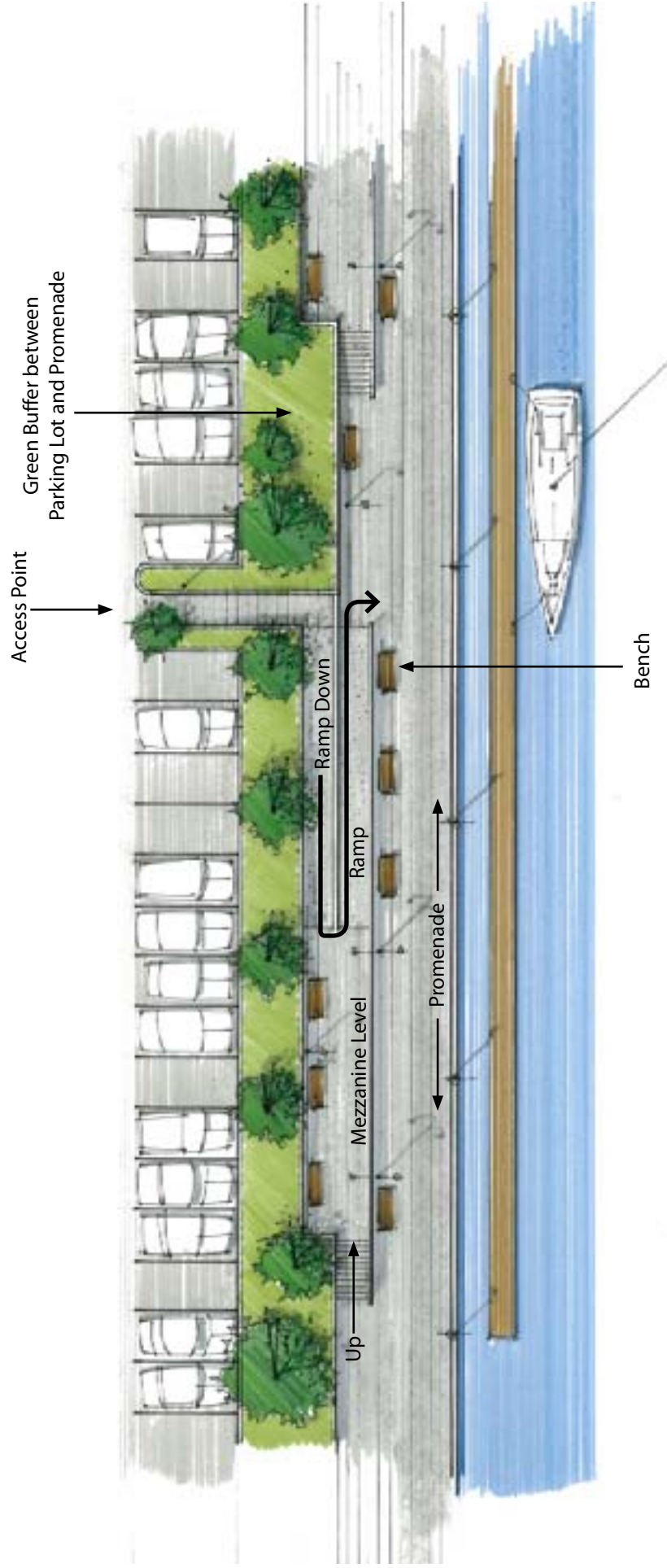
a. "The Cove" area at foot of Westchester Avenue

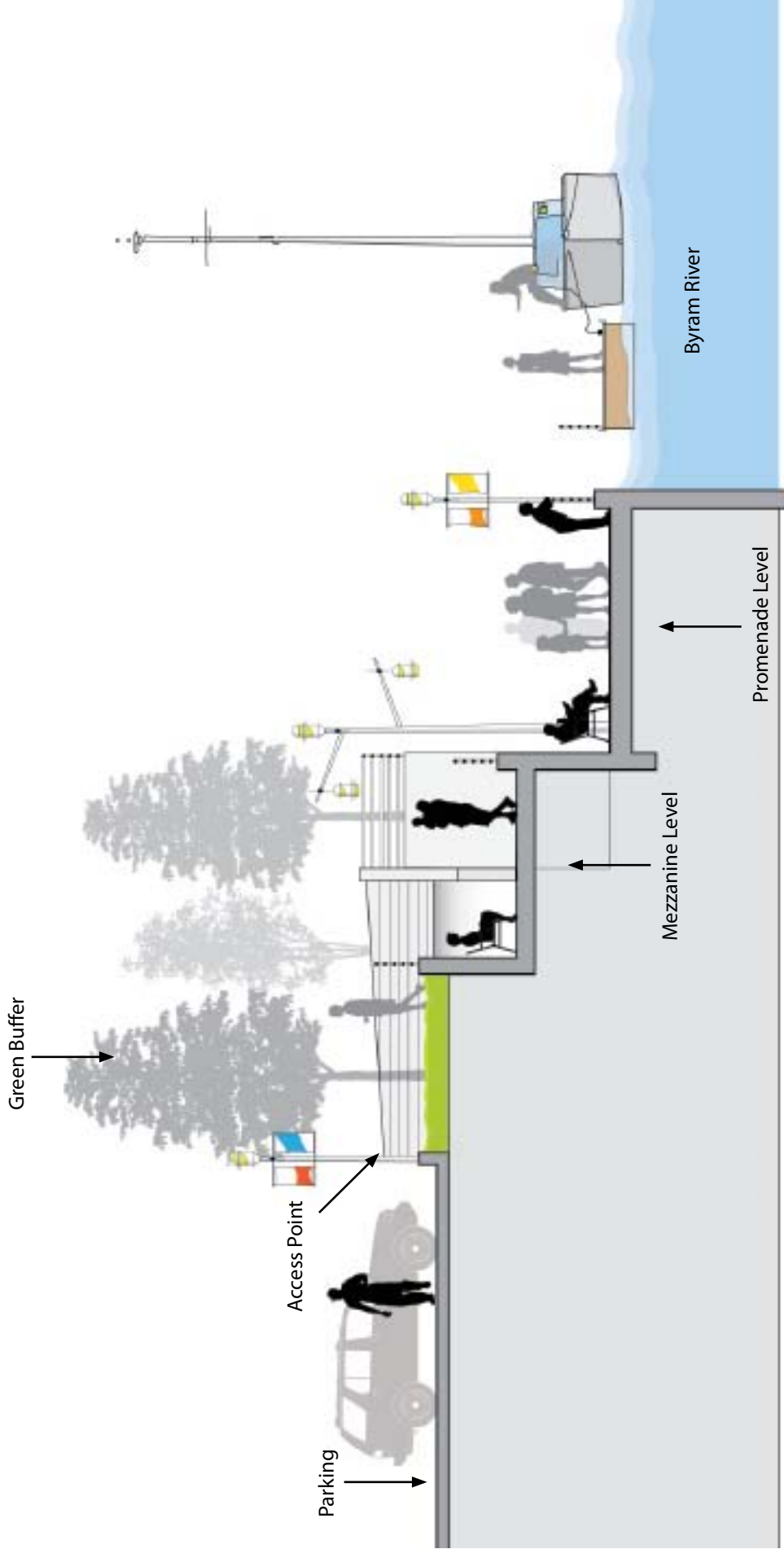
Along the Byram River shoreline just north of Westchester Avenue is a manmade indentation totaling approximately one half-mile in area. This area, known as "The Cove," is a remnant of the river's industrial past; it was carved out to accommodate barges and other large watercraft which serviced the oil tanks directly across the river in Greenwich. However, with those tanks now removed and regular dredging no longer being conducted in this area due to the lack of water-dependent industry, The Cove has no practical function. It is too shallow to accommodate watercraft, and it acts as a collector for waterborne garbage, detracting from the visual quality of the downtown waterfront area. The Cove also interrupts the pedestrian waterfront walkway and the overall fabric at the foot of Westchester Avenue.

This LWRP proposes to fill in The Cove and convert it to the Byram River Waterfront Park, which would also include the existing triangular open space area immediately north of The Cove. This park could be the centerpiece of Port Chester's waterfront, and would be a significant asset in the continued redevelopment of the downtown area. Key issues that would need to be addressed in creation of this park include State permitting approval for filling the area, filling of the floodway and changing of base flood elevation, relocation of the existing stormwater outfall into The Cove and conveyance or use agreement for the existing, privately owned (by G&S) open space area between the parking lot and The Cove. As part of any relocation of the stormwater outfall, the outfall should be upgraded to include an oil/water separator, to improve water quality in the Byram River. Implementation of this project should begin with a feasibility study. See Figures 20-22, below.









b. Byram River Waterfront Walkway

The existing waterfront walkway along the Byram River represents a major access opportunity that is not presently being captured. The portion of the walkway adjoining the Costco parking lot is in poor condition, with portions of the structure falling into the river. In addition, the overall design of this walkway does little to promote its use and enjoyment, because the walkway structure is at a lower grade than the adjacent parking lot. This situation makes the walkway completely disconnected from the landward uses, as well as potentially unsafe, given that pedestrians would largely not be visible from upland locations. The Village is currently in negotiations with the owners of The Waterfront at Port Chester complex on the appropriate repairs or replacement of this portion of the walkway. This LWRP recommends that, beyond simply repairing or replacing the structure in kind, the Village coordinates with the shopping center owners to expand and enhance the walkway. This could be achieved by eliminating the row of parking immediately adjacent to the walkway and adjusting the slope of this area down to the river so that the walkway is wider and closer to at-grade with the land. In addition, a public point of interest could be added at the southern terminus of the walkway, where the Costco parking lot dead-ends as it meets a substantial topographical change and abuts heavy industrial uses. A gazebo, pocket park or similar resource could be added to give this area a sense of place and provide pedestrians a reason to travel the full length of the walkway, thus enhancing its usability and safety.

North of The Cove area, the riverfront walkway is in better condition and appears to be fairly well used. This segment should extend at least as far northward towards Mill Street, with every effort made to continue it farther to Highland Street. This extension could be accomplished through the site plan approval process, as existing uses along the Byram River are redeveloped in the future. In addition, any potential reuse of the public parking lots currently leased to the Village along Abendroth Avenue north of The Cove should include a condition that the waterfront walkway be preserved and enhanced, as practicable. Figures 19-22 illustrate the potential for an expanded and improved Byram River Waterfront Walkway.

c. Columbus Park

Columbus Park is the most significant public open space within the LWRP area, and the Village's recent upgrades have significantly enhanced its attractiveness and potential use by the community, in particular the neighborhoods immediately south and west. However, despite the fact that this park is located along the river, there is virtually no visual or physical access to the water. This LWRP proposes opening up the waterfront portion of the park for a combination of passive and water recreational use. The existing walkway to the park's water feature could be extended to the waterline, and a pedestrian walkway and fishing pier constructed to allow the community to closely interact

with the water. Given the shallow depths at this portion of the Byram River, a shoreline boat launch is not feasible, but the fishing pier could also provide mooring opportunities for small craft. This area also provides a potential opportunity for wetlands creation and restoration, which would attract wildlife and could serve to mitigate potential environmental effects of filling in the Cove farther north. The end result would be a unique passive recreational area that could allow users to relate both to Port Chester's riverfront habitats as well as its robust industrial usage. Development of the Columbus Park waterfront would require close coordination with the existing industrial users to the north and with the New York State Thruway Authority.

d. Fox Island

Beginning at the northernmost portion of Fox Island, there is a small, undeveloped area of land between I-95 and the sewage treatment plant that could be used for storage and launch of small watercraft such as canoes, rowboats, dinghies and kayaks. Because of limited space and the proximity of the public boat ramp at the Port Chester Yacht Club, no launch facilities for motorcraft are proposed in this undeveloped area. Communication and coordination with Westchester County would be required to ensure no disruption to the operation of the sewage treatment plant.

There is also the potential for this area to be connected with the redeveloped waterfront portion of Columbus Park (see above) under I-95. Clearly, the public use of land underneath the highway could raise security concerns and would have to be negotiated with the Thruway Authority and other relevant agencies. However, it could provide an important pedestrian and open space link between the Fox Island Peninsula and the rest of the Port Chester waterfront. Recent and current projects throughout the region (including planned renovations to Brooklyn Bridge Park that would allow public access under the Brooklyn and Manhattan Bridges in New York City) have shown that security issues can be overcome in the interest of increasing public open space.

South of the sewage treatment plant, the Village should promote development of a public waterfront walkway southward along the remainder of Fox Island. Much of the land immediately adjacent to the water in this area appears to be devoted to underutilized parking areas and boat storage, and could be reworked to accommodate the walkway. As uses in Fox Island are redeveloped or changed, this public access could be achieved through the site plan approval process.

Another major opportunity to enhance public access and open space on Fox Island lies with the Village's DPW site. While it is anticipated that this facility will remain at the current location due to the extremely limited feasible alternative sites within Port Chester, the DPW operations should be consolidated to the greatest degree practicable away from the water. This would allow for both the

necessary environmental cleanup of the landfill/mulching area and for the public use and access of this area, which provides one of the few unobstructed, public viewsheds of Port Chester Harbor. In conjunction with this creation of new public space, a vegetative buffer would be created at the western edge of the Fox Island Peninsula to provide more clear separation from the industrial uses to the east from the low-density Greyrock neighborhood to the west.

2. Implement Harbor Management in the Village

The Village plan for harbor management is an integral part of this LWRP. Its components are: the in-water boundary of the LWRP (section1); the description of the current water-dependent uses and water-enhanced uses of the shoreline and the waters and the issues to be addressed (section 2); the policies that relate to uses of the shoreline and waters (Section3, particularly policies 9, 10, and 11); the proposed uses of the shoreline and the water (Section 4); projects described in Section 4; the zoning that provides for water-dependent and water-enhanced uses for most of the shoreline (Section 5); the continuation of the Federal channel and its associated facilities; and the provisions of the boating and watercraft law and the designation of personnel to implement it (Section 5 and Appendix).

3. Explore Future Opportunities for Mooring of Entertainment Vessels

The Village has considered proposals in the past for permanent moorings of vessels intended for use as entertainment and dining space. Such uses could present opportunities for Port Chester to gain unique waterfront attractions that would enhance downtown activity. Permanent moorings of entertainment-themed vessels could also provide for upgrades to adjacent marina facilities, as well as potential upgrades or extensions to the waterfront pedestrian walkway.

Although any proposal to permanently moor a vessel for entertainment use along the Village's waterfront would need to address issues of traffic (vessel, vehicular and pedestrian), parking, interference with navigation and other factors, such proposals should be thoughtfully considered as key waterfront redevelopment opportunities.

4. Explore Provision of Hand-Launched and Transient Docking Facilities in the Downtown Area

The potential small watercraft launch off Fox Island Road discussed above could take some time to plan and develop, with issues of access and parking to be addressed. In the short-term, the Village could provide for more immediate hand-launched boat facilities in appropriate locations. For example, once repairs to the Byram River bulkhead are complete, the municipal docks are planned to be extended southward to the end of the adjacent Costco parking lot. Until these docks are fully utilized by seasonal permit holders, they could be used for the next 1-2 years for the launching and storage of kayaks, canoes or other hand-launched boats. Once a more permanent

location for such small watercraft is developed off Fox Island Road, they could be relocated.

In addition, the Village could explore setting aside a portion of future municipal docks for transient, or short-term, docking. This would allow boaters from throughout the region to tie up and make use of the Waterfront at Port Chester and other nearby shopping and dining attractions. Such an arrangement would need to establish a physical separation between the transient and long-term docks – such as a gate with keycard access – so that the seasonal permit holders could be assured that their boats are secure.

It is important to note that both the provision of hand-launched boat facilities and transient docking facilities in the downtown area are contingent upon the completion of repairs to the Byram River bulkhead.

5. Consider Extending Utilities Along Fox Island Road

Much of Fox Island’s redevelopment potential appears to be limited by the fact that municipal utilities do not fully extend to the end of Fox Island Road, which has interfered with the continued operation of some uses and could impair the expansion potential of others. The Village should consider pursuing all available funds, including grants, to fully extend utilities throughout the Fox Island Peninsula, as a means to support the existing uses as well as promote overall redevelopment of the area.

6. Support Continued Upgrades to the Westchester County Sewage Treatment Plant

The Westchester County Sewage Treatment Plant recently completed upgrades to the facility, and no further renovations are planned in the near future. However, if current upgrades to the County’s sewage treatment plants in New Rochelle and Mamaroneck do not achieve nitrogen reduction levels required by the DEC, the County will need to retrofit its Port Chester and Blind Brook sewage treatment plants for biological nutrient removal (BNR), which removes nitrogen and phosphorous from wastewater through the use of microorganisms. The Village should support any such future upgrades to the sewage treatment plant, but should maintain close communications with the County to ensure that potential negative impacts to Village residents are minimized.

The Village should also initiate discussions with the County regarding exterior renovations to the sewage treatment plant. Although such renovations would clearly not represent as high a priority for the County as required functional upgrades, the exterior of the plant has a huge impact on Port Chester’s image, and in particular on the redevelopment of the Fox Island peninsula. The Village should work with the County to secure funding for exterior improvements through any available means, such as grants through the State’s Coastal Management or Brownfield Opportunity Area (BOA) programs. Such efforts would capitalize on the potential for the sewage treatment plant to act as a visual asset for Port Chester, as has occurred elsewhere in the region. For example, the County’s sewage treatment plant in Mamaroneck has undergone

significant upgrades – both interior functional improvements and exterior renovation – that contribute to its recognition as a significant community resource and point of pride. That situation is clearly unique because the Mamaroneck facility occupies a prominent central location within the village and is eligible for listing on the National and State Registers of Historic Places, but it serves as a potential model for Port Chester.

7. Support Measures to Improve Water Quality

The Village of Port Chester has made major steps in addressing non-point source pollution, largely through the adoption in 2007 of a stormwater management law in accordance with the New York State DEC Phase II regulations; a 2011 amendment to that law to promote “green” infrastructure; and ongoing inspections of stormwater outfalls for illicit discharges and possible sources of pollutants. However, as noted in Section II, the Village is under an EPA mandate to improve its stormwater management program to correct violations of the Federal Clean Water Act.

The Village should continue its diligent efforts to correct stormwater management issues and improve water quality through its compliance with EPA and DEC regulations. Other actions that should be considered include adoption of existing draft local laws on erosion and sediment control and illicit discharge and identification, as appropriately modified for the Village. Port Chester may also want to consider strengthening its stormwater management regulations beyond the minimum Phase II requirements. Specifically, the Village should explore requiring a Stormwater Pollution Prevention Plan (SWPPP) for any land development activity that results in the disturbance of land greater than 1,000 square feet (rather than 1 acre as is required by Phase II regulations). Given that much of Port Chester consists of parcels of less than one acre, this change would significantly increase the Village’s ability to regulate stormwater management.

8. Improve Training of Waterfront Commission and Ensure Coordination with other Land Use Boards

The determination of consistency with an LWRP is a unique, often highly technical analysis. According to information on consistency provided by the New York State Department of State, the key distinction of consistency review as compared with other land use decisions is the requirement that activities within the LWRP boundary comply with and be conducted in a manner consistent with all applicable coastal policies. This requirement is different from the more traditional approaches of the State Environmental Quality Review Act (SEQRA) and the National Environmental Policy Act (NEPA), which call for balancing the potential beneficial effects of a proposed activity against its potential adverse effects. These other environmental analysis processes allow activities to progress when individual beneficial effects “outweigh” certain adverse impacts. This is not the case in consistency review; one applicable policy is not to be advanced to the detriment of any other applicable policies.

Because of the unique requirements and process of consistency review, it is imperative that Port Chester’s Waterfront Commission be adequately trained and prepared, and

that procedures are developed and followed to facilitate the orderly and appropriate enforcement of the LWRP policies. The Village has recently made substantial progress in improving Waterfront Commission procedures by appointing a full commission membership, creating a more formalized meeting schedule and developing meeting minutes. In addition, the Village's planning staff provides advisory support on consistency determination, and that process is planned to be enhanced through the creation of a coastal assessment form.

In addition, the Village should explore the feasibility of providing annual training sessions, conducted by a staff member from the Department of State, to Waterfront Commission members. Such sessions have been conducted in other LWRP communities in Westchester County – often jointly organized by more than one municipality to reduce costs – and have generally been found to be helpful to LWRP consistency boards and commissions. When possible, training sessions should be timed to coincide with the beginning of terms for new members, to help ensure a smooth transition between old and new members, with the goal being that each application before the Waterfront Commission has the benefit of a fully trained and knowledgeable commission.

9. Support Maintenance Dredging of the Federal Navigation Project

The Byram River and Port Chester Harbor were last dredged in 1990. Currently, siltation has reduced the project depths considerably. Initiating a maintenance dredging project by the Army Corps of Engineers will require substantial lead time to obtain the necessary Federal fiscal support, as well as cooperation with Connecticut and shoreline facilities and river users that depend on adequate channel depths. Analyzing sediment contamination and identifying suitable disposal options is complex. Opportunities for coordinating dredging needs outside the Federal channel should also be explored. The Village supports future dredging efforts on the river that extend northward to the Mill Street Bridge.

SECTION V

TECHNIQUES FOR LOCAL IMPLEMENTATION

SECTION V TECHNIQUES FOR LOCAL IMPLEMENTATION

This section describes the techniques for implementation of the Village of Port Chester LWRP. It describes the land use controls that have been enacted by the Village to implement the policies and projects of the LWRP, and makes recommendations for potential changes to these regulations. All referenced laws are included in an Appendix to this LWRP.

A. Existing Laws

1. Zoning Regulations (Port Chester Village Code Chapter 345)

The intent of Chapter 345 is to establish a precise and detailed plan for the use of land in the Village, based on the Comprehensive Plan, in order to promote and protect the health, safety, morals or general welfare of the public. This law regulates and restricts, by district, the location, construction and use of buildings and structures, and the use of land in the Village of Port Chester. Chapter 345 also establishes permitted uses, standards and procedures for the Village’s specialized zoning districts.

Chapter 345 also specifies the process for obtaining building permits and certificates of occupancy as well as the duties of the designated Code Enforcement Officer (Building Inspector). Article VI establishes the Zoning Board of Appeals and outlines its duties. Article V establishes the site plan review procedures and standards. (See Section II.H for further discussion on zoning.)

2. Land Subdivision Regulations (Port Chester Village Code Chapter A402)

Chapter A402 establishes regulations and procedures for the subdivision of land into two or more individual lots. The law also provides standards for the layout and dimensions of streets and lots, the naming of streets and the provision of open space within subdivisions.

3. Boating and Watercraft (Port Chester Village Code Chapter 148)

Chapter 148 establishes standards, requirements and procedures for the safe and sanitary operation of watercraft; mooring of watercraft; and use, maintenance and management of marinas and marine structures in Port Chester. The law provides for the enforcement of harbor rules and regulations by a Harbor Master, Assistant Harbor Master and any member of the Village’s Police Department. The Waterfront Commission has the authority to approve permits for the construction or reconstruction of marine structures within the harbor.

This ordinance addresses the following:

- Prohibition of dumping waste
- Required provision of pump-out facilities for marinas accommodating 25 or more vessels
- Removal of improperly moored boats
- Safe operation of boats
- Speed limits

- Prohibition of water skiing and similar water recreation
 - Approval of the location, type, and adequacy of moorings to be placed within the harbor areas.

- 4. Waterfront Consistency Review (Port Chester Village Code Chapter 332)
Chapter 332 provides consistency review procedures for implementation of the Village’s Local Waterfront Revitalization Program, including the responsibilities of the Waterfront Commission as the implementing body. The law establishes the following:
 - Waterfront Commission’s formation and responsibilities
 - Coastal action review procedures
 - Policy standards and conditions
 - Exceptions and negative actions

- 5. Stormwater Management (Port Chester Village Code Chapter 281)
Chapter 281 establishes minimum stormwater management requirements and controls to meet New York State requirements for stormwater discharges; minimize increases in stormwater runoff from land development activities; minimize adverse impacts on water quality from stormwater runoff; and control erosion and sedimentation.

- 6. Flood Damage Prevention (Port Chester Village Code Chapter 181)
Chapter 181 is intended to regulate uses which are dangerous to health, safety and property due to flooding or erosion hazards, or which result in damaging increases in erosion or in flood heights and velocities; require that uses vulnerable to floods be protected against flood damage at the time of initial construction; control the alteration of natural floodplains, stream channels and natural protective barriers which are involved in the accommodation of floodwaters; control filling, grading, dredging and other development which may increase erosion or flood damages; regulate the construction of flood barriers which will unnaturally divert floodwaters or which may increase flood hazards to other lands; and quality for and maintain participation in the National Flood Insurance Program. The law provides the basis for establishing special flood hazard areas, establishes the procedures for granting floodplain development permits and outlines construction standards for structures within special flood hazard areas.

- 7. Building Code Administration and Enforcement (Port Chester Village Code Chapter 151)
Chapter 151 provides for the administration and enforcement of the New York State Uniform Fire Prevention and Building Code and the State Energy Conservation Construction Code in the Village. The law establishes the authority and duties of the Village Building Inspector and provides for standards and procedures for the issuance of building permits and certificates of occupancy.

- 8. Parks (Port Chester Village Code Chapter 236)
Chapter 236 establishes rules and regulations for all parks owned, operated, licensed, used or otherwise under the control or supervision of the Village of Port Chester.

9. Sewers (Port Chester Village Code Chapter 269)
Chapter 269 provides standards and conditions for ensuring the proper disposal of sewage and wastewater and the proper operation and maintenance of the public sewers, sewage treatment plan and other sewage works within the Village.
10. Signs and Billboards (Port Chester Village Code Chapter 272)
Chapter 272 specifies standards and procedures for the issuance of sign permits from the Village Building Inspector.
11. Solid Waste (Port Chester Village Code Chapter 275)
Chapter 275 regulates the disposal of all refuse within the Village of Port Chester, including the prohibition of dumping, littering and the accumulation of waste. The law also establishes procedures for garbage collection and sets forth the enforcement authority and penalties for non-compliance with regulations.
12. Trees and Shrubbery (Port Chester Village Code Chapter 304)
Chapter 304 establishes regulations for maintaining trees and shrubs in areas affecting Village sidewalks or roadways. The law also prohibits property owners from maintaining infected trees or shrubs anywhere on a lot; and prohibits the planting, trimming or removal of any tree within the Village right-of-way without permission.
13. Underground Utilities (Port Chester Village Code Chapter 312)
Chapter 312 sets forth a requirement that utilities be placed underground as part of redevelopment activities or as the opportunity arises, and provides procedures for implementing this requirement.

B. Local Laws Necessary to Implement the LWRP

To implement the policies and provisions of the Village of Port Chester Local Waterfront Revitalization Program, the following amendments shall be made to the Village Code.

1. Revisions to the Boating and Watercraft Law. In addition to clarification language regarding the required permit for moored vessels from the harbormaster, the local law is revised to account for the long-standing but limited encroachment of docks and vessels within the lines of the channel. The law is amended to allow the harbormaster or the Waterfront Commission to permit these encroachments under Village law, provided new or revised permits are obtained and the encroachments are easily removed when necessary to meet navigation needs. Changes in the Village Law do not affect the U.S. Army Corps' authority to enforce their own regulations in this matter. See the Appendix for the proposed revisions to Chapter 148.
2. Revisions to the Waterfront Consistency Review Law. This section of the Village Code (Chapter 332) will need to be amended to reflect the changes to policies in this LWRP (i.e., reorganizing the existing 44 LWRP policies into 13).

C. Other Public and Private Actions Necessary to Implement the LWRP

There are a number of public and private actions and projects that involve the potential redevelopment or enhancement of certain sites within the LWRP area. These actions hold promise for assisting with the renewal of the waterfront, improvements to the environment and the continued economic well-being of the Village, and are fully outlined in Section IV of this program.

D. Management Structure Necessary to Implement the LWRP

1. The Village Board of Trustees shall be the lead agency responsible for implementation of the Local Waterfront Revitalization Program. Implementation is to be accomplished through the previously identified projects and local laws, together with the review procedure whereby local permitting authorities (primarily the Board of Trustees, the Board of Appeals and the Planning Commission) will take into consideration and make determinations regarding the consistency of proposed actions with the policies of the Program. Prior to such determinations being made by permitting authorities, proposed actions in the coastal zone will be referred to the Waterfront Commission for its review and comment and this comment will be considered by the permitting authorities when making determinations of consistency.

All agencies of the Village will maintain their present responsibilities for programs, projects, and regulation. The Waterfront Commission will act in an advisory capacity to review and make recommendations to the Board of Trustees on any application in the LWRP zone, including dredging or construction of any structure in the water under the Village's jurisdiction, or any proposal to alter the shoreline.

The Waterfront Commission and the Harbor Master, in addition to federal and State authorities, shall regulate boating in Village waters. The Planning Board will retain its function to review and approve any land use plans or proposals within the coastal area, including the review of uses affecting tidal wetlands. The Board of Trustees has the authority to approve and fund (or secure funding for) specific improvements necessary to implement the LWRP.

2. The agency for the management of the LWRP will be the Waterfront Commission. The local official responsible for overall management and coordination of the LWRP will be the Chairperson of the Waterfront Commission.

The Waterfront Commission will assume the role of reviewing all public and private proposals for development or regulations in the Waterfront Revitalization Area and, where appropriate, make recommendations to responsible agencies to assure consistency with the LWRP.

The Commission will also be responsible for making its own proposals to various agencies for projects or programs that it believes to be important to the implementation of the LWRP.

3. State and Federal agencies identified in Section VI will notify the Mayor of the Village of Port Chester of proposed actions in or likely to affect the coastal zone. Such actions will be subject to the same consistency review as provided by the Waterfront and Coastal Resources Act, the Federal Coastal Zone Management Act and their implementing regulations.

E. Financial Resources Necessary to Implement the LWRP

The implementation of the proposed projects identified in Section IV will require funding from a combination of public and private sources. These costs will include capital outlays, maintenance costs and, potentially in some cases, property acquisition. For many of the projects, costs are undetermined at this time. It is recognized that if the majority of the projects identified are implemented, they will be funded privately or supplemented by State and Federal funding. Where applicable, the Village will work diligently to secure funding through grants available through State and Federal program funds to support implementation of the identified LWRP projects.

The Village is obligated to fund a portion of the construction and renovation costs of any proposed improvements on Village-owned property. There are grants available from State and Federal agencies that the Village hopes to obtain and leverage local funds against. The Village will continue to aggressively seek out such grants or in-kind assistance from governmental entities, elected representatives, quasi-governmental organizations and private entities to implement the plans and projects outlined in the LWRP.

Ongoing management of the LWRP will not require outside sources of funding.

SECTION VI

**STATE AND FEDERAL ACTIONS AND PROGRAMS
LIKELY TO AFFECT PROGRAM IMPLEMENTATION**

SECTION VI STATE AND FEDERAL ACTIONS LIKELY TO AFFECT PROGRAM IMPLEMENTATION

State and Federal actions will affect and be affected by implementation of the LWRP. Under State law and the U.S. Coastal Zone Management Act, certain State and Federal actions within or affecting the local waterfront area must be “consistent” or “consistent to the maximum extent practicable” with the enforceable policies and purposes of the LWRP. This consistency requirement makes the LWRP a unique, intergovernmental mechanism for setting policy and making decisions and helps to prevent detrimental actions from occurring and future options from being needlessly foreclosed. At the same times, the active participation of State and Federal agencies is also likely to be necessary to implement specific provisions of the LWRP.

The following State and Federal authorities are part of the institutional framework for local waterfront planning and harbor management that includes planning initiatives as well as regulatory requirements. The Village anticipates that all of the involved governmental entities identified in this section will likely have continuing roles affecting Port Chester’s waterfront area.

A. State and Federal Actions and Programs

The first part of this section identifies the actions and programs of State and Federal agencies which should be undertaken in a manner consistent with the LWRP. This is a generic list of actions and programs, as identified by the NYS Department of State; therefore, some of the actions and programs listed may not be relevant to this LWRP.

Pursuant to the State Waterfront Revitalization of Coastal Areas and Inland Waterways Act (Executive Law, Article 42), the Secretary of State individually and separately notifies affected State agencies of those agency actions and programs which are to be undertaken in a manner consistent with approved LWRPs. The following list of State actions is the list of actions subject to the State consistency requirement upon the Secretary of State’s approval of the Port Chester LWRP and notification of affected State agencies. Similarly, Federal agency actions and programs subject to consistency requirements are identified in the manner prescribed by the U.S. Coastal Zone Management Act and its implementing regulations. The list of Federal actions and programs included herein is informational only and does not represent or substitute for the required Federal identification and notification procedures. The current official list of actions subject to Federal consistency requirements may be obtained from the NYS Department of State.

The second part of this section is a more focused and descriptive list of State and Federal agency actions which are necessary to further implementation of the LWRP. It is recognized that a State or Federal agency’s ability to undertake such actions is subject to a variety of factors and considerations; that the consistency provisions referred to above may not apply; and that the consistency requirements cannot be used to require a State or Federal agency to undertake an action it could not undertake pursuant to other provisions of law.

1. State and Federal Actions and Programs Which Should be Undertaken in a Manner Consistent with the LWRP

a. State Agencies

OFFICE FOR THE AGING

- 1.00 Funding and/or approval programs for the establishment of new or expanded facilities providing various services for the elderly.

DEPARTMENT OF AGRICULTURE AND MARKETS

- 1.00 Agricultural Districts Program
- 2.00 Rural Development Program
- 3.00 Farm Worker Services Programs
- 4.00 Permit and approval programs:
 - 4.01 Custom Slaughters/Processor Permit
 - 4.02 Processing Plant License
 - 4.03 Refrigerated Warehouse and/or Locker Plant License

DIVISION OF ALCOHOLIC BEVERAGE CONTROL/STATE LIQUOR AUTHORITY

- 1.00 Permit and Approval Programs:
 - 1.01 Ball Park – Stadium License
 - 1.02 Bottle Club License
 - 1.03 Bottling Permits
 - 1.04 Brewer’s Licenses and Permits
 - 1.05 Brewer’s Retail Beer License
 - 1.06 Catering Establishment Liquor License
 - 1.07 Cider Producer’s and Wholesaler’s Licenses
 - 1.08 Club Beer, Liquor, and Wine Licenses
 - 1.09 Distiller’s Licenses
 - 1.10 Drug Store, Eating Place, and Grocery Store Beer Licenses
 - 1.11 Farm Winery and Winery Licenses
 - 1.12 Hotel Beer, Wine, and Liquor Licenses
 - 1.13 Industrial Alcohol Manufacturer’s Permits
 - 1.14 Liquor Store License
 - 1.15 On-premises Liquor Licenses
 - 1.16 Plenary Permit (Miscellaneous-Annual)
 - 1.17 Summer Beer and Liquor Licenses
 - 1.18 Tavern/Restaurant and Restaurant Wine Licenses
 - 1.19 Vessel Beer and Liquor Licenses
 - 1.20 Warehouse Permit
 - 1.21 Wine Store License
 - 1.22 Winter Beer and Liquor Licenses
 - 1.23 Wholesale Beer, Wine, and Liquor Licenses

DIVISION OF ALCOHOLISM AND SUBSTANCE ABUSE SERVICES

- 1.00 Facilities, construction, rehabilitation, expansion, or demolition or the funding of such activities.
- 2.00 Permit and approval programs:
 - 2.01 Certificate of approval (Substance Abuse Services Program)
- 3.00 Permit and approval:
 - 3.01 Letter Approval for Certificate of Need
 - 3.02 Operating Certificate (Alcoholism Facility)
 - 3.03 Operating Certificate (Community Residence)
 - 3.04 Operating Certificate (Outpatient Facility)
 - 3.05 Operating Certificate (Sobering-Up Station)

COUNCIL ON THE ARTS

- 1.00 Facilities construction, rehabilitation, expansion, or demolition or the funding of such activities.
- 2.00 Architecture and environmental arts program

DEPARTMENT OF BANKING

- 1.00 Permit and approval programs:
 - 1.01 Authorization Certificate (Bank Branch)
 - 1.02 Authorization Certificate (Bank Change of Location)
 - 1.03 Authorization Certificate (Bank Charter)
 - 1.04 Authorization Certificate (Credit Union Change of Location)
 - 1.05 Authorization Certificate (Credit Union Charter)
 - 1.06 Authorization Certificate (Credit Union Station)
 - 1.07 Authorization Certificate (Foreign Banking Corporation Change of Location)
 - 1.08 Authorization Certificate (Foreign Banking Corporation Public Accommodations Office)
 - 1.09 Authorization Certificate (Investment Company Branch)
 - 1.10 Authorization Certificate (Investment Company Change of Location)
 - 1.11 Authorization Certificate (Investment Company Charter)
 - 1.12 Authorization Certificate (Licensed Lender Change of Location)
 - 1.13 Authorization Certificate (Mutual Trust Company Charter)
 - 1.14 Authorization Certificate (Private Banker Charter)
 - 1.15 Authorization Certificate (Public Accommodation Office – Banks)
 - 1.16 Authorization Certificate (Safe Deposit Company Branch)
 - 1.17 Authorization Certificate (Safe Deposit Company Change of Location)
 - 1.18 Authorization Certificate (Safe Deposit Company Charter)
 - 1.19 Authorization Certificate (Savings Bank Charter)
 - 1.20 Authorization Certificate (Savings Bank De Novo Branch Office)
 - 1.21 Authorization Certificate (Savings Bank Public Accommodations Office)

- 1.22 Authorization Certificate (Savings and Loan Association Branch)
- 1.23 Authorization Certificate (Savings and Loan Association Change of Location)
- 1.24 Authorization Certificate (Savings and Loan Association Charter)
- 1.25 Authorization Certificate (Subsidiary Trust Company Charter)
- 1.26 Authorization Certificate (Trust Company Branch)
- 1.27 Authorization Certificate (Trust Company – Change of Location)
- 1.28 Authorization Certificate (Trust Company Charter)
- 1.29 Authorization Certificate (Trust Company Public Accommodations Office)
- 1.30 Authorization to Establish a Life Insurance Agency
- 1.31 License as a Licensed Lender
- 1.32 License for a Foreign Banking Corporation Branch

NEW YORK STATE BRIDGE AUTHORITY

- 1.00 Acquisition, disposition, lease, grant of easement and other activities related to the management of land under the jurisdiction of the Authority.
- 2.00 Facilities construction, rehabilitation, expansion, or demolition.

OFFICE OF CHILDREN AND FAMILY SERVICES

- 1.00 Facilities construction, rehabilitation, expansion or demolition or the funding of such activities.
- 2.00 Homeless Housing and Assistance Program.
- 3.00 Permit and approval programs:
 - 3.01 Certificate of Incorporation (Adult Residential Care Facilities)
 - 3.02 Operating Certificate (Children’s Services)
 - 3.03 Operating Certificate (Enriched Housing Program)
 - 3.04 Operating Certificate (Home for Adults)
 - 3.05 Operating Certificate (Proprietary Home)
 - 3.06 Operating Certificate (Public Home)
 - 3.07 Operating Certificate (Special Care Home)
 - 3.08 Permit to Operate a Day Care Center

DEPARTMENT OF CORRECTIONAL SERVICES

- 1.00 Facilities construction, rehabilitation, expansion, or demolition or the funding of such activities.

DORMITORY AUTHORITY OF THE STATE OF NEW YORK

- 1.00 Financing of higher education and health care facilities.
- 2.00 Planning and design services assistance program.

EDUCATION DEPARTMENT

- 1.00 Facilities construction, rehabilitation, expansion, demolition or the funding of such activities.
- 2.00 Permit and approval programs:

- 2.01 Certification of Incorporation (Regents Charter)
- 2.02 Private Business School Registration
- 2.03 Private School License
- 2.04 Registered Manufacturer of Drugs and/or Devices
- 2.05 Registered Pharmacy Certificate
- 2.06 Registered Wholesale of Drugs and/or Devices
- 2.07 Registered Wholesaler-Repacker of Drugs and/or Devices
- 2.08 Storekeeper's Certificate

EMPIRE STATE DEVELOPMENT CORPORATION

- 1.00 Preparation or revision of statewide or specific plans to address State economic development needs.
- 2.00 Allocation of the state tax-free bonding reserve.

NEW YORK STATE ENERGY RESEARCH AND DEVELOPMENT AUTHORITY

- 1.00 Issuance of revenue bonds to finance pollution abatement modifications in power-generation facilities and various energy projects.

DEPARTMENT OF ENVIRONMENTAL CONSERVATION

- 1.00 Acquisition, disposition, lease, grant of easement and other activities related to the management of lands under the jurisdiction of the Department.
- 2.00 Classification of Waters Program; classification of land areas under the Clean Air Act.
- 3.00 Facilities construction, rehabilitation, expansion, or demolition or the funding of such activities.
- 4.00 Financial assistance/grant programs:
 - 4.01 Capital projects for limiting air pollution
 - 4.02 Cleanup of toxic waste dumps
 - 4.03 Flood control, beach erosion and other water resource projects
 - 4.04 Operating aid to municipal wastewater treatment facilities
 - 4.05 Resource recovery and solid waste management capital projects
 - 4.06 Wastewater treatment facilities
- 5.00 Funding assistance for issuance of permits and other regulatory activities (New York City only).
- 6.00 Implementation of the Environmental Quality Bond Act of 1972, including:
 - (a) Water Quality Improvement Projects
 - (b) Land Preservation and Improvement Projects including Wetland Preservation and Restoration Projects, Unique Area Preservation Projects, Metropolitan Parks Projects, Open Space Preservation Projects and Waterways Projects.
- 7.00 Marine Finfish and Shellfish Programs
- 8.00 New York Harbor Drift Removal Project
- 9.00 Permit and approval programs:

Air Resources

- 9.01 Certificate of Approval for Air Pollution Episode Action Plan
- 9.02 Certificate of Compliance for Tax Relief – Air Pollution Control Facility
- 9.03 Certificate to Operate: Stationary Combustion Installation; Incinerator; Process, Exhaust or Ventilation System
- 9.04 Permit for Burial of Radioactive Material
- 9.05 Permit for Discharge of Radioactive Material to Sanitary Sewer
- 9.06 Permit for Restricted Burning
- 9.07 Permit to Construct: a Stationary Combustion Installation; Incinerator; Indirect Source of Air Contamination; Process, Exhaust or Ventilation System

Construction Management

- 9.08 Approval of Plans and Specifications for Wastewater Treatment Facilities.

Fish and Wildlife

- 9.09 Certificate to Possess and Sell Hatchery Trout in New York State
- 9.10 Commercial Inland Fisheries Licenses
- 9.11 Fishing Preserve License
- 9.12 Fur Breeder’s License
- 9.13 Game Dealer’s License
- 9.14 Licenses to Breed Domestic Game Animals
- 9.15 License to Possess and Sell Live Game
- 9.16 Permit to Import, Transport and/or Export under Section 184.1 (11-0511)
- 9.17 Permit to Raise and Sell Trout
- 9.18 Private Bass Hatchery Permit
- 9.19 Shooting Preserve Licenses
- 9.20 Taxidermy License
- 9.21 Permit-Article 15, (Protection of Water) – Dredge or Deposit Material in a Waterway
- 9.22 Permit – Article 15, (Protection of Water) – Stream Bed or Bank Disturbances
- 9.23 Permit – Article 24, (Freshwater Wetlands)

Hazardous Substances

- 9.24 Permit to Use Chemicals for the Control or Elimination of Aquatic Insects
- 9.25 Permit to Use Chemicals for the Control or Elimination of Aquatic Vegetation
- 9.26 Permit to Use Chemicals for the Control or Extermination of Undesirable Fish

Lands and Forest

- 9.27 Certificate of Environmental Safety (Liquid Natural Gas and Liquid Petroleum Gas)
- 9.28 Floating Object Permit
- 9.29 Marine Regatta Permit
- 9.30 Navigation Aid Permit

Marine Resources

- 9.31 Digger's Permit (Shellfish)
- 9.32 License of Menhaden Fishing Vessel
- 9.33 License for Non-Resident Food Fishing Vessel
- 9.34 Non-Resident Lobster Permit
- 9.35 Marine Hatchery and/or Off-Bottom Culture Shellfish Permits
- 9.36 Permits to take Blue-Claw Crabs
- 9.37 Permit to Use Pond or Trap Net
- 9.38 Resident Commercial Lobster Permit
- 9.39 Shellfish Bed Permit
- 9.40 Shellfish Shipper's Permits
- 9.41 Special Permit to Take Surf Clams from Waters other than the Atlantic Ocean
- 9.42 Permit – Article 25, (Tidal Wetlands)

Mineral Resources

- 9.43 Mining Permit
- 9.44 Permit to Plug and Abandon (a non-commercial, oil, gas or solution mining well)
- 9.45 Underground Storage Permit (Gas)
- 9.46 Well Drilling Permit (Oil, Gas, and Solution Salt Mining)

Solid Wastes

- 9.47 Permit to Construct and/or Operate a Solid Waste Management Facility
- 9.48 Septic Tank Cleaner and Industrial Waste Collector Permit

Water Resources

- 9.49 Approval of Plans for Wastewater Disposal Systems
- 9.50 Certificate of Approval of Realty Subdivision Plans
 - 9.51 Certificate of Compliance (Industrial Wastewater Treatment Facility)
 - 9.52 Letters of Certification for Major Onshore Petroleum Facility Oil Spill Prevention and Control Plan
 - 9.53 Permit – Article 36, (Construction in Flood Hazard Areas)
 - 9.54 Permit for State Agency Activities for Development in Coastal Erosion Hazard Areas

- 9.55 State Pollutant Discharge Elimination System (SPDES) Permit
- 9.56 Approval – Drainage Improvement District
- 9.57 Approval – Water (Diversion for) Power
- 9.58 Approval of Well System and Permit to Operate
- 9.59 Permit – Article 15, (Protection of Water) – Dam
- 9.60 Permit – Article 15, Title 15 (Water Supply)
- 9.61 River Improvement District Approvals
- 9.62 River Regulatory District Approvals
- 9.63 Well Drilling Certificate of Registration
- 9.64 401 Water Quality Certification
- 10.00 Preparation and revision of Air Pollution State Implementation Plan
- 11.00 Preparation and revision of Continuous Executive Program Plan
- 12.00 Preparation and revision of Statewide Environmental Plan
- 13.00 Protection of Natural and Man-made Beauty Program
- 14.00 Urban Fisheries Program
- 15.00 Urban Forestry Program
- 16.00 Urban Wildlife Program

ENVIRONMENTAL FACILITIES CORPORATION

- 1.00 Financing program for pollution control facilities for industrial firms and small businesses.

FACILITIES DEVELOPMENT CORPORATION

- 1.00 Facilities construction, rehabilitation, expansion, or demolition or the funding of such activities

OFFICE OF GENERAL SERVICES

- 1.00 Administration of the Public Lands Law for acquisition and disposition of State lands, including grants of land and grants of easement of land under water, including for residential docks over 4,000 square feet and all commercial docks, issuance of licenses for removal of materials from lands under water and oil and gas leases for exploration and development
- 2.00 Administration of Article 4-B, Public Buildings Law, in regard to the protection and management of State historic and cultural properties and State uses of buildings of historic, architectural or cultural significance
- 3.00 Facilities construction, rehabilitation, expansion, or demolition.
- 4.00 Administration of Article 5, Section 233, Sub 5 of the Education Law on removal of archeological and paleontological objects under State water bodies
- 5.00 Administration of Article 3, Section 32 of the Navigation law regarding location of structures in or on navigable waters

DEPARTMENT OF HEALTH

- 1.00 Facilities construction, rehabilitation, expansion, or demolition or the funding of such activities.
- 2.00 Permit and approval programs:
 - 2.01 Approval of Completed Works for Public Water Supply Improvements
 - 2.02 Approval of Plans for Public Water Supply Improvements
 - 2.03 Certificate of Need (Health Related Facility – except Hospitals)
 - 2.04 Certificate of Need (Hospitals)
 - 2.05 Operating Certificate (Diagnostic and Treatment Center)
 - 2.06 Operating Certificate (Health Related Facility)
 - 2.07 Operating Certificate (Hospice)
 - 2.08 Operating Certificate (Hospital)
 - 2.09 Operating Certificate (Nursing Home)
 - 2.10 Permit to Operate a Children’s Overnight or Day Camp
 - 2.11 Permit to Operate a Migrant Labor Camp
 - 2.12 Permit to Operate as a Retail Frozen Dessert Manufacturer
 - 2.13 Permit to Operate a Service Food Establishment
 - 2.14 Permit to Operate a Temporary Residence/Mass Gathering
 - 2.15 Permit to Operate or Maintain a Swimming Pool or Public Bathing Beach
 - 2.16 Permit to Operate Sanitary Facilities for Realty Subdivisions
 - 2.17 Shared Health Facility Registration Certificate

DIVISION OF HOMES AND COMMUNITY RENEWAL

- 1.00 Facilities construction, rehabilitation, expansion, or demolition
- 2.00 Financial assistance/grant programs:
 - 2.01 Federal Housing Assistance Payment Programs (Section 8 Programs)
 - 2.02 Housing Development Fund Programs
 - 2.03 Neighborhood Preservation Companies Program
 - 2.04 Public Housing Programs
 - 2.05 Rural Initiatives Grant Program
 - 2.06 Rural Preservation Companies Program
 - 2.07 Rural Rental Assistance Program
 - 2.08 Special Needs Demonstration Project
 - 2.09 Urban Initiatives Grant Program
 - 2.10 Urban Renewal Programs
- 3.00 Preparation and implementation of plans to address housing and community renewal needs.

HOUSING FINANCE AGENCY

- 1.00 Funding programs for the construction, rehabilitation, or expansion of facilities.
- 2.00 Affordable Housing Corporation

JOB DEVELOPMENT AUTHORITY

- 1.00 Financing assistance programs for commercial and industrial facilities.

MEDICAL CARE FACILITIES FINANCING AGENCY

- 1.00 Financing of medical care facilities

OFFICE OF MENTAL HEALTH

- 1.00 Facilities construction, rehabilitation, expansion, or demolition or the funding of such activities.
- 2.00 Permit and approval programs:
 - 2.01 Establishment and Construction Prior Approval
 - 2.02 Operating Certificate Community Residence
 - 2.03 Outpatient Facility Operating Certificate

METROPOLITAN TRANSPORTATION AUTHORITY (regional agency)

- 1.00 Facilities construction, rehabilitation, expansion, or demolition or the funding of such activities.
- 2.00 Increases in special fares for transportation services to public water-related recreation resources.

DIVISION OF MILITARY AND NAVAL AFFAIRS

- 1.00 Preparation and implementation of the State Disaster Preparedness Plan.

NATURAL HERITAGE TRUST

- 1.00 Funding program for natural heritage institutions.

OFFICE OF PARKS, RECREATION AND HISTORIC PRESERVATION (including Regional State Park Commission)

- 1.00 Acquisition, disposition, lease, grant of easement or other activities related to the management of land under the jurisdiction of the Office.
- 2.00 Facilities construction, rehabilitation, expansion, or demolition or the funding of such activities.
- 3.00 Funding program for recreational boating, safety and enforcement.
- 4.00 Funding program for State and local historic preservation projects.
- 5.00 Land and Water Conservation Fund programs.
- 6.00 Nomination of properties to the Federal and/or State Register of Historic Places.
- 7.00 Permit and approval programs:
 - 7.01 Floating Objects Permit
 - 7.02 Marine Regatta Permit
 - 7.03 Navigation Aide Permit
 - 7.04 Posting of Signs Outside State Parks
- 8.00 Preparation and revision of the Statewide Comprehensive Outdoor Recreation Plan and the Statewide Comprehensive Historic Preservation

- Plan and other plans for public access, recreation, historic preservation or related purposes.
- 9.00 Recreation services program.
- 10.00 Urban Cultural Parks Program.

POWER AUTHORITY OF THE STATE OF NEW YORK

- 1.00 Acquisition, disposition, lease, grant of easement and other activities related to the management of land under the jurisdiction of the Authority.
- 2.00 Facilities construction, rehabilitation, expansion, or demolition.

NEW YORK STATE SCIENCE AND TECHNOLOGY FOUNDATION

- 1.00 Corporation for Innovation Development Program
- 2.00 Center for Advanced Technology Program

DEPARTMENT OF STATE

- 1.00 Appalachian Regional Development Program
- 2.00 Coastal Management Program
- 3.00 Community Services Block Grant Program
- 4.00 Permit and approval programs:
 - 4.01 Billiard Room License
 - 4.02 Cemetery Operator
 - 4.03 Uniform Fire Prevention and Building Code

STATE UNIVERSITY CONSTRUCTION FUND

- 1.00 Facilities construction, rehabilitation, expansion, or demolition or the funding of such activities.

STATE UNIVERSITY OF NEW YORK

- 1.00 Acquisition, disposition, lease, grant of easement and other activities related to the management of land under the jurisdiction of the University.
- 2.00 Facilities construction, rehabilitation, expansion, or demolition or the funding of such activities.

OFFICE OF TEMPORARY AND DISABILITY ASSISTANCE

- 1.00 Facilities construction, rehabilitation, expansion or demolition or the funding of such activities
- 2.00 Homeless Housing and Assistance Program
- 3.00 Permit and approval programs:
 - 3.01 Certificate of Incorporation (Adult Residential Care Facilities)
 - 3.02 Operating Certificate (Children’s Services)
 - 3.03 Operating Certificate (Enriched Housing Program)
 - 3.04 Operating Certificate (Home for Adults)
 - 3.05 Operating Certificate (Proprietary Home)
 - 3.06 Operating Certificate (Public Home)

- 3.07 Operating Certificate (Special Care Home)
- 3.08 Permit to Operate a Day Care Center

THRUWAY AUTHORITY/CANAL CORPORATION/CANAL RECREATIONWAY COMMISSION (regional agency)

- 1.00 Acquisition, disposition, lease, grant of easement and other activities related to the management of land and other resources under the jurisdiction of the Thruway Authority, Canal Corporation, and Canal Recreationway Commission.
- 2.00 Facilities construction, rehabilitation, expansion, or demolition.
- 3.00 Permit and approval programs:
 - 3.01 Advertising Device Permit
 - 3.02 Approval to Transport Radioactive Waste
 - 3.03 Occupancy Permit
 - 3.04 Permits for use of Canal System lands and waters
- 4.00 Statewide Canal Recreationway Plan

DEPARTMENT OF TRANSPORTATION

- 1.00 Acquisition, disposition, lease, grant of easement and other activities related to the management of land under the jurisdiction of the Department.
- 2.00 Construction, rehabilitation, expansion, or demolition of facilities, including but not limited to:
 - a) Highways and Parkways
 - b) Bridges on the State highways system
 - c) Highway and parkway maintenance facilities
 - d) Rail facilities
- 3.00 Financial assistance/grant programs:
 - 3.01 Funding programs for construction/reconstruction and reconditioning/preservation of municipal streets and highways (excluding routine maintenance and minor rehabilitation)
 - 3.02 Funding programs for development of the ports of Albany, Buffalo, Oswego, Ogdensburg and New York
 - 3.03 Funding programs for rehabilitation and replacement of municipal bridges
 - 3.04 Subsidies program for marginal branchlines abandoned by CSX
 - 3.05 Subsidies program for passenger rail service
- 4.00 Permits and approval programs:
 - 4.01 Approval of applications for airport improvements (construction projects)
 - 4.02 Approval of municipal applications for Section 18 Rural and Small Urban Transit Assistance Grants (construction projects)
 - 4.03 Approval of municipal or regional transportation authority applications for funds for design, construction and rehabilitation of omnibus maintenance and storage facilities

- 4.04 Approval of municipal or regional transportation authority applications for funds for design and construction of rapid transit facilities
- 4.05 Certificate of Convenience and Necessity to Operate a Railroad
- 4.06 Highway Work Permits
- 4.07 License to Operate Major Petroleum Facilities
- 4.08 Outdoor Advertising Permit (for off-premises advertising signs adjacent to interstate and primary highway)
- 4.09 Real Property Division Permit for Use of State-Owned Property
- 5.00 Preparation or revision of the Statewide Master Plan for Transportation and sub-area or special plans and studies related to the transportation needs of the State.
- 6.00 Water Operation and Maintenance Program – Activities related to the containment of petroleum spills and development of an emergency oil-spill control network.

URBAN DEVELOPMENT CORPORATION and its subsidiaries and affiliates

- 1.00 Acquisition, disposition, lease, grant of easement or other activities related to the management of land under the jurisdiction of the Corporation.
- 2.00 Planning, development, financing, construction, major renovation or expansion of commercial, industrial, and civic facilities and the provision of technical assistance or financing for such activities, including, but not limited to, actions under its discretionary economic development programs such as the following:
 - a) Tax-exempt Financing Program
 - b) Lease Collateral Program
 - c) Lease Financial Program
 - d) Targeted Investment Program
 - e) Industrial Buildings Recycling Program
- 3.00 Administration of special projects
- 4.00 Administration of State-funded capital grant programs

DIVISION OF YOUTH

- 1.00 Facilities construction, rehabilitation, expansion, or demolition or the funding or approval of such activities.

b. Federal Agencies

DIRECT FEDERAL ACTIVITIES AND DEVELOPMENT PROJECTS

DEPARTMENT OF COMMERCE

National Marine Fisheries Services

- 1.00 Fisheries Management Plans

DEPARTMENT OF DEFENSE

Army Corps of Engineers

- 1.00 Proposed authorizations for dredging, channel improvements, breakwaters, other navigational works, or erosion control structures, beach replenishment, dams or flood control works, ice management practices and activities, and other projects with potential to impact coastal lands and waters
- 2.00 Land acquisition for spoil disposal or other purposes
- 3.00 Selection of open water disposal sites

Army, Navy and Air Force

- 4.00 Location, design, and acquisition of new or expanded defense installations (active or reserve status, including associated housing, transportation or other facilities)
- 5.00 Plans, procedures and facilities for landing or storage use zones
- 6.00 Establishment of impact, compatibility or restricted use zones

DEPARTMENT OF ENERGY

- 1.00 Prohibition orders

GENERAL SERVICES ADMINISTRATION

- 1.00 Acquisition, location and design of proposed Federal Government property or buildings, whether leased or owned by the Federal Government
- 2.00 Disposition of Federal surplus lands or structures

DEPARTMENT OF INTERIOR

Fish and Wildlife Service

- 1.00 Management of National Wildlife refuges and proposed acquisitions.

Mineral Management Service

- 2.00 OCS lease sale activities including tract selection, lease sale stipulations, etc.

National Park Service

- 3.00 National Park and Seashore management and proposed acquisitions.

DEPARTMENT OF TRANSPORTATION

Amtrak, CSX

- 1.00 Expansions, curtailments, new construction, upgrading or abandonments or railroad facilities or services, in or affecting the State's coastal areas

Coast Guard

- 2.00 Location and design, construction or enlargement of Coast Guard stations, bases, and lighthouses

- 3.00 Location, placement or removal of navigation devices which are not part of the routine operations under the Aids to Navigation Program (ATON)
- 4.00 Expansion, abandonment, designation or anchorages, lightering areas or shipping lands and ice management practices and activities

Federal Aviation Administration

- 5.00 Location and design, construction, maintenance, and demolition of Federal aids to air navigation

Federal Highway Administration

- 6.00 Highway construction

FEDERAL LICENSES AND PERMITS

DEPARTMENT OF DEFENSE

Army Corps of Engineers

- 1.00 Construction of dams, dikes or ditches across navigable waters, or obstruction or alteration of navigable waters required under Sections 9 and 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 401, 403)
- 2.00 Establishment of harbor lines pursuant to Section 11 of the Rivers and Harbors Act of 1899 (33 U.S.C. 404, 405)
- 3.00 Occupation of seawall, bulkhead, jetty, dike, levee, wharf, pier, or other work built by the U.S. pursuant to Section 14 of the Rivers and Harbors Act of 1899 (33 U.S.C. 408)
- 4.00 Approval of plans for improvements made at private expense under USACE supervision pursuant to the Rivers and Harbors Act of 1902 (33 U.S.C. 565)
- 5.00 Disposal of dredged soils into the waters of the U.S., pursuant to the Clean Water Act, Section 404, (33 U.S.C. 1344)
- 6.00 All actions for which permits are required pursuant to Section 103 of the Marine Protection, Research and Sanctuaries Act of 1972 (33 U.S.C. 1413)
- 7.00 Construction of artificial islands and fixed structures in Long Island Sound pursuant to Section 4(f) of the River and Harbors Act of 1912 (33 U.S.C.)

DEPARTMENT OF ENERGY

Economic Regulatory Commission

- 1.00 Regulation of gas pipelines, and licensing of import or export of natural gas pursuant to the Natural Gas Act (15 U.S.C. 717) and the Energy Reorganization Act of 1974
- 2.00 Exemptions from prohibition orders

Federal Energy Regulatory Commission

- 3.00 Licenses for non-Federal hydroelectric projects and primary transmission lines under Sections 3(11), 4(e) and 15 of the Federal Power Act (16 U.S.C. 796(11), 797(11) and 808)
- 4.00 Orders for interconnection of electric transmission facilities under Section 202(b) of the Federal Power Act (15 U.S.C. 824a(b))
- 5.00 Certificates for the construction and operation of interstate natural gas pipeline facilities, including both pipelines and terminal facilities under Section 7(c) of the Natural Gas Act (15 U.S.C. 717f(c))
- 6.00 Permission and approval for the abandonment of natural gas pipeline facilities under Section 7(b) of the Natural Gas Act (15 U.S.C. 717 f(b))

ENVIRONMENTAL PROTECTION AGENCY

- 1.00 NPDES permits and other permits for Federal installations, discharges in contiguous zones and ocean waters, sludge runoff and aquaculture permits pursuant to Section 401, 402, 403, 405, and 318 of the Federal Water Pollution Control Act of 1972 (33 U.S.C. 1341, 1342, 1343, and 1328)
- 2.00 Permits pursuant to the Resources Recovery and Conservation Act of 1976
- 3.00 Permits pursuant to the underground injection control program under Section 1424 of the Safe Water Drinking Water Act (42 U.S.C. 300h-c)
- 4.00 Permits pursuant to the Clean Air Act of 1976 (42 U.S.C. 1857)

DEPARTMENT OF INTERIOR

Fish and Wildlife Services

- 1.00 Endangered species permits pursuant to the Endangered Species Act (16 U.S.C. 153(a))

Mineral Management Service

- 2.00 Permits to drill, rights of use and easements for construction and maintenance of pipelines, gathering and flow lines and associated structures pursuant to 43 U.S.C. 1334, exploration and development plans, and any other permits or authorizations granted for activities described in detail in OCS exploration, development, and production plans
- 3.00 Permits required for pipelines crossing federal lands, including OCS lands, and associated activities pursuant to the OCS Lands Act (43 U.S.C. 1334) and 43 U.S.C. 931 (c) and 20 U.S.C. 185

NUCLEAR REGULATORY COMMISSION

- 1.00 Licensing and certification of the siting, construction and operation of nuclear power plants pursuant to Atomic Energy Act of 1954, Title II of the Energy Reorganization Act of 1974 and the National Environmental Policy Act of 1969

SURFACE TRANSPORTATION BOARD

- 1.00 Authority to abandon railway lines (to the extent that the abandonment involves removal of trackage and disposition of right-of-way); authority to construct railroads; authority to construct coal slurry pipelines

DEPARTMENT OF TRANSPORTATION

Coast Guard

- 1.00 Construction or modification of bridges, causeways or pipelines over navigable waters pursuant to 49 U.S.C. 1455
- 2.00 Permits for Deepwater Ports pursuant to the Deepwater Ports Act of 1974 (33 U.S.C. 1501)

Federal Aviation Administration

- 3.00 Permits and licenses for construction, operation or alteration of airports.

FEDERAL ASSISTANCE*

DEPARTMENT OF AGRICULTURE

- 10.068 Rural Clean Water Program
- 10.409 Irrigation, Drainage, and other Soil and Water Conservation Loans
- 10.410 Low to Moderate Income Housing Loans
- 10.411 Rural Housing Site Loans
- 10.413 Recreation Facility Loans
- 10.414 Resource Conservation and Development Loans
- 10.415 Rural Renting Housing Loans
- 10.416 Soil and Water Loans
- 10.418 Water and Waste Disposal Systems for Rural Communities
- 10.422 Business and Industrial Loans
- 10.424 Industrial Development Grants
- 10.426 Area Development Assistance Planning Grants
- 10.429 Above Moderate Income Housing Loans
- 10.430 Energy Impacted Area Development Assistance Program
- 10.901 Resource Conservation and Development
- 10.902 Soil and Water Conservation
- 10.904 Watershed Protection and Flood Prevention
- 10.906 River Basin Surveys and Investigations

DEPARTMENT OF COMMERCE

- 11.300 Economic Development – Grants and Loans for Public Works and Development Facilities
- 11.301 Economic Development – Business Development Assistance
- 11.302 Economic Development – Support for Planning Organizations
- 11.304 Economic Development – State and Local Economic Development Planning

- 11.305 Economic Development – State and Local Economic Development Planning
- 11.307 Special Economic Development and Adjustment Assistance Program – Long Term Economic Deterioration
- 11.308 Grants to States for Supplemental and Basic Funding of Titles I, II, III, IV, and V Activities
- 11.405 Anadromous and Great Lakes Fisheries Conservation
- 11.407 Commercial Fisheries Research and Development
- 11.417 Sea Grant Support
- 11.427 Fisheries Development and Utilization – Research and Demonstration Grants and Cooperative Agreements Program
- 11.501 Development and Promotion of Ports of Intermodal Transportation
- 11.509 Development and Promotion of Domestic Waterborne Transport Systems

COMMUNITY SERVICES ADMINISTRATION

- 49.002 Community Action
- 49.011 Community Economic Development
- 49.013 State Economic Opportunity Offices
- 49.017 Rural Development Loan Fund
- 49.018 Housing and Community Development (Rural Housing)

ENVIRONMENTAL PROTECTION AGENCY

- 66.001 Air Pollution Control Program Grants
- 66.418 Construction Grants for Wastewater Treatment Works
- 66.426 Water Pollution Control State and Areawide Water Quality Water Quality Management Planning Agency
- 66.451 Solid and Hazardous Waste Management Program Support Grants
- 66.452 Solid Waste Management Demonstration Grants
- 66.600 Environmental Protection Consolidated Grants Program Support Comprehensive Environmental Response, Compensation and Liability (Super Fund)

GENERAL SERVICES ADMINISTRATION

- 39.002 Disposal of Federal Surplus Real Property

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

- 14.112 Mortgage Insurance – Construction or Substantial Rehabilitation of Condominium Projects
- 14.115 Mortgage Insurance – Development of Sales Type Cooperative Projects
- 14.117 Mortgage Insurance – Homes
- 14.124 Mortgage Insurance – Investor Sponsored Cooperative Housing
- 14.125 Mortgage Insurance – Land Development and New Communities
- 14.126 Mortgage Insurance – Management Type Cooperative Projects
- 14.127 Mortgage Insurance – Mobile Home Parks
- 14.218 Community Development Block Grants/Entitlement Grants

- 14.219 Community Development Block Grants/Small Cities Program
- 14.221 Urban Development Action Grants
- 14.223 Indian Community Development Block Grant Program

DEPARTMENT OF INTERIOR

- 15.400 Outdoor Recreation – Acquisition, Development and Planning
- 15.402 Outdoor Recreation – Technical Assistance
- 15.403 Disposal of Federal Surplus Real Property for Parks, Recreation, and Historical Monuments
- 15.411 Historic Preservation Grants-in-Aid
- 15.417 Urban Park and Recreation Recovery Program
- 15.600 Anadromous Fish Conservation
- 15.605 Fish Restoration
- 15.611 Wildlife Restoration
- 15.613 Marine Mammal Grant Program
- 15.802 Minerals Discovery Loan Program
- 15.950 National Water Research and Development Program
- 15.951 Water Resources Research and Technology – Assistance to State Institutes
- 15.952 Water Research and Technology – Matching Funds to State Institutions

SMALL BUSINESS ADMINISTRATION

- 59.012 Small Business Loans
- 59.013 State and Local Development Company Loans
- 59.024 Water Pollution Control Loans
- 59.025 Air Pollution Control Loans
- 59.031 Small Business Pollution Control Financing Guarantee

DEPARTMENT OF TRANSPORTATION

- 20.102 Airport Development Aid Program
- 20.103 Airport Planning Grant Program
- 20.205 Highway Research, Planning, and Construction
- 20.309 Railroad Rehabilitation and Improvement – Guarantee of Obligations
- 20.310 Railroad Rehabilitation and Improvement – Redeemable Preference Shares
- 20.506 Urban Mass Transportation Demonstration Grants
- 20.509 Public Transportation for Rural and Small Urban Areas

*Numbers refer to the Catalog of Federal Domestic Assistance Programs, 1980 and its two subsequent updates.

2. State and Federal Actions and Programs Necessary to Further the LWRP

a. State Actions and Programs

OFFICE OF GENERAL SERVICES

- Prior to any development occurring in the water or on the immediate waterfront, OGS should be consulted for a determination of the State's interest in underwater or formerly underwater lands and for authorization to use and occupy these lands.

DEPARTMENT OF ENVIRONMENTAL CONSERVATION

- Planning, development, construction, or expansion of recreational facilities/projects located on the waterfront.
- Provision of funding for capital projects under the Clean Water/Clean Air Bond Act.
- Review of actions within National Register Districts pursuant to SEQR.

OFFICE OF PARKS, RECREATION, AND HISTORIC PRESERVATION

- Planning, development, construction, major renovation or expansion of recreational facilities or the provision of funding for such facilities.
- Provision of funding for State and local activities from the Land and Water Conservation Fund.
- Planning, development, implementation or the provision of funding for recreation services programs.
- Funding or partial funding of eligible activities through the Environmental Protection Fund (EPF) administered by the OPRHP – including the acquisition, development and improvement of parks and historic properties.
- Provision of funding for State and local historic preservation activities.
- Review of Type I actions within the National Historic Districts.
- Certification of properties within the National Register Districts.
- Nomination to State and Federal Register of Historic Places of structures and districts making them eligible for funding and tax incentives.

DEPARTMENT OF STATE

- Provision of funding for implementation of an approved LWRP
- Funding or partial funding of eligible activities through the Environmental Protection Fund (EPF) administered by the DOS.

COUNCIL ON THE ARTS

- Assistance from the Architecture and Environmental Arts program for a harborfront plan.

DEPARTMENT OF TRANSPORTATION

- Assistance for street repairs through the Consolidated Highway Improvements Program.

b. Federal Actions and Programs

DEPARTMENT OF DEFENSE

Corps of Engineers

A U.S. Army Corps of Engineers permit would be required for the following activities:

- Dredging and shoreline stabilization
- Repair or installation of boat ramps
- Installation of piers and marina-related facilities

ENVIRONMENTAL PROTECTION AGENCY

1. Review of any proposed action within a National Register District pursuant to NEPA

DEPARTMENT OF THE INTERIOR

National Park Service

2. Provision of funding under the Land and Water Conservation Fund Program.

SECTION VII

**CONSULTATION WITH OTHER AFFECTED FEDERAL, STATE,
REGIONAL AND LOCAL AGENCIES**

SECTION VII CONSULTATION WITH OTHER AFFECTED FEDERAL, STATE, REGIONAL AND LOCAL AGENCIES

As part of the preparation of Port Chester's Local Waterfront Revitalization Program, affected agencies, neighborhood communities, and the representatives of Port Chester's concerned citizens were consulted to assure that recommendations represented both what the people wanted and what was realistic given the existing resources.

State and National agencies contacted included:

- New York State, Department of State, Division of Coastal Resources and Waterfront Revitalization
- New York State, Office of Parks, Recreation and Historic Preservation
- New York State Department of Environmental Conservation
- U.S. Army Corps of Engineers

Westchester County agencies included:

- Westchester County Department of Environmental Facilities (re: Sewage Treatment Plant)
- Westchester County Department of Planning (re: Village GIS tax maps)

Neighboring communities contacted included:

- Town of Greenwich, Connecticut
- Town of Rye Tax Assessor's Office

Local agencies included:

- Village of Port Chester (Director of Planning and Development, Village Attorney, Village Manager's office)
- Village of Port Chester Waterfront Commission

Interviews with agencies were conducted to assure that there were no conflicts with other planning activities or environmental factors, as well as collecting data on which to base the plan.

In addition, the Draft LWRP was reviewed and approved by the Board of Trustees and forwarded to the New York State Department of State. The Department of State then initiated a 60-day review of the Draft LWRP pursuant to the Waterfront Revitalization of Coastal Areas and Inland Waterways Act and the State Environmental Quality Review Act. Copies of the Draft LWRP were distributed to all potentially affected State agencies, Westchester County and adjacent waterfront communities. Comments received on the Draft LWRP were reviewed by the Village and the Department of State, and changes made to the LWRP, as appropriate.

SECTION VIII

OBTAINING LOCAL COMMITMENT

SECTION VIII OBTAINING LOCAL COMMITMENT

A. Public Outreach

The LWRP was prepared in partnership with the New York State Department of State (DOS) and in accordance with regulations established by the DOS. The DOS initiated a review of the Draft LWRP by potentially affected State, Federal and local agencies to identify, and avoid, conflicts with existing projects, programs and policies.

In addition, the Village undertook efforts to gain public input and comment on the LWRP. In conjunction with BFJ Planning, the Waterfront Commission hosted two public workshops (see appendix for workshop summaries) and all drafts of the LWRP were made available on the Village's website.

B. LWRP Process

The Village of Port Chester received a grant from the DOS to prepare an update to its existing LWRP, which was originally adopted in 1992. This LWRP update has been prepared by the Village's planning consultant, BFJ Planning, with assistance from Village staff and the Waterfront Commission, which met during 2011 and 2012 to prepare the update to the 1992 LWRP, as follows:

- May 9, 2011
- June 21, 2011
- August 24, 2011
- September 21, 2011
- October 19, 2011
- November 17, 2011
- January 23, 2012
- February 16, 2012
- March 20, 2012
- April 11, 2012

The Village also hosted two public workshops, on October 25, 2011, and February 29, 2012, to present draft versions of the LWRP to the public and to solicit feedback.

Draft of portions of the LWRP were prepared and released in October of 2011 and February of 2012. Thereafter, the Board of Trustees declared itself Lead Agency, accepted the Draft LWRP and completed its SEQRA compliance by issuing a Negative Declaration pursuant to 6 NYCRR 617.7 in May 2012. (See Section IX for a discussion of the Village's SEQRA compliance.)

SECTION IX
SEQRA COMPLIANCE

SECTION IX SEQRA COMPLIANCE

Please see the attached Negative Declaration. TO BE COMPLETED.

Chapter 148. BOATING AND WATERCRAFT

[HISTORY: Adopted by the Village Board of the Village of Port Chester 7-6-1992 by L.L. No. 9-1992. Amendments noted where applicable.]

GENERAL REFERENCES

Rowboat stations and boat liveries — See Ch. [206](#), Art. [IX](#).
§ 148-1

Purpose.

The operation and mooring of vessels in the Byram River and Port Chester Harbor, being a matter affecting the public interest, is and should be subject to the regulatory and administrative controls hereinafter set forth. The purpose of this chapter is to reestablish standards, requirements and procedures for the safe and sanitary operation of vessels; mooring of vessels; and use, maintenance and management of marinas and marine structures.

§ 148-2

Definitions.

As used in this chapter, the following terms shall have the meanings stated after each such term:

CHANNEL

A federally or locally designated navigation accessway in the harbor.

HARBOR

All waters to the mean high water mark, within or bounding the Village, as such waters are designated on the Official Map of Port Chester which are located south and east of the mouth of the Byram River.

LITTER

Any garbage, refuse or rubbish and other waste material.

MARINA

Any public or private installation which provides accommodations or facilities for vessels, including mooring, docking, storing, leasing, sale or servicing of vessels within the River or harbor or uplands adjacent thereto, including yacht clubs, beach clubs, boatyards and any other installation providing for services or storage space for vessels.

MARINE STRUCTURES

Any boathouse, mooring and/or dock, or other structure in any waters within or bounding the Village to a distance of 1,500 feet from shore.

MEAN HIGH WATER

The average height of the high waters over a nineteen-year period immediately preceding the current year.

MOORING

The attachment of a vessel to a pier or dock or other structure or the attachment of a vessel to the ground or lands underwater by means of tackle so designed that, when such attachment is terminated, some portion of the tackle remains below the surface of the water and is not under the control of the vessel or its operator. The term "mooring" shall also include the placing of a vessel at anchor for more than 12 hours consecutively.

VESSEL

Any watercraft or other contrivance used or capable of being used as a means of transportation in the water.

§ 148-3**Operation of vessels.**

A.

Dangerous operation prohibited. No person shall operate a vessel at a speed greater than is reasonable and prudent or which unreasonably endangers the users of the Village waters under the conditions and having regard to the actual and potential hazards then existing.

B.

Speed limit. No vessel shall be operated by any person within the posted limits of the harbor at a speed in excess of five nautical miles per hour, nor shall any vessel be operated by any person within such limits so as to make dangerous wakes that have the potential to cause injury to persons on another vessel or to cause damage to another vessel, structure or shoreline.

C.

Identification. Vessel operators shall, at all times, identify themselves and produce the vessel's registration to Village, state and federal authorities upon request. Failure to produce such registration upon request shall be a violation of this section.

D.

Anchoring and mooring. No person shall anchor or moor any vessel in a channel within Village waters except in emergencies. Minor encroachments by vessels within the outer edge of the Byram River channel may be permitted on a seasonal basis for provided they are

removed on demand for dredging, bathymetric surveys and other public necessities, and do not impede navigation through the channel.

E.

Fishing. No person shall anchor to or fish from any vessel located in a channel.

F.

No person shall use or operate a vessel to tow a person on water-skis, boards, tubes or any other device through the water.

§ 148-4

Erection of marine structures.

Erection of marine structures requires a Village permit. The application process is set forth in §§ [148-13](#) through [148-15](#) of this chapter. The issuance of any necessary permits from the federal or state government, or any other regulatory authority, does not relieve any party seeking to erect a marine structure from the requirements of this chapter.

§ 148-5

Excavating, dredging or filling.

Excavating, dredging or filling in the Byram River and Port Chester Harbor are subject to the issuance of all necessary federal and state regulatory agency permits. All applicants are responsible for applying for all necessary federal and state regulatory agency permits and, at the same time, must submit one copy of the application package made to such agencies to the Village Building Department.

§ 148-6

Prohibition on littering and discharge of pollutants.

A.

Littering. No person shall place, throw, deposit or discharge or cause to be placed, thrown, deposited or discharged in to the harbor or river from any vessels, marina or from the shoreline any litter or any other materials including, but not limited to hydrocarbons, soapy and detergent waters which render the waters unsightly, noxious or otherwise detrimental to the public health or welfare, to marine, animal or plant life or to the enjoyment of the water for recreational purposes.

§ 148-7

Marina sanitation requirements.

A.

Litter receptacles at marinas. The owner or other person vested with the possession, management and control of a marina shall be required, under this chapter, to provide and maintain a sufficient number and selection of trash receptacles for the deposit of litter at locations where they are convenient to vessel users of such marinas.

B.

Toilet facilities at marinas.

(1)

The owner or other person vested with the possession, management or operation of a marina shall maintain suitable toilet facilities onshore for the accommodation of vessel users who are patrons of their marinas.

(2)

The owner or other person vested with the possession, management or operation of a marina accommodating 25 or more vessels with United States Coast Guard approved onboard marine sanitation devices shall install and maintain suitable vessel waste sewage and waste-pumping facilities onshore for the purpose of servicing vessels.

§ 148-8

Location of anchorage and moorings.

A.

Anchorage and mooring areas. The anchorage grounds for vessels in the water include the Byram River and Port Chester Harbor except those areas within the fairways and channels used for ingress to and egress from the Byram River and the Harbor. The Harbormaster is authorized to designate the areas within the harbor where vessels may be moored or placed at anchor.

B.

Location of moorings.

(1)

The location of all offshore moorings for vessels shall be designated by the Harbormaster.

(2)

No person shall moor a vessel in Village waters until its location and position have been approved by the Harbormaster.

(3)

The Harbormaster shall have authority, for reasons of safety or other documented reasons, to direct and order that the location or position of moorings be changed. Such notice shall be provided to the owner of the subject vessel and compliance shall be required within 10 days thereof.

Failure to comply with such direction or order of the Harbormaster shall be a violation of this section.

§ 148-9

Mooring permits.

A.

Permits required. No person shall moor, anchor or dock a vessel without a mooring permit, nor shall any person lay any mooring tackle, unless a permit is issued therefor and then only for the vessel specified in the permit and only at the location specified in the permit. The issuance of a mooring permit shall be evidenced by a decal, which shall be affixed to a vessel in accordance with section 148-9 C.

B.

Mooring permit process.

(1)

Any person desiring to procure a mooring permit shall file with the Harbormaster a written application upon a form furnished by the Village Clerk. Such application shall state the name, type, length and registration number, if any, together with such proof of ownership or right to use of the vessel as the Harbormaster may require. The annual administrative fee, as set forth in Village Code Chapter [175](#), Fees, shall accompany the application.

(2)

The Harbormaster has the authority to approve or deny each application for permit.

(3)

Mooring permits shall be issued only to the owner or lessee of the vessel to be moored. A marina may apply for all vessels moored at the marina provided the required information is given for all such vessels.

(4)

A mooring decal shall be issued upon the payment of an annual administrative fee for vessels moored offshore, irrespective of where moored and for vessels docked at private docks, marinas and clubs.

(5)

No licensed vessel shall exceed 24 feet in length and eight feet and six inches in width. For purposes of length, vessels shall be measured from bow to stern on a center line over the deck; for purposes of width, vessels shall be measured at their widest point. These maximum dimensions shall include any additional platform(s) or extensions that would increase the overall length or width of the vessel.

[Amended 3-6-2006 by L.L. No. 3-2006]

(6)

There shall be a charge as set forth in Chapter [175](#), Fees, for the issuance of a duplicate decal to replace a lost or misplaced decal.

(7)

Requests for a new mooring permit may be filed with the Village Clerk at any time specifying the type and size of the vessel for which the mooring permit are requested. After February 15, the last day for filing applications for renewal of mooring tackle may be forwarded to those persons who have requested the same as space is available for the type and size of vessel for which mooring tackle and buoy space has been requested. Within the limits of type and size of vessels, priority will be given in the forwarding of applications for permits in the order in which requests for such permits have been filed and accepted as complete by the Harbormaster.

(8)

One mooring tackle and buoy space shall be allotted any one vessel.

C.

Display of permit. The mooring permit decal issued pursuant to this Chapter [148](#) shall be conspicuously displayed on the exterior port side of said vessel and only on the particular vessel for which an application is on file.

D.

Transfer of permit.

(1)

Mooring permits are not transferable or assignable from person to person or vessel to vessel, except as herein provided. Subject to the consent of the Harbormaster and upon payment of a fee as set forth in Chapter [175](#), Fees, the holder of a permit may exchange such permit with the holder of another permit so as to allow an exchange of locations between such two holders. The holder of a permit may substitute another vessel of which such holder is the owner or lessee for the vessel originally specified in such mooring permit, provided that the Harbormaster approves such substitution upon written application therefore.

(2)

In the event that a holder of a mooring permit sells his vessel while the permit is still in force, he shall immediately notify the Village Clerk in writing. The party holding such mooring permit shall cause the decal to be removed prior to the vessel's delivery to the purchaser.

(3)

It is a violation of this section for any person issued a permit to transfer or cause to be transferred such permit to any other person or vessel. This violation shall apply to both the person so transferring and person so receiving or benefiting from the transfer.

E.

Renewal of permit. Priority will be given in the issuance of permits to those persons applying for the renewal of permits granted in the preceding year. The applicant shall file with the Village Clerk renewal application for such a permit on or before February 15 of the year for which the permit is to be effective. The Harbormaster reserves the right to reassign space based upon availability and size of vessel. The prescribed fee for the renewal of the necessary permit shall be paid at the time application is filed. In the event any permit holder fails to file a renewal application with the Harbormaster by 5:00 p.m. of the last business day on or before February 15 of the year in question, said party shall forfeit the priority for a renewal permit as provided in this section and must make a new application for any such permit.

§ 148-10

Method of mooring.

A.

Mooring buoys must be clearly and permanently marked, in the manner prescribed by the Harbormaster, with the owner's name or mooring permit number. Winter buoys, when used, must be similarly marked.

B.

If a mooring buoy or winter buoy becomes a hazard to navigation, the Harbormaster may, at the owner's expense, without previously notifying the owner, remove the buoy and drop the chain to the bottom. In such instances, the Harbormaster, the Village, or other agent of the Village shall not be responsible for loss of the mooring or mooring tackle.

C.

Multiple vessels on mooring buoys. No person shall moor more than one vessel to any single mooring buoy, nor shall any other floating object be secured to a mooring buoy by any person without the advance permission of the Harbormaster.

§ 148-11

Responsibilities of mooring tackle and buoy owners.

A.

Permit holder. The permit holder shall be responsible for compliance with all the provisions of this chapter and shall be subject individually to the penalties provided for any violation of this chapter.

B.

Maintenance of mooring buoy equipment shall be maintained in good condition to prevent the moored vessel from breaking adrift and damaging other vessels and property and endangering public safety. Whenever a mooring buoy is exchanged in accordance with this chapter, the mooring buoy tackle shall be raised and inspected before another vessel is placed on that mooring buoy. Mooring buoy tackle found to be in poor condition will not be reset until it has been made safe by the owner or his agent. This section shall not apply to mooring buoy tackle, which has been installed or raised and inspected during the season for which the current mooring buoy permit has been issued. Mooring buoy tackle must be raised and inspected every three years, and defective parts must be replaced.

C.

Responsibility of owner upon expiration or revocation of mooring permit. Mooring buoy tackle in a space for which a permit has expired and for which a renewal application has not been received shall be removed by the owner. If such tackle is not removed by May 1, the Harbormaster may remove it or have it removed and hold the same until the cost of such removal is paid. Mooring buoy tackle in a space for which a permit has been revoked shall be removed within 10 days of notification of revocation.

D.

Unauthorized mooring tackle and buoys. Failure of an owner to remove unauthorized mooring tackle and buoy, including one for which no permit has been issued, may result in the owner being assessed for charges of mooring tackle and buoy removal, fined as defined in this chapter and subjected to liability for obstruction to navigation pursuant to § [148-16](#) of this chapter.

§ 148-12

Removal of moorings, recordkeeping and other harbor-related regulations.

A.

Record of mooring. The Harbormaster or the Village Clerk shall record in a proper register the location and the names, length, draft, beam and type of all vessels moored in the harbor, as well as the names and addresses of the owners of all such vessels, and the position of each approved mooring shall be noted upon a map or chart of the harbor. Such records, maps and

charts shall be kept at the office of the Village Clerk.

B.

Inspection of vessels. The Harbormaster, Assistant Harbormaster or a Police Officer, while on duty, may enter and survey all vessels within Village waters for the purpose of determining compliance with the Navigation Law of the State of New York and with this chapter.

C.

Revocation of permits. All permits may be revoked by the Harbormaster, with the approval of the Village Manager for any violation of this chapter or any regulation promulgated by any applicable state or federal law.

D.

Removal of vessels. The Harbormaster may remove unattended vessels from their mooring or anchorage location in order to protect life or property.

E.

If directions given by the Harbormaster, with the approval of the Village Manager, with respect to removing unauthorized moorings or changing the location of existing moorings, shortening of mooring chains, cables or ropes or with respect to other provisions of this chapter are not complied with within 10 days after notice of such directions has been given as herein provided, the Harbormaster, with the approval of the Village Manager, may cause such moorings to be removed or changed or may drop the same to the bottom. The cost of such removal, change or dropping will be assessed against the owner of the vessel and an action therefor may be instituted in the Village Court. Whenever the Harbormaster shall be unable to find the owner of a vessel mooring or any agent or person in possession, charge or control thereof, upon whom notice may be served, he shall address, stamp and mail such notice, by certified mail, to such person at this last known address and, in addition thereto, shall, during the notice period, attach said notice to the subject vessel.

F.

Any vessel or marine structures or parts thereof, including moorings, which become a menace to navigation or a danger to life, property or the environment, which is unseaworthy or sinks to the bottom or is run aground or otherwise becomes disabled shall be removed by the owner or person in charge thereof within 10 calendar days of issuance of an order to correct said hazard by the Harbormaster. If such menace to navigation and/or safety is not removed or corrected within 10 calendar days as aforesaid, it may be removed or corrected by the Harbormaster or at his direction and the cost thereof shall be charged against said owner or person in charge of said navigation hazard. Nothing herein contained shall

prevent the Harbormaster from taking such immediate action as he deems necessary for the protection of life, property or environment.

§ 148-13

Permit process for construction or reconstruction in Village water.

A.

Construction or reconstruction, as defined in Subsection **B** hereof, is prohibited unless the party seeking to perform the same obtains a permit with respect to the same.

B.

An application for a permit for the construction or reconstruction, as defined herein, of a marine structure within the harbor shall be referred by the Building Inspector to the Waterfront Commission within five days of the date of the application, provided that it appears to conform, in all respects, to all other applicable laws. For the purpose of this section, "construction" and "reconstruction" shall mean any new manufacture of any value or the addition to or alteration of any existing marine structure where the estimated cost is more than \$2,000. "Addition," "alteration" or "erection" as used herein shall refer to activity respecting a single project or collectively for any projects or portions thereof, over a one-year period, which relate to any marine structure under common ownership.

C.

Notwithstanding the provisions of the above Subsection **B**, an application for a permit shall be filed for a construction or reconstruction which results in a changed configuration to an existing marine structure or which the Waterfront Commission determines may result in an interference with navigation within the harbor.

D.

Existing marine structures that do not possess a marine structure permit shall apply for a permit from the Waterfront Commission. Submission of a copy to the Waterfront Commission of a valid federal (Army Corps of Engineers) permit for the structure may satisfy this requirement.

§ 148-14

Consideration of application.

The Waterfront Commission may approve, disapprove or approve with condition, any application for a permit referred to it, provided that such action shall be by the majority vote of Commission members present. In

case of disapproval, the Commission shall find that the marine structure for which the permit was applied would, if erected, be detrimental to the desirability or development of the harbor by reason of:

A.

Method and manner of construction: unsuitable materials, methods or design which can be reasonably expected to result in a marine structure that may fail to accomplish its stated and intended purpose or will present a safety hazard to any person utilizing the harbor for commercial or recreational pursuits.

B.

Inappropriateness of marine structure: inappropriate size, design or material which will result in a marine structure that is ill-suited or ill-adapted and will conflict with the lawful use of any existing marine structure in the harbor or any land-based structure located within 500 feet.

C, Siting of the marine structure: location of a marine structure such that it lies within the lines of a channel or which would result in vessels moored to the structure lying within the lines of a channel. Minor encroachments may be permitted provided the structure is a floating structure for seasonal use and which is removable for channel maintenance and does substantially not interfere with navigation through the channel.

§ 148-15

Action on application and appeal process.

A.

The Building Department shall refuse any permit application disapproved as provided in § [148-14](#). Failure on the part of the Waterfront Commission to act on any permit application referred to it under this chapter within 90 days from the date of receipt of the application by the Waterfront Commission from the Building Department shall be deemed to constitute approval, unless the time limit is extended by stipulation with the applicant.

B.

The Building Department shall forthwith issue an order to stop all work of construction or reconstruction of any marine structure if an applicant proceeds after the application has been disapproved by the Commission or if the applicant proceeds in a manner inconsistent with the conditions or specifications under which the Commission approved the application.

C.

Any person aggrieved by the action of the Waterfront Commission on

approving or disapproving a permit application may take an appeal there from to the duly constituted Zoning Board of Appeals of the Village of Port Chester in the same manner as is provided for zoning appeals, and such Board of Appeals, after proceeding in the same manner as is provided for zoning appeals and with the same power and authority therein vested in passing upon appeals before it under the provisions of law and Chapter 98, Zoning, of the Village of Port Chester Code and in the exercise thereof may reverse or affirm the action of the Waterfront Commission.

§ 148-16

Enforcement generally; penalties for offenses; additional regulations.

A.

Enforcement. The enforcing authority of this chapter shall be the Harbormaster, the Assistant Harbormaster and any member of the Police Department of the Village of Port Chester.

B.

Penalties for offenses.

(1)

Any person who has been determined to be in violation of any of the foregoing provisions of this chapter may, upon conviction, be punished by a fine not exceeding \$250 or imprisonment not exceeding 15 days, or both, for each and every day in violation.

(2)

In addition, any person who has been convicted of a violation of § [148-9D\(3\)](#) herein shall have any current permits revoked and may not be permitted to apply for or to receive permits for two years.

C.

Appeals. The Zoning Board of Appeals of the Village of Port Chester shall be empowered to hear and decide appeals from and reviews of any order, requirement, decision or determination made by the Village of Port Chester Harbormaster with respect to the issuance or revocation of mooring permit as provided for in this chapter.

(1)

Request for hearing. Upon the denial of a permit by the Harbormaster in connection with the issuance of a mooring permit or upon the issuance of a notice of revocation of any such permit, the aggrieved applicant may, within five days after receiving written notice from the Harbormaster or the Village Clerk, file an appeal, in writing, in the office of the Village Clerk, requesting a review of any such determination by the Harbormaster. The Zoning

Board of Appeals shall hear and decide such appeals and may reverse or affirm, wholly or partly, or may modify the determination appealed from and/or make such determination and order which, in its opinion, should be made under the circumstances.

(2)

(Reserved)

Editor's Note: Former Subsection C(2), Filing fee, was repealed 11-3-1997 by L.L. No. 17-1997.

(3)

Hearing. Upon receipt of a request for a hearing as provided above, the Clerk of the Zoning Board of Appeals shall set a time and place for a public hearing. Such hearing shall commence no later than 30 days after the date on which the request was filed, unless an extension of said time period is agreed upon by both the Zoning Board of Appeals and the aggrieved party. Failure by the Zoning Board of Appeals to commence said hearing within the above-specified time period shall not be deemed to constitute approval of such request if good and sufficient reason exists.

(4)

Conduct of hearing. The applicant, or his representative, shall be given an opportunity to show cause why such decision by the Harbormaster should be modified or withdrawn. The burden of proof in this regard shall be upon said applicant, or his representative, who shall be required to demonstrate by a fair preponderance of the evidence that the Harbormaster's decision should be withdrawn or modified.

(5)

Findings. Upon consideration of the evidence presented, the Zoning Board of Appeals shall sustain, modify or withdraw the Harbormaster's decision.

D.

Adoption of administrative regulations. In the event administrative regulations are required for the safe and efficient maintenance of the harbor and related moorings and float facilities, the Waterfront Commission shall prepare regulations with respect to the same and submit them for approval as follows:

(1)

Any proposed administrative regulation relative to this chapter shall be submitted to and reviewed by the Harbormaster and the Village Manager.

(2)

Any proposed administrative regulation relative to this chapter shall be approved by the Village Board of Trustees.

(3)

After being approved by the Village Board of Trustees, said regulation shall be published in the manner required by law and shall be enforced by the Harbormaster.

Chapter 332. WATERFRONT CONSISTENCY REVIEW

[HISTORY: Adopted by the Village Board of the Village of Port Chester 7-6-1992 as L.L. No. 8-1992. Amendments noted where applicable.]

GENERAL REFERENCES

Building and fire prevention — See Ch. 151.

Land Subdivision Regulations — See Ch. A402.

§ 332-1. Title.

This chapter will be known as the Village of Port Chester "Waterfront Consistency Review Law."

§ 332-2. Authority and purpose.

A. This chapter is adopted under the authority of the Municipal Home Rule Law and the Waterfront Revitalization of Coastal Areas and Inland Waterways Act (Article 42 of the Executive Law).

B. The purpose of this chapter is to promote the health, safety and general welfare of the people of the Village of Port Chester by providing consistency review procedures for implementation of the Village of Port Chester Local Waterfront Revitalization Program by incorporating environmental factors and consideration of coastal resources into Village planning and decision-making processes.

§ 332-3. Applicability.

All boards, departments, offices, other bodies or officers of the Village of Port Chester to which the provisions of this chapter are applicable, prior to carrying out, approving or funding any action other than Type II, Exempt or Excluded actions, as those terms are defined in Part 617 of Title 6 of the Official Compilation of Codes, Rules and Regulations of the State of New York.

§ 332-4. Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

ACTIONS

Either Type I or unlisted actions as defined in the State Environmental Quality Review Act (SEQR), 6 NYCRR Part 617, which are undertaken by an agency and which are:

A. Projects or physical activities, such as construction or other activities, which change the use or appearance of any natural resource or structure, which:

(1) Are directly undertaken by an agency;

(2) Involve funding by an agency; or

(3) Require one or more permits or approvals from an agency or agencies.

B. Agency planning and policymaking activities that commit the agency to a course of future decisions.

C. Adoption of agency rules, regulations and procedures including local laws and resolutions.

D. Combinations of the above.

AGENCY

Any board, agency, department, office, other body or officer of the Village of Port Chester.

COASTAL AREA

The New York State coastal waters and adjacent shorelands as defined in Article 42 of the Executive Law. The boundaries of the Village's Coastal Area are coincident with the Village's municipal boundary as shown on the Coastal Area Map on file in the office of the Secretary of State and as delineated in the Village of Port Chester Local Waterfront Revitalization Program.

COASTAL ASSESSMENT FORM (CAF)

The form used by an agency to assist it in determining the consistency of an action with the Local Waterfront Revitalization Program.

CONSISTENT

The action will be fully in compliance with and not hinder any of the Village of Port Chester LWRP policy standards and conditions.

LOCAL WATERFRONT REVITALIZATION PROGRAM (LWRP)

The Local Waterfront Revitalization Program of the Village of Port Chester, as approved by the Secretary of State pursuant to the Waterfront Revitalization of Coastal Areas and Inland Waterways Act (Executive Law Article 42), a copy of which is on file in the office of the Clerk of the Village of Port Chester.

§ 332-5. Waterfront Commission.

A. A Commission is created and shall be hereafter known as the "Waterfront Commission of the Village of Port Chester" (hereinafter "Commission").

B. The Commission shall consist of five members, all residents of the village and who shall be appointed by the Board of Trustees. Commission members shall serve for terms of four years with the exception of the original appointive members of the Commission, who shall serve as follows: two members shall hold office for terms of one year, two members for terms of two years, two members for terms of three years and one member for a term of four years. Vacancies shall be filled by the Board of Trustees by appointment for the unexpired term.

The position of Chairperson shall be appointed by the Board of Trustees. In addition, there shall be an alternate member who shall be appointed for a term of four years and who shall sit in the place of any absent member, and while so doing shall have all of the rights, powers and duties of such member.

[Amended 6-2-1993 by L.L. No. 7-1993; 10-20-2003 by L.L. No. 8-2003]

C. Each appointed member shall be chosen for their demonstrated knowledge, ability and readiness to serve on the Commission in the functions described in this chapter and with due regard for maintaining among the membership a range of special aptitudes, expertise and viewpoints in areas relevant to the work of the Commission.

[Amended 10-20-2003 by L.L. No. 8-2003]

D. The Commission may employ such persons as may be needed and as authorized by the Village Board and pursuant to law. This Commission shall have the power to adopt rules of procedure for the conduct of all business within its jurisdiction.

E. Following adoption of the LWRP, the Commission shall develop a set of regulations and review standards for waterfront operations and pier, wharf, dock or other construction on or in the waters of the Village coastal area for submission to the Village Board for approval. Upon approval, these shall become a part of Chapter 148, Boating and Watercraft, of the Village Code and will be binding upon property owners and developers who have applied for building permits for waterfront property.

F. The Commission shall serve without compensation and shall be charged with the duties as set forth in this chapter.

§ 332-6. Review of actions.

A. Whenever a proposed action is located in the Village's coastal area, an agency shall, prior to approving, funding or undertaking the action, make a determination that it is consistent with the LWRP policy standards and conditions set forth in Subsection G of this section.

B. Actions identified as Type II, Excluded or Exempt, pursuant to SEQR, 6 NYCRR Part 617, are deemed consistent and require no further review under this chapter.

C. Whenever an agency receives an application for approval or funding of an action or as early as possible in the agency's formulation of a direct action to be located in the Village's coastal area, the applicant or, in the case of a direct action, the agency, shall prepare a Coastal Assessment Form (CAF) to assist with the consistency review.

D. The Coastal Assessment Form and all other plans, details, specifications or other material necessary to make a full and complete consistency review shall be immediately forwarded,

upon receipt by the agency, to the Waterfront Commission for consideration at their next regular scheduled meeting.

E. After referral from an agency, the Waterfront Commission shall consider whether the proposed action is consistent with the LWRP policy standards and conditions set forth in Subsection H of this section.

F. Referrals to the Waterfront Commission shall be made at least 10 days prior to the Commission's regularly scheduled meeting. Referrals received after the ten-day submission period will be placed on the following month's agenda.

G. Recommendation of Commission.

(1) The Waterfront Commission shall render its written recommendation to the agency within 15 business days following the regularly scheduled meeting. The recommendation shall indicate whether, in the opinion of the Commission, the proposed action is consistent or inconsistent with one or more of the LWRP policy standards or conditions. The recommendation shall state the manner and extent to which any inconsistency affects the LWRP policy and standards and conditions.

(2) The Waterfront Commission shall, along with its consistency recommendation, make any suggestions to the agency concerning modification of the proposed action to make it consistent with LWRP policy standards and conditions or to greater advance them.

(3) Failure by the Waterfront Commission to make a recommendation upon a referral within the five-day time period shall not preclude the agency from making its consistency determination for the action.

H. The agency shall make the determination of consistency based on the CAF, the recommendation of the Commission and such other information as is deemed to be necessary in its determination. The agency shall issue its determination at its next scheduled meeting following the receipt of the Waterfront Commission's recommendation. If the Commission's recommendation is that the action would be inconsistent and the agency determines that it is consistent, the agency must make a detailed written account describing why its determination disagrees with the recommendation.

I. Actions to be undertaken within the Village's coastal area shall be evaluated for consistency in accordance with the following LWRP policy standards and conditions, which are derived from and further explained and described in Section III of the Village of Port Chester LWRP, a copy of which is on file in the Village Clerk's office and available for inspection during normal business hours. Agencies which undertake direct actions shall also consult with Section IV of the LWRP in making their consistency determination. The action shall be consistent with the policy to:

- (1) Foster a pattern of development in the Port Chester coastal area that enhances community character, preserves open space, makes efficient use of infrastructure, makes beneficial use of a coastal location and minimizes adverse effects of development (Policy 1).
- (2) Preserve historic resources of the Port Chester coastal area (Policy 2).
- (3) Enhance visual quality and protect scenic resources throughout the Port Chester coastal area (Policy 3).
- (4) Minimize loss of life, structures and natural resources from flooding and erosion (Policy 4).
- (5) Protect and improve water quality and supply in the Port Chester coastal area (Policy 5).
- (6) Protect and restore the quality and function of the Port Chester coastal area ecosystem (Policy 6).
- (7) Protect and improve air quality in the Port Chester coastal area (Policy 7).
- (8) Minimize environmental degradation in Port Chester's coastal area from solid waste and other hazardous substances and wastes (Policy 8).
- (9) Provide for public access to, and recreational use of, coastal waters, public lands and public resources of Port Chester's coastal area (Policy 9).
- (10) Incorporation of a public pedestrian walkway along the waterfront shall be included as part of development or redevelopment of waterfront parcels wherever practicable (Policy 9A).
- (11) Protect Port Chester's water-dependent uses and promote siting of new water-dependent uses in suitable locations (Policy 10).
- (12) Promote sustainable use of living marine resources in Long Island Sound and the Byram River (Policy 11).
- (13) Promote appropriate use and development of energy and mineral resources (Policy 13).

J. Exceptions to standards.

(1) If the agency determines that the action would cause a substantial hindrance to the achievement of the LWRP policy standards and conditions, such action shall not be undertaken unless the agency determines with respect to the proposed action that:

(a) No reasonable alternatives exist which would permit the action to be undertaken in a manner which will not substantially hinder the achievement of such LWRP policy standards and conditions.

(b) The action would be undertaken in a manner which will minimize all adverse effects on such LWRP policy standards and conditions to the maximum extent practicable.

(c) The action will advance one or more of the other coastal policies.

(d) The action will result in an overriding Village, regional or statewide public benefit.

(2) Such finding shall constitute a determination that the action is consistent.

K. Each agency shall maintain a file for each action made the subject of a consistency determination, including any recommendations received from the Commission. Such files shall be made available for public inspection upon request.

§ 332-7. Coordinated review required.

Where there is a conflict or discrepancy in the application, interpretation or effect of the provisions of this chapter with any other law, rule or regulation of the Village, the provisions of this chapter shall govern.



VILLAGE OF PORT CHESTER
LOCAL WATERFRONT REVITALIZATION PROGRAM

COMPENDIUM of edits to January 2013 LWRP Public Hearing Draft

PUBLIC HEARINGS HELD – January 22, 2013

February 4, 2013

10-DAY WRITTEN COMMENT PERIOD – Closed February 15, 2013

This compendium reflects public comments received during the Public Hearings, held on January 22, 2013 and February 4, 2013, and through the ten-day written comment period, extending until February 15, 2013. All edits in red text have been incorporated into the final February 15, 2013 draft Local Waterfront Revitalization Program (LWRP) document for Board of Trustees consideration.

Prepared By:

Christopher Gomez, Director of Planning & Zoning

Jesica Youngblood, Planner

**VILLAGE OF PORT CHESTER
LOCAL WATERFRONT REVITALIZATION PROGRAM (LWRP)**

~~January-February~~ 2013 Draft

**Prepared on behalf of:
Village of Port Chester, NY**

**Prepared by:
BFJ Planning
115 Fifth Avenue
New York, NY 10003**

Acknowledgments:

Village Board of Trustees

Dennis Pilla, Mayor
Daniel Brakewood
Joseph Kenner
John Branca
Saverio Terenzi
Luis Marino
Bart Didden

Village of Port Chester Waterfront Commission

Gene Ceccarelli, Chairman
John Hiensch
Mike O'Connor
Tav Passerelli
Alejandro Payan

Peter Pascale, former Chairman
Mary Kelley, former member

Village of Port Chester Staff

Christopher Steers, Village Manager
Anthony Cerreto, Village Attorney
Christopher Gomez, ~~Village Planner~~ Director of Planning and Development
Jesica Youngblood, Village Planner
Patrick Cleary, Village Planning Consultant
Dolph Rotfeld, P.E., Village Consulting Engineer
Janusz Richards, Village Clerk

BFJ Planning Team

Frank Fish, FAICP, Principal
Susan Favate, AICP, PP, Senior Associate
Joanna Todaro, Planner
Charles McCaffrey, Consultant, Former Chief of Local Waterfront Revitalization Programs
Jonathan Martin, Ph.D., Urban Design
Winnie Liu, Graphic Design

This document was prepared for the New York State Department of State with funds provided
under title 11 of the Environmental Protection Fund

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(~~January-February~~ 2013 Draft)

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B. THE LOCAL WATERFRONT REVITALIZATION PROGRAM IN PORT CHESTER

Port Chester's first LWRP was prepared as a comprehensive, long-range guide to the future development of the Village's waterfront, and was adopted by the Village Board of Trustees and approved by the New York State DOS in 1992. Since the adoption of the original LWRP, the Village has grown by more than 3,500 residents and has experienced land-use issues within the waterfront area. This updated LWRP is necessary to reflect existing conditions; update graphic elements; and outline policies that both reflect those of the Long Island Sound Coastal Management Program and that will shape future waterfront planning by addressing the key issues of development pressure, population growth and cultural diversification.

In addition, Port Chester ~~is nearing completion of an update to its~~ recently adopted its first ever Comprehensive Plan in December 2012; the ~~visioning process for that~~ plan has identified the need for:

- Updated land-use regulations to utilize the waterfront as an opportunity for economic development
- Continued improvement and protection of the waterfront for appropriate public and private use
- Protection of environmentally significant and sensitive areas such as the Byram River

The Village began the process of updating its LWRP in June 2011, with the existing Waterfront Commission – which is tasked with reviewing land-use actions to determine consistency with the existing LWRP – acting as a steering committee. The Commission met regularly during 2011 and 2012 to prepare the update, and the Village hosted two public workshops to present draft versions of the updated LWRP and to solicit feedback.

C. LOCAL AND REGIONAL SETTING

1. Location

The Village of Port Chester is located along the Byram River in the southeastern portion of Westchester County, New York, bounded on the south by Long Island Sound and the City of Rye; on the north and west by the Village of Rye Brook and on the east by the Town of Greenwich, Connecticut (see Figure 1: Regional Map). Port Chester is within a densely developed metropolitan area, approximately 20 miles northeast of New York City, and at the junction of two major regional highways, Interstates 95 and 287, providing easy access throughout the Tri-State area of New York, New Jersey and Connecticut. In addition, U.S. Route 1 and Metro-North Railroad's New Haven line pass through the Village center and the Local Waterfront Revitalization Area (see Figure 2: Local Map).

Port Chester was incorporated as a Village within the Town of Rye in 1868, and its key industries have evolved over time from shipping to manufacturing, and now the service industry. Between 1990 and 2010, the Village's population increased more than 17%, from 24,728 to 28,967 people, and residents of Hispanic origin now comprise 59% of the

- e. Brooksville Subarea: This subarea is a narrow strip of land, primarily one lot deep, between North Main Street and the Byram River, with the Putnam Avenue Bridge at the north and the Metro-North overpass at the south end.

C. LAND USE AND DEVELOPMENT

The following is a generalized description of the land and water uses and the built character of the LWRP area, by subarea. The land use patterns are illustrated on Figure 5.

- Greyrock is an attractive, stable neighborhood of approximately 50 single-family houses built on the site of a large estate which was subdivided in the 1930s. The neighborhood faces onto the harbor on the east and is separated from the rest of the Village by the New England Thruway on the west. In character, Greyrock is similar to adjacent neighborhoods in Rye, immediately south. There are no plans for changes in this area in the foreseeable future.
- The New England Thruway defines the western border of the Fox Island subarea. This subarea presently contains the Village Department of Public Works and the Port Chester Yacht Club on 11 Village-owned acres. The Fox Island peninsula also houses the Westchester County Port Chester Wastewater Treatment Plant, industrial plants, an oil tank facility (not in use), and a former seafood restaurant (currently vacant). Additionally, currently one or more commercial fishing vessels operate from the shore.
- The Columbus Park/Purdy Avenue Subarea contains a mix of older single-, two- and multifamily residential buildings, and commercial, light industrial and institutional buildings. The uses along Fox Island Road, Nicola Place, Central Avenue and Grace Church Street are almost entirely residential and separated from streets east and north by a steep hill and lack of through streets. The upland areas contain some deteriorated residential, automotive and industrial shops, junkyards and a large block of warehouses. Along the riverfront are an asphalt plant and concrete plant, and in the southeast of the subarea is Columbus Park, occupying 9.4 acres. The park includes a soccer field, parking, playgrounds, a water feature, picnic pavilion, and basketball and volleyball courts. The waterfront is currently inaccessible from the park.
- The Downtown Subarea encompasses all of the riverfront in the Village's central business district, as well as a substantial portion of the downtown. The LWRP boundary of this subarea extends from the riverfront to the railroad right-of-way, and includes the most active commercial area of the traditional downtown, approximately four blocks along North Main Street and the Waterfront at Port Chester shopping center. East of Abendroth Avenue, the riverfront is lined with a large parking lot and landscaped area, a public marina facility, a small number of commercial uses and generally underutilized industrial buildings. The Mill Street Bridge connects Port Chester to the small commercial center of Greenwich, Connecticut. One block west of this subarea is the Port Chester railroad station.

- The Brooksville subarea is the neighborhood bordering the river north of the downtown. The LWRP subarea is a narrow strip running along North Main Street, paralleling the river, to the Putnam Avenue Bridge which crosses the river into Greenwich. This area is characterized by mixed land uses on small, shallow lots which back onto the Byram River. Generally, the condition of the properties is good, but there is an incompatibility among older residential and newer commercial uses. The subarea includes the William James Memorial Park and a restored pumphouse at the north end. West of Main Street in Port Chester and also on the east side of the narrow Byram River in Greenwich are stable, pleasant residential neighborhoods.

1. Underutilized, Abandoned or Deteriorated Sites

Much of the waterfront area within the LWRP is underutilized. In the most severe cases, such as the Fox Island peninsula and the downtown blocks east of Abendroth Avenue, old industrial uses that formerly occupied those sites are gone. The former area is a storage and leaf mulch site for the Department of Public Works. The latter is a large parking lot owned by developer G&S and leased to the Village, and does not appear to be used at full capacity.

Underutilized Areas are identified on Figure 6. Although most land within the LWRP is put to some use, in many cases it is underutilized for economically marginal purposes or by uses that located there because the land was inexpensive and industrially zoned. Many structures, including houses, warehouses and the industrial buildings, are old and deteriorated and date from a period when the waterfront was commercially active. Many of these structures are not well-built, and it is likely that building regulations on the waterfront were never well controlled.

A significant concentration of underutilized lots is in the Columbus Park/Purdy Avenue subarea; at least 10 individual sites have been identified that are underutilized or vacant. While the Fox Island subarea does not appear to have as great a number of vacant or underutilized lots, many large uses in this area are not considered optimal for waterfront land. One example is the Village's Department of Public Works. The facility covers approximately 75% of the Fox Island peninsula and includes garages, an abandoned incinerator, outdoor storage of vehicles, machinery and materials, windrows of leaves, and a closed landfill. The site is kept locked during normal business hours, except for security purposes, further limiting its public accessibility. The remaining parcels primarily include light industrial uses which are not water-dependent nor the best use of waterfront property. Taken as a whole, the peninsula is an underutilized area. The two coves north and south of the I-95 overpass are vacant and largely inaccessible, and the area east of the highway is occupied by the sewage treatment plant.

The neighborhood between Purdy and Westchester Avenues, east of Traverse Avenue, is a mix of residential and underutilized lots. These lots include vehicle storage, industrial uses, and automotive service stations, many of which are deteriorated. West of Traverse Avenue is the large commercial development, The Waterfront at Port Chester, located along South Main Street, bordered by Purdy Avenue to the South and Westchester Avenue to the north and east.

In addition to these industries, two marinas are also included in the water-dependent category. The Port Chester Yacht Club, located at the mouth of the Harbor at the end of Fox Island Road, leases space for approximately 118 boaters. The Port Chester Municipal Marina, located near the municipal parking lot off of Abendroth Avenue in downtown Port Chester, provided tie-ups for another 59 boats for the 2011 season. In recent years, the municipal marina has accommodated between 78 and 89 boat slips; the low number in 2011 reflects space limitations caused by the collapsed section of bulkhead. The Village estimates the capacity for approximately 150 boat slips at the municipal marina once the bulkhead situation is resolved. Also, an unknown number of large boats are kept on moorings in the Port Chester Harbor. In the past, this number totaled nearly 40 boats, but current monitoring and oversight of these moorings is not in place, and an accurate count is not available. Dockage for recreational boating exists as an accessory use at several properties along the Byram River.

Some commercial fishing vessels operating in Long Island Sound use dock facilities in Port Chester, but commercial fishing within the ~~village-Village~~ itself does not appear to be present. Some recreational fishing still occurs off the Mill Street Bridge and at the mouth of the Byram River.

In addition to water-dependent uses, there are water-enhanced uses including the William James Memorial Park, waterfront restaurants, and the public walkway and park adjacent to the Waterfront at Port Chester shopping area. All of these uses benefit, to varying degrees, from the proximity to the water. See Figure 7.

Based on the information above, it can be summarized that the water-dependent potential of the waterfront as a whole is significantly underutilized. Port Chester's designation as a maritime center is the first step in an effort to foster development of new water-dependent uses and better protect those that already exist.

b. Harbor Management

i. Shoreline Uses

Most of the Byram River and the Port Chester Harbor shoreline of the Village of Port Chester are characterized by water-dependent recreational, industrial or public uses. For the most part, these uses encompass a fairly narrow band of shoreline land and water. The two extremes of the waterfront, the river above Highland Street and the Greyrock neighborhood, contain no water-dependent uses. See Figure 7 and Figures 8-11, which provide for reference aerial photos, moving south to north, of the Village waterfront. The text following the figures describes the uses for each section of the waterfront.

along the shoreline. In many instances, moored boats and portions of the docks that line the shore extend into the channel. Currently, there are no funds available for the dredging of the channel.

iv. The Water Boundary

The Village has jurisdiction related to navigation and all issues pertaining to harbor management to a distance of 1,500 feet from shore. This jurisdiction is based on Article 46a of the Navigation Law and Article 42 of the Executive Law. In the Byram River, the jurisdiction is much less, because of the width of the river and the New York and Connecticut State line. The state line does not follow the center line of the river but varies in its proximity to the New York or Connecticut shore. Above the railroad bridge, the boundary is closer to the New York shore, and from there to Highland Street it generally follows the middle of the river. Opposite the downtown area, it is closer to the Connecticut side and then generally follows the middle of the river to Purdy Avenue. The Connecticut line comes close to the New York shore near the southern end of Fox Island and runs parallel to the Port Chester Yacht Club dock lying just beyond any boats moored at the dock. Close cooperation with Connecticut is therefore necessary for effective harbor management.

v. Harbor Regulations

Vessel operation is primarily regulated by the provisions of the New York State Navigation Law and the Village Boating and Watercraft Law, Chapter 148. The regulation of structures in the water, such as docks or bulkheads, is done by each level of government. ~~At the local level, the Village Waterfront Commission can exercise their authority to advise as to the consistency of an activity both directly under the Boating and Watercraft Law and also through the Village LWRP their authority to advise as to the consistency of an activity with the Village LWRP. At the state level, the New York State Department of Environmental Conservation, primarily oversees for wetland and water quality purposes concerns. At the federal level, the U.S. Army Corps of Engineers, subject to the concurrence of the New York State Department of State, with oversees and enforces action relating to regard to coastal policy consistency (the Village LWRP forms the basis for the NYSDOS determination). The Coast Guard's role is generally limited with its focus is on the safety of vessels, primarily commercial vessels.~~

vi. Harbor Management Issues

It is generally prohibited for structures or vessels to lie within the lines of a channel. Along the Byram River, many vessels moored at docks, and some docks themselves, lie within the Federal channel. This is specifically prohibited by the Village Boating and Watercraft Law (Chapter 148). Nevertheless, given the width of the channel and the narrowness of the River, most of the boating facilities could not operate without some encroachment on the channel. Additionally, many of these facilities have existed in their present form for many years, and boating facilities are a preferred use of the shoreline in the LWRP.

The Village Boating and Watercraft Law requires that all moored vessels within the Village waters obtain a permit from the harbormaster. This law is not being

2. Water Supply

The water supply for the LWRP area is provided for by the United Water Company. The primary source of the supply is in Greenwich, where the surface water is sand-filtered to remove the impurities and hardness. Currently, Port Chester's water demand and maximum day demand are at or near the safe yields of the system. Due to small diameter pipe sizes, demands from the City of Rye, storage tank sizes and increases in peak demands from the high storage areas, the Village periodically experiences low system water pressures. In recent years, the construction of larger homes in the area, together with new lawn sprinkler systems, has taxed the system and increased the average and maximum day demands. United Water currently has plans to build a larger clear well at the Aquarion Water plant in Greenwich, making additional water available. Westchester Joint Water Works has some additional water available; however, new agreements to purchase more water would be required between the two water companies.

3. Sanitary Sewer

All sanitary sewage generated in the Village is handled by the Westchester County Wastewater Treatment Plant, located on Fox Island Road. The treatment plant is owned, operated and maintained by the Westchester County Department of Environmental Facilities and provides both primary and secondary wastewater treatment. The Port Chester facility sends treated wastewater to the Blind Brook Plant in Rye, where it is then discharged into the Long Island Sound.

The Sewage Treatment Plant presently has the capacity to treat an average wastewater influent flow of 5.5 million gallons per day (MGD). Secondary treatment processes have a peak hydraulic capacity of 12.2 MGD or 13.4 MGD including recycled flows.

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.

The Sewer District has separate storm and sanitary sewers. 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. There are two pump stations in the Village. ~~one~~ The first is just outside the LWRP boundary on North Main Street at the intersection of Putnam Avenue, serving approximately 75 houses and businesses. The second is located outside the LWRP boundary on Comly Avenue near the Connecticut state line, serving approximately 30 houses.

A Sewer System Evaluation Survey (SSES) was completed in 1995 on the Port Chester Sanitary Sewer District by the Westchester County Department of Environmental Facilities, to identify sources of Inflow and Infiltration (I/I) into the County's sewer system. This survey verified and quantified I/I problems within the system as a result of manhole deficiencies, pipe breaks/fractures, joint defects, pipe dips, service connection defects, storm/sewer cross-connections and tidal inflows. The study identified 734,000 gallons per day (GPD) of observed infiltration from defective pipe; 265,840 GPD infiltration from defective manholes

and total estimated inflow of approximately 1.6 (MGD) (for a 3-inch rainfall) from both public and private direct connections of storm sewers into the sanitary sewer system.

The results of the study are generally what could be expected of a sewer system comprised mainly of vitrified clay pipe. Open or offset joints, cracked and broken pipes are not uncommon within the system and have led to significant I/I effects, including tidal inflow into the system along the Byram River where the Village sewers are at or below the high tide level of the river. This condition greatly reduces the system's capacity to varying degrees on any given day. Maintenance issues also contribute to reduced capacity, including grease and sediment buildup and root intrusion. These problems are exacerbated by the age and pipe material of the system.

The Village has been actively investigating and addressing the identified I/I sources. A fraction of these sources have been rehabilitated with a combination of techniques including pipe joint repair or manhole replacement, trenchless technology (cured in place pipe liners) and sealing techniques (manhole sealing). In April 2007, Port Chester had flow monitors installed in eight locations covering the entire ~~village~~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.

4. Storm Sewer

As discussed above, the Village's storm sewer system is separate from the sanitary sewer pipes. The storm sewer system serves an area roughly contiguous with the Village boundaries, and, as with the sanitary sewer system, much of the infrastructure dates back more than 100 years. There are five outflows into the Byram River in the LWRP area, ranging in size from 9 ft. x 6 ft. to 20 inches (see Figure 13).

Two large outflows serve major portions of the Village. One located at Purdy Avenue is approximately 7 ft. x 4.5 ft. The second, located at the gut, near the intersection of Westchester and Abendroth Avenues, is approximately 9 ft. x 6 ft. Two other outflow points are located in the downtown area, where infrastructure improvements are planned in support of future development. The fifth is located at the end of Wilkins Avenue, just north of the Metro-North railroad tracks.

The Village's stormwater infrastructure is aging and in need of upgrading and/or replacement. In some cases it has deteriorated due to age and lack of repair, and in other locations it is inadequate to meet current needs for capacity.

Port Chester is subject to U.S. Environmental Protection Agency (EPA) regulation for operation, maintenance and discharge of its stormwater collection system. Federal oversight is delegated to the New York State Department of Environmental Conservation (NYSDEC), which has extended permit coverage to the Village via the municipal separate stormwater system (MS4) stormwater management program. The Village has prepared and filed with NYSDEC a five-year program to address six minimum measures for ensuring that stormwater quality discharged to Federal waters meets applicable requirements: public education and outreach, public participation/involvement, illicit discharge detection and

elimination, construction site runoff control, post-construction runoff control, and pollution prevention good housekeeping.

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, and eliminating, cross-connections of the sanitary sewer system and stormwater system. Much of the downtown area is being inspected for locations where pollutants may be entering the system and then discharged to the Byram River.

E. NATURAL CONDITIONS AND ENVIRONMENTAL QUALITY

1. The Land

The topography of the LWRP area is diverse, ranging from the gentle, relatively flat slopes of subareas IV and V to the hilly uplands of subareas I, II and III. From Westchester Avenue to the south, steep slopes (15% or greater) separate upland development from a flat stretch of land next to the water. This flat land area varies greatly in depth, ranging from less than 5 feet around the I-95 overpass to more than 1,500 feet in the vicinity of Fox Island Road. This area has been artificially widened by past landfill activities.

Soils are generally classified as urban land, meaning that they have been extensively filled and graded. Most of the soils along the water's edge and in subareas IV and V are former flood plains. The uplands are generally Charlton and Paxton soils, which are both well drained, medium to moderately coarse soils. There are a number of rock outcroppings along the steep embankment.

As noted, there are several areas where fill has occurred, and one landfill site exists in Subarea II. Subsurface conditions will be tested and analyzed through the State Environmental Quality Review Act (SEQRA) process required for any development of this site.

There are no existing Critical Erosion Hazard Areas in the LWRP area.

2. The Water

The Byram River flows into Long Island Sound on the boundary between Port Chester, New York, and Greenwich, Connecticut. It originates in New York State at the Byram Lake Reservoir south of Mount Kisco and empties into Port Chester Harbor on the Sound. Major tributaries of the Byram River include its East branch and the Wampus River. The major portion of the central basin enters New York State approximately two miles above the river mouth at the north end of the LWRP area. The regions drained include primarily urban and industrial areas in the study area near the mouth, and woodland, fields and residential land for the remainder of the stream's length.

The river is relatively narrow, ranging in width from 300 feet in the Harbor to 120-160 feet through most of the Village center and down to a narrow 50-foot width in the Brooksville section.

The primary outfall for the Sewage Treatment Plant has been relocated off the coast of the City of Rye. Only an emergency outfall remains at the plant in Port Chester. There is no other identifiable major point source of contamination in the study area along the river; however, there are other potential sources of pollutants. Although it is illegal in New York State, some watercraft may still be discharging untreated sanitary waste. Also, accidental spills from the transportation of petroleum compounds are a potential threat.

Since 1999, the EPA has mandated urbanized communities, including Port Chester, to establish stormwater management programs aimed at controlling stormwater on developed sites to the maximum extent possible. In accordance with this mandate, Port Chester adopted in 2007 Chapter 281 (Stormwater Management) of the Village Code. The chapter delineates a program that includes public education, detection and elimination of illicit connections, construction site runoff control, postconstruction stormwater control and pollution prevention. Chapter 281 also gives performance and design criteria for stormwater management and erosion control, outlines necessary permits and required maintenance procedures, and authorizes a Stormwater Management Officer to conduct inspections for construction and stormwater management practices (SMPs).

In 2009, however, the EPA found that Port Chester's stormwater contained high levels of two types of bacteria, which exceeded New York State's water quality standards. As a result, the EPA mandated that the Village improve its stormwater management and correct violations of the federal Clean Water Act. In 2011, the Village responded by amending Chapter 281 of the Village Code, adding a new subsection to "encourage the use of green infrastructure practices to control stormwater runoff such as protecting natural areas, reducing impervious cover, and runoff reduction techniques to the maximum extent possible." The amendment also outlines water quantity and quality controls pertaining to land development activities, protocol for the maintenance and repair of stormwater facilities, and deed restrictions on those facilities.

Port Chester stakeholders are also involved with the Byram Watershed Coalition, an organization aimed at improving the watershed and obtaining public support for a water management plan. In September 2011, the coalition released the Byram River Watershed Management Plan, an extensive document that includes significant data on the state of and issues facing the river and its watershed, and outlining a set of goals and an action plan to address these issues. The Village has also made some improvements to infiltration/inflow conditions, tidal influences on the sanitary and storm sewer systems, and the municipal use of pesticides. Additionally, Port Chester participates in the Westchester County's Citizens' Volunteer Monitoring Program, whose mission is to collect and share data about the county's water resources.

Also in 2009, the Interstate Environmental Commission (IEC) received a grant from the NYSDEC to perform sampling and modeling of the Byram River to measure the water quality of the River and its watershed. As of 2010, the IEC had completed the first of two rounds of water sampling, the results of which will be used to develop a water quality model. The model will be used as a GIS-based watershed planning tool, to help design specific programs, prioritize sub-basins that contribute significant nitrogen and pathogen loads, and identify green infrastructure projects for funding recommendations.

than this threshold size may be protected if they are considered of unusual local importance. Around each protected wetland is an “adjacent area” of 100 feet that is also regulated to provide protection for the wetland itself.

Although Port Chester’s Village Code, in Chapter 281 (Stormwater Management), makes reference to general best practices for protecting wetlands (from the New York State Stormwater Management Design Manual), the Village does not have any specific provisions for regulating development in wetland areas. Thus, only wetlands of 12.4 acres or larger would meet the threshold for regulatory protection, at the state or federal level.

Since much of the LWRP area has been filled or disturbed in some way, there are few natural areas left, including wetlands. A small area of tidal wetlands exists in the coastal vicinity of the Port Chester Yacht Club. This area, equaling about 13,000 square feet, is classified SM (coastal shoals, bars and flats that at high tide are covered by water and at low tide are exposed or covered to a maximum depth of one foot). It is not vegetated by low marsh cordgrass. Past biological inspections have determined that this shore does not contain productive wetlands. A second area of regulated tidal wetlands is located at the “north cove” between Purdy Avenue and I-95. This area is 1.4 acres and also classified as “SM.” Unlike the small wetland in Subarea II, however, past site investigation of this area revealed evidence of biological activity. Mitigation of development impacts on these wetlands should be considered in the event of any development in this area.

4. Flood Hazard and Floodplain Areas

The Federal Emergency Management Agency (FEMA) has delineated the 100-year floodplains for the Byram River through the preparation of Flood Insurance Rate Maps (FIRMs), which show base flood elevations and identify flood risk zones including Special Flood Hazard Areas (SFHAs). The SFHA is the land area that is subject to a 100-year flood or greater. These high-risk areas are where National Flood Insurance Program (NFIP) regulations must be enforced and where the mandatory purchase of flood insurance applies. Properties located outside of these high-risk areas are still subject to flooding, and owners have the option of purchasing flood insurance.

The FEMA flood hazard areas are divided into zones:

- Zone A – areas of 100-year flood (1% chance of occurring in any given year)
- Zone B – areas between the limits of the 100-year flood and 500-year flood (0.2% chance of annual occurrence); or certain areas subject to 100-year flooding with average depths less than one foot or where the contributing drainage area is less than one square mile; or areas protected by levees from the base flood
- Zone C – areas of minimal flooding
- Zone VE – areas within the 100-year floodplain with additional hazards associated with storm-induced waves.

As shown in Figure 14, floodplains are generally located along the entire length of the Port Chester waterfront; however, the VE zones ~~are~~is generally confined to the Greyrock area along Port Chester Harbor.

Section 181 (Flood Damage Prevention) of the Port Chester Village Code provides for flood damage prevention measures and appoints the Building Inspector as local administrator for granting development permits within the areas of flood hazard. Among the requirements of the law, new and substantially improved construction must have the lowest floor (including the basement) elevated to at least 2 feet above the base flood elevation. Utilities must also be designed and/or located to prevent water damage during flooding. Adoption of the local flood damage laws is a prerequisite for participation in the National Flood Insurance Program. The law was enacted by the Village Board of Trustees in July 2007, and reflects guidelines set by the NYSDEC.

5. Fish and Wildlife Habitats

Both fish and wildlife habitats are limited in the Port Chester LWRP area. On land, there are no natural habitats remaining. Various species of birds do inhabit the developed areas where vegetation is present. 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.

While no detailed wildlife surveys have recently been conducted in Port Chester, the U.S. Fish and Wildlife Service has determined that several species of endangered and threatened species are found in Westchester County: bald eagle, bog turtle, Indiana bat and shortnose sturgeon. There is a possibility that some of these species could pass through or inhabit areas within the Village. In addition, the NYSDEC 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.

Improved water quality due to the removal of the sewage treatment plant outflow, plus the decline of waterfront industry usage and improved stormwater management practices, may provide future improvements to some degree. This process will be slow, however, as many pollutants are retained in the sediment at the river bottom.

6. Critical Environmental Areas

A Critical Environmental Area (CEA) is a State or locally designated geographic area with special or unique physical and environmental characteristics. Typically, a CEA is established by identifying fragile or threatened environmental conditions within the State Environmental Quality Review Act (SEQRA). Port Chester's coastline falls into the Long Island Sound CEA, which is a Westchester County-designated CEA. As part of a designated CEA, the potential impact of any Type I or Unlisted Action under SEQRA on the environmental characteristics of the CEA is a relevant area of environmental concern and must be evaluated in the determination of significance prepared pursuant to Section 617.7 of SEQRA.

7. Air Quality

Air pollution can stem from point (stationary) sources (such as power plants); area sources (the cumulative impact of small individual sources such as body shops or dry cleaners); mobile sources (such as automobiles); and biogenic sources that naturally occur in vegetation. The most significant sources of carbon monoxide emissions are single-occupancy automobiles.

National Ambient Air Quality Standards (“NAAQS”) have been established for six air pollutants – particulates, sulfur dioxide, nitrogen oxides, carbon monoxide, ozone, and lead. In 1990, ultrafine particulate matter was added to the list of criteria pollutants. This is associated with the combustion of fossil fuels, including natural gas and propane. Primary and secondary standards for varying exposure times have been established for each of these criteria pollutants. Primary standards are designed to protect public health, while secondary standards are established to prevent other adverse environmental impacts and to protect the public welfare.

In 2008, NYSDEC designated most of the New York Metropolitan Area (NYMA) Combined Statistical Area (CSA) a non-attainment area for the 2008 ozone NAAQS. Of the counties included in this CSA, Suffolk, Nassau, Bronx, Kings, New York, Putnam, Queens, Richmond, Rockland, and Westchester, only Putnam County achieved acceptable standards.

Under the Clean Air Act, New York State will be required to develop a State Implementation Plan (SIP) for submission to the EPA. The plan must include enforceable measures for reducing air pollutant emissions, and must describe the steps the area will take toward attaining the fine particulate (PM 2.5) standards.

Generally, the air quality in the study area meets or exceeds national and State air quality standards. Degradation may occur in localized areas such as around new construction sites.

8. Climate Change and Sea Level Rise

According to the DEC’s policy for assessing energy use and greenhouse gas emissions in environmental impact statements (EISs), global climate change is a significant environmental challenge, and one that will continue to affect the environmental and natural resources of New York State. There is scientific consensus that human activity is increasing the concentration of greenhouse gases in the atmosphere, and that this, in turn, is **leading contributing** to climate change. The six main greenhouse gases are carbon dioxide, nitrous oxide, methane, hydrofluorocarbons, perfluorocarbons and sulfur hexafluoride. Emissions of carbon dioxide represent an estimated 89% of the total greenhouse gas emissions in the state, and the vast majority of these emissions result from fuel combustions. Other sources of greenhouse gases include electricity distribution; refrigerant substitutes; management of municipal waste, municipal wastewater and agriculture; and natural gas leakage.

In 2001, Westchester County joined the Cities for Climate Protection Campaign, a program of the International Council of Local Environmental Initiatives (ICLEI), in order to take stock of and create a plan for reducing the county’s greenhouse gas emissions. An initial study concluded that the county as a whole produced almost 12 million tons of carbon dioxide in

A. SUMMARY LIST OF POLICIES

I. Developed Coast Policies

- Policy 1 Foster a pattern of development in the Port Chester coastal area that enhances community character, preserves open space, makes efficient use of infrastructure, makes beneficial use of a coastal location and minimizes adverse effects of development. Applicable
- Policy 2 Preserve historic resources of the Port Chester coastal area. Applicable
- Policy 3 Enhance visual quality and protect scenic resources throughout the Port Chester coastal area. Applicable

II. Natural Coast Policies

- Policy 4 Minimize loss of life, structures and natural resources from flooding and erosion. Applicable
- Policy 5 Protect and improve water quality and supply in the Port Chester coastal area. Applicable
- Policy 6 Protect and restore the quality and function of the Port Chester coastal area ecosystem. Applicable
- Policy 7 Protect and improve air quality in the Port Chester coastal area. Applicable
- Policy 8 Minimize environmental degradation in Port Chester’s coastal area from solid waste and other hazardous substances and wastes. Applicable

III. Public Coast Policies

- Policy 9 Provide for public access to, and recreational use of, coastal waters, public lands and public resources of Port Chester’s coastal area. Applicable
- Policy 9A Incorporation of a public pedestrian walkway along the waterfront shall be included as part of development or redevelopment of waterfront parcels wherever practicable. Applicable

IV. Working Coast Policies

- Policy 10 Protect Port Chester’s water-dependent uses and promote siting of new water-dependent uses in suitable locations. Applicable
- Policy 11 Promote sustainable use of living marine resources in Long Island Sound and the Byram River. Applicable
- Policy 12 Protect agricultural lands in the eastern Suffolk County portion of Long Island Sound’s coastal area. Not Applicable
- Policy 13 Promote appropriate use and development of energy and mineral resources. Applicable

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B. VILLAGE OF PORT CHESTER COASTAL MANAGEMENT POLICIES

DEVELOPED COAST POLICIES

POLICY 1 FOSTER A PATTERN OF DEVELOPMENT IN THE PORT CHESTER COASTAL AREA THAT ENHANCES COMMUNITY CHARACTER, PRESERVES OPEN SPACE, MAKES EFFICIENT USE OF INFRASTRUCTURE, MAKES BENEFICIAL USE OF A COASTAL LOCATION AND MINIMIZES ADVERSE EFFECTS OF DEVELOPMENT.

Development that does not reinforce the traditional pattern of human use would result in an undesirable loss of the community and landscape character of the Port Chester coastal area. Development, public investment and regulatory decisions should preserve open space and natural resources and sustain the historic waterfront community as a center of activity. Water-dependent uses generally should locate within Port Chester so as to support the economic base and maintain its character, and to avoid disturbance of shorelines and waters in open space areas.

The policy is intended to foster a development pattern that provides for the beneficial use of the Village's natural resources, and, by extension, of Long Island Sound's coastal resources. The primary components of the desired development pattern are: strengthening the traditional waterfront community as a center of activity, encouraging the appropriate expansion of water-dependent uses, enhancing stable residential areas and preserving open space.

To facilitate such a pattern of development, the Village of Port Chester will make every effort to coordinate existing permit procedures and regulatory programs, as long as the integrity of the regulations' objectives is not jeopardized. The Village is in the process of updating its Comprehensive Plan and has adopted a Zoning Law that fosters this pattern of development within Port Chester. See Section IV for the proposed land and water uses and the Appendix for the Zoning Law.

As part of any redevelopment or redevelopment project within the Port Chester coastal area, the following infrastructure needs will be met:

- Village public services located within or in close proximity to development or redevelopment projects will be made adequate to meet anticipated growth.
- Any substandard Village facilities will be upgraded as necessary to support new development.
- All infrastructure improvements will be designed to minimize natural hazards, consistent with Policy 4.

- Overhead utility lines will be placed underground as part of any redevelopment which requires the relocation of such facilities.

1.1 Concentrate development and redevelopment in the Village of Port Chester waterfront area to achieve the proposed land and water uses of Section IV, to advance the Village Comprehensive Plan and to comply with the Village zoning law.

Maintain the traditional waterfront community and ensure that development within this community supports and is compatible with the character of the community, as identified in the Long Island Sound Coastal Management Program.

Support existing and encourage future commercial uses along the downtown marina waterfront to include a mix of uses, including restaurants, transient parking for boats, boating equipment service stores, and other water-enhanced and water-dependent uses.

Focus public investment, actions and assistance in waterfront redevelopment areas to reclaim unused and underutilized waterfront land and brownfields for new purposes.

Locate new development where infrastructure is adequate or can be upgraded to accommodate new development.

1.2 Ensure that development or uses take appropriate advantage of their coastal location.

Generally, reserve coastal waters for water-dependent uses and activities. However, a limited number of water-enhanced floating structures may be appropriate in the Village.

Accommodate water-enhanced uses along the Port Chester waterfront where they are consistent with the Village Zoning Law, are compatible with surrounding development, do not displace or interfere with water-dependent uses and reflect the unique qualities of a coastal location through appropriate design and orientation. Restaurants and waterfront parks are particularly appropriate water-enhanced uses for the Village waterfront.

Allow other uses that derive benefit from a waterfront location, such as residential uses, in appropriate areas, and of a density as is permitted by the Village Zoning Law.

1.3 Protect stable residential areas.

Maintain stable residential areas and allow for continued compatible residential and supporting development in or adjacent to such areas.

1.4 Maintain and enhance natural areas, recreation and open space.

cultural or archeological resource which has been officially certified as being imminently dangerous to life or public health. Nor shall the policy be construed to prevent the ordinary maintenance, repair or property restoration according to the U.S. Department of Interior's Standards for Rehabilitation of component of a recognized historic, cultural or archeological resource which does not involve a significant adverse change to the resource, as defined above.

2.1 Maximize preservation and retention of historic resources.

Preserve the historic character of the resource by protecting historic materials and features or by making repairs using appropriate measures.

Provide for compatible use of the historic resource, while limiting and minimizing alterations to the resource.

Minimize loss of historic resources or historic character when it is not possible to completely preserve the resource.

Relocate historic structures only when the resource cannot be preserved in place. Allow demolition only where alternatives for retention are not feasible.

Avoid potential adverse impacts of development on nearby historic resources.

2.2 Protect and preserve archeological resources.

Minimize potential adverse impacts by redesigning projects, reducing direct impacts on the resource, recovering artifacts prior to construction and documenting the site.

Prohibit appropriation of any object of archeological or paleontological interest situated on or under lands owned by New York State, except as provided for in Education Law, § 233.

2.3 Protect and enhance resources that are significant to the coastal culture of Port Chester and the surrounding region.

Protect the character of the historic maritime community.

[Provide public amenities, such as a museum or learning center, to foster interest towards the preservation of the Byram River, the Long Island Sound, and their respective ecologies.](#)

POLICY 3

ENHANCE VISUAL QUALITY AND PROTECT SCENIC RESOURCES OF THE PORT CHESTER COASTAL AREA.

As discussed in Section II, few significant scenic resources exist along Port Chester’s waterfront, as the area has experienced significant physical alteration over the course of its history. Much of the waterfront is dominated by industrial uses or cleared land that was once industrial. A few features such as the Greyrock neighborhood, the stone bridges crossing the river, Columbus Park and the 19th century quality of portions of Fox Island Road, have been noted as contributing to the visual quality of the LWRP area. With the exception of the Greyrock area, these visually significant areas will be preserved as publicly accessible.

In addition, the potential for scenic vistas exists, particularly from the Fox Island Peninsula and the waterfront ends of Westchester, Willett and Purdy Avenues. Because the Byram River is so narrow in many portions, no significant view corridors along streets perpendicular to the water exist across the river. Views up and down the river from prominent street endings, however, are very attractive.

3.1 Protect and improve visual quality throughout the coastal area.

Enhance existing scenic characteristics by minimizing introduction of discordant features.

Restore deteriorated and remove degraded visual elements, and screen activities and views which detract from visual quality.

Preserve existing vegetation and establish new vegetation to enhance scenic quality.

Group or orient structures to preserve open space and provide visual organization.

Improve the visual quality associated with urban areas and the traditional waterfront community within the Port Chester coastal area through the oversight of various committees, such as the Architectural Review Board of Review. ~~or the Beautification Committee.~~

Anticipate and prevent impairment of dynamic landscape elements that contribute to ephemeral scenic qualities.

Recognize water-dependent uses as important additions to the visual interest of Port Chester’s waterfront.

Protect scenic values associated with public lands, including public trust lands and waters, and natural resources.

NATURAL COAST POLICIES

POLICY 4 MINIMIZE LOSS OF LIFE, STRUCTURES AND NATURAL RESOURCES FROM FLOODING AND EROSION.

Erosion and flooding are processes which occur naturally. However, by his actions, man can increase the severity and adverse effects of those processes, causing damage to or loss of property, and endangering human lives. Those actions include: the use of erosion protection structures such as groins, or the use of impermeable docks which block the littoral transport of sediment to adjacent shorelands, thus increasing their rate of recession; the failure to observe proper drainage or land restoration practices, thereby causing runoff and the erosion and weakening of shorelands; and the placing of structures in identified floodways so that the base flood level is increased, causing damage in otherwise hazard-free areas.

Within the Port Chester coastal area, large portions of land and buildings are located in 100-year floodplains. As discussed in Section II.5, designated Flood Hazard Areas exist along the entire length of the Village's waterfront, as identified on the Flood Insurance Rate Maps for Port Chester. Local, State and Federal laws regulate the siting of buildings in erosion hazard areas, coastal high hazard areas and floodplains. Locally, development in flood hazard areas is regulated through a floodplain development permit process and standards specified in Chapter 181 (Flood Damage Prevention) of the Village Code, while erosion is addressed with the regulations and standards contained in Chapter 281 (Stormwater Management) and Chapter 345 (Zoning). These regulations, as well as best management practices, are generally sufficient to implement this policy.

Sea level rise relative to the shore is another significant factor in the incidence of erosion and flooding over time. For the overall Long Island Sound coastal area, tidal gauge data collected within the last 100 years suggests a relative sea level rise varying from about 0.1 inches to less than 0.04 inches per year. At that rate, a horizontal movement of mean sea level of 1 to 3 inches per year is anticipated in the region. It should be noted that these historical figures result in a projection of future sea level rise that is less significant than those projections cited in Section II.5, as based on New York State reports. As a result, sea level rise should be considered for projects involving substantial investments of public expenditures.

This policy seeks to protect life, structures and natural resources from flooding and erosion hazards throughout the Port Chester coastal area. It recognizes both the potential adverse impacts of coastal and riverine flooding and erosion on development and natural features which may occur in the coastal area, as well as the costs of protection against those hazards which structural measures entail. The policy reflects State flooding and erosion protections and provides measures for reduction of hazards and protection of resources.

Most of the Port Chester waterfront already has bulkheading, to protect development and natural features against serious impact from flooding and erosion. There are only two areas in the LWRP area that do not have this protection: portions of the Greyrock neighborhood and the undeveloped waterfront area straddling I-95 and adjacent to Columbus Park, south of the Purdy

Avenue industrial uses and north of the sewage treatment plant. Within Greyrock, principal and accessory structures shall be prohibited within the mean high water area. In the area adjacent to Columbus Park, non-structural means shall be used to the greatest extent practicable to protect the site from flood erosion damage. For areas that are already bulkheaded, efforts to replace or rebuild deteriorated erosion protection structures shall be undertaken for reasons of safety and to create an attractive riverfront walkway.

For development areas in the LWRP area that lie within the 100-year floodplain, non-structural measures shall also include (a) the avoidance of risk or damage from flooding by the siting of buildings outside the hazard area, or (b) the flood-proofing of buildings or their elevation above the base flood level.

This policy shall apply to the planning, siting and design of proposed activities and development, including measures to protect existing activities and development. To ascertain consistency with the policy, it must be determined whether any one, or a combination of, non-structural measures would offer sufficient protection, and if so, then consistency with the policy would require the use of such measures, whenever possible. In determining whether or not non-structural measures protect against erosion or flooding and would afford the degree of appropriate protection, an analysis and, if necessary, other materials such as plans or sketches of the proposed activity or development of the site and of the alternative protection measures should be prepared to allow an assessment to be made.

Dredging of the Byram River has been undertaken previously by the Army Corps of Engineers in order to maintain the channel depths necessary for vessels traveling to and from the water-dependent industries along both the Port Chester and Greenwich banks of the river. All dredging and excavation activities must be conducted in compliance with Federal and State regulations.

4.1 Minimize losses of human life and structures from flooding and erosion hazards.

Use the following management measures, which are presented in order of priority: (1) avoid development other than water-dependent uses in coastal hazard areas; (2) locate or move development and structures as far away from hazards as practical; (3) use vegetative non-structural measures which have a reasonable probability of managing flooding and erosion; (4) enhance existing natural protective features and processes, and use non-structural measures which have a reasonable probability of managing erosion; (5) use hard structural erosion measures for control of erosion only where the above measures are not sufficient to protect the principal use, or the use is water-dependent or reinforces Port Chester's role as a maritime center and waterfront redevelopment area.

Mitigate the impacts of the existing erosion control structures in Port Chester, -such as the upgrade or replacement of the bulkhead.

Manage development in floodplains outside of coastal hazard areas so as to avoid adverse environmental effects, to minimize the need for structural flood protection measures and to meet Federal flood insurance program standards.

4.2 Preserve and restore natural protective features.

Prevent development in natural protective features except development as specifically allowed in 6 NYCRR Part 505.8. For example, portions of the Greyrock shoreline could be considered beach, even if not identified as such under the Coastal Erosion Management Regulations.

Maximize the protective capabilities of natural protective features by: avoiding alteration or interference with shorelines in a natural condition; enhancing existing natural protective features; restoring impaired natural protective features; and managing activities to minimize interference with, limit damage to or reverse damage which has diminished the protective capacities of the natural shoreline.

Minimize interference with natural coastal processes by: providing for natural supply and movement of unconsolidated materials; minimizing intrusion of structures into coastal waters and interference with coastal processes; and mitigating any unavoidable intrusion or interference.

4.3 Protect public lands and public trust lands and use of these lands when undertaking all erosion or flood control projects.

Retain ownership of public trust lands which have become upland areas due to fill or accretion resulting from erosion control projects.

Avoid losses or likely losses of public trust lands or use of these lands, including public access along the shore, which can be reasonably attributed to or anticipated to result from erosion protection measures.

Mitigate unavoidable impacts on adjacent property, natural coastal processes and natural resources and on public trust lands and their use.

4.4 Manage navigation infrastructure to limit adverse impacts on coastal processes.

Manage navigation channels to limit adverse impacts on coastal processes by designing channel construction and maintenance to protect and enhance natural protective features and prevent destabilization of adjacent areas, including bulkheads and other shoreline stabilization structures, and to allow for shore parallel dockage of vessels; and make beneficial use of suitable dredged material.

Manage stabilized inlets to limit adverse impacts on coastal processes.

4.5 Ensure that expenditure of public funds for flooding and erosion control projects results in a public benefit.

Give priority in expenditure of public funds to actions which: protect public health and safety; mitigate flooding and erosion problems caused by previous human intervention; protect areas of intensive development; and protect substantial public investment in land, infrastructure and facilities.

Expenditure of public funds is: limited to those circumstances where public benefits exceed public cost; and prohibited for the exclusive purpose of protecting private development, except where actions are undertaken by an erosion protection district.

4.6 Consider sea level rise when siting and designing projects involving substantial public expenditures.

Utilize sea level rise projections as are published in the most recent reports of New York State agencies.

POLICY 5 PROTECT AND IMPROVE WATER QUALITY AND SUPPLY IN THE PORT CHESTER COASTAL AREA.

The purpose of this policy is to protect the quality and quantity of water in the Port Chester coastal area. Quality considerations include both point source (“end-of-the-pipe” discharges) and nonpoint source (site runoff, leaching, spillages, sludge and waste disposal and drainage from raw material storage sites) pollution management. The primary quantity consideration is the maintenance of an adequate supply of potable water in the area.

The Comprehensive Conservation Management Plan developed by the Long Island Sound Study (1994) clearly summarizes the major surface water quality impairments in the region. These impairments reflect the intensity of upland and water uses in the Sound coastal area, and result from both point and nonpoint sources. Impairments also result from pollution sources outside the Sound coastal area. Consequences of water quality impairments include hypoxia; reduced availability of crustaceans and certified, marketable shellfish; increased closure days for beaches; and reduced enjoyment of the Sound shoreline.

Water quality protection and improvement in the coastal area must be accomplished by the combination of managing new and remediating existing sources of pollution. In some areas with existing water quality impairments, more aggressive remediation measures will be needed than for the coastal area or surrounding region as a whole.

Site engineering standards in accordance with best management practices and the Village’s stormwater management law (Chapter 281 of the Village code) are in effect, which ensure that approved development plans will not contribute significantly to the degradation of Port Chester’s water quality. The Village is served by separate sanitary and stormwater collection systems [under the supervision of the Village Engineer.](#)

reducing loading of toxic materials, reducing or eliminating combined sewer overflows and managing on-site disposal systems.

Comply with the substantive provisions of Chapter 281 of the Village Code, Stormwater Management (see Appendix for the text of the local law), pertaining to stormwater prevention plans, performance and design criteria, maintenance and repair of stormwater facilities, and schedules A1, A2, A3 and B.

5.2 Manage land use activities and use best management practices to minimize nonpoint pollution of coastal waters.

5.3 Protect and enhance the quality of coastal waters.

Protect water quality based on physical factors (pH, dissolved oxygen, dissolved solids, nutrients, odor, color and turbidity), health factors (pathogens, chemical contaminants and toxicity) and aesthetic factors (oils, floatables, refuse and suspended solids).

Minimize disturbance of streams, including their beds and banks, in order to prevent erosion or soil, increased turbidity and irregular variation in velocity, temperature and level of water.

Protect water quality of coastal waters from adverse impacts associated with excavation, fill, dredging and disposal of dredged material.

5.4 Limit the potential for adverse impacts of watershed development on water quality and quantity.

Protect water quality by ensuring that watershed development protects areas that provide important water quality benefits, maintains natural characteristics of drainage systems and protects areas that are particularly susceptible to erosion and sediment loss.

Limit the impacts of individual development projects to prevent cumulative water quality impacts upon the watershed which would result in a failure to meet water quality standards. [Development plans shall include appropriate industry standards and practices so as to minimize impacts from impervious surfaces.](#)

Consider, as appropriate, the recommendations of the Byram River Watershed Management Plan.

5.5 Protect and conserve the quality and quantity of potable water.

LZ: Littoral Zone – The tidal wetland zone that includes all lands under tidal waters which are not included in any other category. There shall be no LZ under waters deeper than six feet at mean low water.

SM: Coastal Shoals, Bars and Flats – The tidal wetland zone that at high tide is covered by saline or fresh tidal waters, at low tide is exposed or is covered by water to a maximum depth of approximately one foot, and is not vegetated.

Since much of the LWRP area has been filled or disturbed in some way, there are few natural areas left, including wetlands. The smallest of the tidal wetlands is located in the vicinity of the Port Chester Yacht Club. This area is approximately 13,000 square feet in area. As a result, it has been determined that this shore does not contain productive wetlands. The second area of regulated tidal wetlands is located at the north cove, between Purdy Avenue and I-95. This wetland is 1.4 acres and is also classified as “SM.”

Mitigation of development impacts on these wetlands will be considered. Mitigation may include consideration of creating a wetland of equal or higher value to the current wetland.

6.1 Protect and restore ecological quality throughout the Port Chester coastal area.

Avoid significant adverse changes to the quality of the Port Chester coastal ecosystem as indicated by physical loss, degradation or functional loss of ecological components.

Maintain values associated with natural ecological communities.

Retain and add indigenous plants.

Avoid fragmentation of natural ecological communities and maintain corridors between ecological communities. Maintain structural and functional relationships between natural ecological communities to provide for self-sustaining systems.

Avoid permanent adverse change to ecological processes.

Reduce adverse impacts of existing development when practical.

Mitigate impacts of new development; mitigation may also include reduction or elimination of adverse impacts associated with existing development.

6.2 Protect and restore Significant Coastal Fish and Wildlife Habitats

Protect Long Island Sound’s designated significant coastal fish and wildlife habitats from uses or activities which would destroy habitat values or significantly impair the viability of the designated habitat beyond its tolerance range which is the ecological range of conditions that supports the species population or has the potential to support a restored population where practical.

This policy provides for protection of the Port Chester coastal area from air pollution, either generated within the coastal area or from outside, which adversely affects coastal air quality.

The requirements of the Federal Clean Air Act are the minimum air quality control requirements applicable within the coastal area. In particular, the sewage treatment plant will use the best available technology to maintain these standards.

The type and intensity of development should not impact air quality standards.

The policies of the State and Port Chester LWRP concerning proposed land and water uses and the protection and preservation of special management areas will be taken into account prior to any action by the State to reclassify land areas pursuant to the regulations of the Clean Air Act. In addition, the Department of State will provide the DEC with recommendations for proposed prevention of significant land classification designations based upon State and local coastal management programs.

7.1 Control or abate existing and prevent new air pollution.

Not included in the Port Chester LWRP; see the New York State Coastal Management Program policy on air quality as expressed in the Long Island Sound Coastal Management Program for purposes of State and federal consistency.

7.2 Limit discharges of atmospheric radioactive material to a level that is as low as practicable.

7.3 Limit sources of atmospheric deposition of pollutions to the coastal waters, particularly from nitrogen sources.

POLICY 8 MINIMIZE ENVIRONMENTAL DEGRADATION IN THE PORT CHESTER COASTAL AREA FROM SOLID WASTE AND HAZARDOUS SUBSTANCES AND WASTES.

The intent of this policy is to protect people from sources of contamination and to protect Port Chester’s coastal resources from degradation through proper control and management of wastes and hazardous materials. Attention is also required to identify and address sources of soil and water contamination resulting from landfill and hazardous waste sites and in-place sediment contamination in the coastal area.

Solid wastes include sludges from air or water pollution facilities, demolition and construction debris and industrial and commercial wastes. 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 “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.” A list of hazardous wastes has been adopted by the DEC (6NYCRR Part 371).

Chapter 345-17 of the Village Code regulates the deposits of waste materials or landfill. Further, the transfer, storage and disposal of solid wastes and hazardous wastes shall be prohibited within the Port Chester LWRP area.

Local collection of refuse is the responsibility of the municipality along with private carters. Westchester County is responsible for the permanent disposal of Port Chester’s solid and hazardous wastes.

Sites in Port Chester where this policy has immediate application include hazardous materials storage systems on the Byram River, the sewage treatment plant and former industrial sites where waste materials may have been dumped or buried.

There shall be no new oil storage facilities established within the Village’s LWRP area, nor any addition to the number of existing tanks or the existing tank capacity. All existing storage facilities must be maintained in conformance with Federal and State regulations.

During the use of such facilities by private operators, the Village will monitor for spills which occur as a result of shipment and storage of petroleum and other hazardous materials. In the event that the Village determines either individually or in conjunction with an agency of the State, County or other jurisdiction that environmental damage results from a hazardous material storage facility in Port Chester, the Village shall notify the appropriate agencies to begin mitigating the condition, and cooperate in the recovery of public cleanup costs.

Removal of oil storage facilities, or any other tanks or containers used for the storage of petroleum products, shall be undertaken by an appropriate contractor who must assume all liability for accidental spills during dismantling, and shall ensure that the facilities are properly cleaned and inspected prior to dismantling.

In Port Chester, major riverfront industrial facilities are located from Westchester Avenue south to Fox Island Road. The area from Fox Island Road north to Purdy Avenue is designated primarily for residential redevelopment with a large recreational component (Columbus Park). No new industrial facilities shall be located in this area. The area from Purdy Avenue north to Westchester Avenue does contain a large number of industrial facilities, with effluent discharges conforming to State water quality standards. Any expansion or new construction in this area resulting in effluent discharges must conform to any applicable Village performance standards as well as State water quality standards.

8.1 Manage solid waste to protect public health and control pollution.

Plan for proper and effective solid waste disposal prior to undertaking major development or activities generating solid wastes.

Manage solid waste by: reducing the amount of solid waste generated, reusing or recycling material and using land burial or other approved methods to dispose of solid waste that is not otherwise being reused or recycled.

Prevent the discharge of solid wastes into the environment by using proper handling, management and transportation practices.

Operate solid waste management facilities to prevent or reduce water, air and noise pollution and other conditions harmful to the public health.

8.2 Manage hazardous wastes to protect public health and control pollution.

Manage hazardous waste in accordance with the following priorities: (1) eliminate or reduce generation of hazardous wastes to the maximum extent practical; (2) recover, reuse or recycle remaining hazardous wastes to the maximum extent practical; (3) use detoxification, treatment or destruction technologies to dispose of hazardous wastes that cannot be reduced, recovered, reused or recycled; (4) use land disposal as a last result.

Phase out land disposal of industrial hazardous wastes.

Ensure maximum public safety through proper management of industrial hazardous waste treatment, storage and disposal.

Remediate inactive hazardous waste disposal sites (none known at this time).

8.3 Protect the environment from degradation due to toxic pollutants and substances hazardous to the environment and public health.

Prevent release of toxic pollutants or substances hazardous to the environment that would have a deleterious effect on fish and wildlife resources.

Prevent environmental degradation due to persistent toxic pollutants by: limiting discharge of bioaccumulative substances, avoiding resuspension of toxic pollutants and hazardous substances and wastes and avoiding reentry of bioaccumulative substances into the food chain from existing sources.

Prevent and control environmental pollution due to radioactive materials.

Protect public health, public and private property and fish and wildlife from inappropriate use of pesticides.

Take appropriate action to correct all unregulated releases of substances hazardous to the environment.

to provide additional visual and physical public access along with appropriate opportunities for recreation.

Port Chester has significant publicly owned foreshore and public lands adjacent to the foreshore; however, these lands have limited public access and recreational opportunity both in terms of quantity and quality. Any future redevelopment of these areas with a mix of uses is intended to maintain and enhance the public waterfront element of the Village's land holdings. Although redevelopment could result in an overall reduction in the publicly owned foreshore or public lands adjacent to the foreshore, the quantity and quality of public access is intended to be increased.

No project will be undertaken or funded by the State or Village which increases access to a water-related recreation resource or facility that is not open to all members of the public. Nothing in this policy shall be construed to prevent the reasonable use and enjoyment of private property by its owners, including the right of such private property owners to physically occupy their homes or businesses and to make reasonable additions and renovations to the buildings or structures on their properties.

9.1 Promote appropriate and adequate physical public access and recreation throughout the public area.

Provide convenient, well-defined, physical public access to and along the coast for water-related recreation. See Section IV for specific proposals to improve public access, [such as through the conversion of The Cove into a waterfront park or transient boat docking use to enhance scenic value and activity along the waterfront.](#)

Provide a level and type of public access and recreational use that takes into account proximity to population centers, public demand, natural resource sensitivity, accessibility, compatibility with on-site and adjacent land uses and needs of special groups.

Protect and maintain existing public access and water-related recreation.

Provide additional physical public access and recreation facilities at public sites.

Provide physical access linkages throughout Port Chester's coastal area.

Include physical public access and/or water-related recreation facilities as part of development whenever development or activities are likely to limit the public's use and enjoyment of public coastal lands and waters.

Provide incentives to private development which provides public access and/or water-related recreation or facilities.

Restrict public access and water-related recreation on public lands only where incompatible with public safety and protection of natural resources.

Ensure access for the general public at locations where State or Federal funds are used to acquire, develop or improve parkland.

9.2 Provide public visual access from public lands to coastal lands and waters or open space at all sites where physically practical.

Avoid loss of existing visual access by limiting physical blockage by development or activities. Minimize adverse impact on visual access.

Mitigate loss of visual access by providing for on-site visual access or additional and comparable visual access off-site.

Increase visual access wherever practical.

9.3 The State shall preserve the public interest in and use of lands and waters held in public trust by the State and the Village of Port Chester.

Limit grants, easements, permits or lesser interests in lands underwater to those instances where they are consistent with the public interest in the use of public trust lands.

Determine ownership, riparian interest or other legal right prior to approving private use of public trust lands under water.

Limit grants, including conservation grants, in fee of underwater lands to exceptional circumstances.

Reserve such interests or attach such conditions to preserve the public interest in use of underwater lands and waterways which will be adequate to preserve public access, recreation opportunities and other public trust purposes.

Evaluate opportunities to re-establish public trust interests in existing grants which are not used in accordance with the terms of the grant, or are in violation of the terms of the lease, or where there are significant limitations on public benefits resulting from the public trust doctrine.

9.4 Assure public access to public trust lands and navigable waters.

Ensure that the public interest in access below mean high water and to navigable waters is maintained.

Allow obstructions to public access when necessary for the operation of water-dependent uses and their facilities.

Permit interference with public access for riparian non-water-dependent uses in order to gain the minimum necessary reasonable access to navigable waters.

Use the following factors in determining the minimum access necessary: the range of tidal fluctuation, the size and nature of the water body, the uses of the adjacent waters by the public, the traditional means of access used by surrounding similar uses and whether alternative means to gain access are available.

Mitigate substantial interference or obstruction of public use of public trust lands and navigable waters.

**POLICY 9A INCORPORATION OF A PUBLIC PEDESTRIAN WALKWAY
ALONG THE WATERFRONT SHALL BE INCLUDED AS PART OF
DEVELOPMENT OR REDEVELOPMENT OF WATERFRONT
PARCELS WHEREVER PRACTICABLE.**

Where incorporated as part of a development or redevelopment project, the waterfront pedestrian walkway should ideally have a publicly accessible right-of-way of a minimum width of 10 feet and an average width of 20 feet. The walkway itself should be a minimum width of 5 feet.

Walkways shall be designed to be visually compatible with the adjacent development. In areas where slopes are less than 10%, there shall be handicap access. Signage shall be provided that clearly establishes the walkway as a public facility.

WORKING COAST POLICIES

**POLICY 10 PROTECT PORT CHESTER’S WATER-DEPENDENT USES AND
PROMOTE SITING OF NEW WATER-DEPENDENT USES IN
SUITABLE LOCATIONS.**

The intent of this policy is to protect existing water-dependent commercial, industrial and recreational uses, to allow for new water-dependent uses, and to enhance the economic viability of water-dependent uses by ensuring adequate infrastructure for such uses and their efficient operation. This policy recognizes that the traditional activities occurring in and around numerous smaller harbors throughout the State’s coastal area contribute much to the economic strength and attractiveness of these harbor communities. Port Chester is one of ten maritime centers identified in the Long Island Sound Coastal management Program. Specific water-dependent uses to be protected and promoted are those identified in Section IV and as allowed in the waterfront zoning districts by the Village Zoning Law (see Appendix).

10.1 Protect existing water-dependent uses.

Avoid actions which would displace, adversely impact or interfere with existing water-dependent uses.

10.2 Promote the Port Chester maritime center as a suitable location for water-dependent uses

Ensure that public actions enable the Port Chester maritime center to continue to function as a center of water-dependent uses.

Protect and enhance the economic, physical, cultural, and environmental attributes which support the Port Chester maritime center.

Allow and encourage non water-dependent shoreline commercial and industrial uses to provide water-dependent uses along their shoreline, such as docking facilities for recreational and commercial vessels.

10.3 Improve the economic viability of water-dependent uses by allowing for non-water-dependent accessory and multiple uses, particularly water-enhanced and maritime support services, [such as a commercial establishment with dockage and a vessel refueling station.](#)

10.4 Minimize adverse impacts of new and expanding water-dependent uses, provide for their safe operation and maintain regionally important uses.

Site new and expand existing marinas, yacht clubs, boat yards and other boating facilities where there is: adequate upland for support facilities and services; sufficient waterside and landside access; appropriate nearshore depth to minimize dredging; suitable water quality classification; minimization of effects on wetlands, shellfish beds or fish spawning grounds; and adequate water circulation.

10.5 Provide sufficient infrastructure for water-dependent uses.

Protect and maintain existing public and private navigation lanes and channels at depths consistent with the needs of water-dependent uses.

Provide for channels and basins when necessary to support water-dependent uses.

Use suitable dredged material for beach nourishment or other beneficial uses.

Avoid placement of dredged material in Long Island Sound when opportunities for beneficial reuse of the material exist.

Allow placement of suitable dredged material in nearshore locations to advance maritime or port-related functions or public access, provided it is adequately contained

11.1 Ensure the long-term maintenance and health of living marine resources.

Ensure that commercial and recreational uses of living marine resources will be managed in a manner that: results in sustained useable abundance and diversity of the marine resource; does not interfere with population and habitat maintenance and restoration efforts; uses best available scientific information in managing the resources; and minimizes waste and reduces discard mortality of marine fishery resources.

Ensure that the management of the state's transboundary and migratory species is consistent with interstate, state-federal and interjurisdictional management plans.

Protect, manage and restore sustainable populations of indigenous fish, wildlife species and other living marine resources.

Foster occurrence and abundance of coastal marine resources by: protecting spawning grounds, habitats and water quality; and enhancing and restoring fish and shellfish habitat, particularly for anadromous fish, oysters and hard clams.

11.2 Provide for commercial and recreational use of finfish, shellfish, crustaceans and marine plants.

Maximize the benefits of marine resource use so as to provide a valuable recreational resource experience and viable business opportunities for commercial and recreational fisheries.

Where fishery conservation and management plans require actions that would result in resource allocation impacts, ensure equitable distribution of impacts among user groups, giving priority to existing fisheries in the state.

Protect the public health and the marketability of marine and fishery resources by maintaining and improving water quality.

Maintain existing artificial reefs to improve marine resources habitat and expand nearshore fishing opportunities.

11.3 Maintain and strengthen a stable commercial fishing fleet in Long Island Sound.

Protect and strengthen commercial fishing harvest operations, facilities and waterfront infrastructure to support a stable commercial fishing industry.

Support nearshore harvesting throughout the Sound region by providing access, b- Berthing, and off-loading facilities suitable for nearshore operators.

Protect commercial fishing from interference or displacement by competing land and water uses.

Capture heat waste from industrial processes for heating and electric generation.

Improve energy generating efficiency through design upgrades of existing facilities.

13.2 Promote alternative energy sources that are self-sustaining, including solar- and wind-powered energy generation.

In siting such facilities, avoid interference with coastal resources, including migratory birds, and coastal processes.

13.3 Ensure maximum efficiency and minimum adverse environmental impact when siting major energy generating facilities.

Site major energy generating facilities in a coastal location where a clear public benefit is established.

Site major energy generating facilities close to load centers to achieve maximum transmission efficiency.

Site and construct new energy generating and transmission facilities so they do not adversely affect natural and economic coastal resources.

13.4 Minimize adverse impacts from fuel storage facilities.

Regional petroleum reserve facilities are inappropriate in the Long Island Sound coastal area.

The production, storage or retention of petroleum products in earthen reservoirs is prohibited.

Liquefied Natural Gas facilities must be safely sited and operated.

Protect natural resources by preparing and complying with an approved oil spill contingency plan.

13.5 Minimize adverse impacts associated with mineral extraction.

Commercial sand and aggregate mining is generally presumed to be an inappropriate use in the Port Chester coastal area.

Preserve topsoil and prevent overburden using appropriate site preparation techniques and subsequent site reclamation plans.

SECTION IV PROPOSED LAND AND WATER USES AND PROPOSED PROJECTS

This LWRP does not contemplate any large-scale changes to existing land uses and patterns or any rezoning recommendations. In ~~2009~~2012, the Village of Port Chester ~~adopted~~ began the first phase of an update to its 1968 ~~its first ever~~ Comprehensive Plan, ~~and recently adopted this update,~~ which is expected to result in recommends ~~–a series of changes to zoning districts, permitted uses and height and bulk regulations (see Section II.H of this LWRP for a summary of draft zoning recommendations).~~

Therefore, rather than initiating zoning changes, this LWRP focuses on specific projects and alternatives in the immediate waterfront area. These proposed projects and alternatives are intended to enhance public use and enjoyment of the Port Chester waterfront area, maintain and enhance its environmental quality and strengthen the Village’s ability to manage it in the public interest. The recommended projects are also established to advance the Village’s policies as outlined in Section III.

A. PROPOSED LAND USES

The proposed land and water uses recommended for the Village of Port Chester LWRP area are illustrated on Figure 18, Future Land Use Plan. Because this LWRP does not propose any significant changes to land use patterns, the Future Land Use Plan was derived mainly from the existing zoning map and generalized current land use, as well as consideration to future land uses proposed by the ~~draft~~ adopted Comprehensive Plan. This map is not intended to describe the proposed land use pattern on a parcel-by-parcel basis; rather, it is a broad expression of the range of uses intended for the LWRP area. Because the Future Land Use Plan largely stems from current zoning, no substantial changes to Port Chester’s regulatory framework (e.g. zoning and subdivision regulations) are proposed.

Anticipated future land uses within the Port Chester LWRP area are described below for the five LWRP subareas.

1. Greyrock Subarea

Greyrock is a stable low-density residential neighborhood on Port Chester Harbor, virtually isolated from the rest of Port Chester by Interstate 95. It is anticipated that this subarea shall remain a low-density residential neighborhood, with the remaining vacant parcels to be built out with residential uses of a similar character as allowable under the existing R7 zoning. Due to Greyrock’s character and location, opportunities for public open space are limited. No regulatory changes or projects for this area are proposed.

3. Columbus Park/Purdy Avenue Subarea

The Federal channel, along with shoreline docking facilities for recreational boating, barge shipment and/or commercial fishing occupy this subarea. A wetland resource will continue in the cove.

4. Downtown Subarea

This area's waterside is characterized by the Federal ~~C~~channel and a public marina for resident and transient vessels that parallels the shore ~~and~~ at its northern end. ~~Existing uses include residential and commercial establishments in addition to private~~ docking facilities. ~~Future water-enhanced uses such as accessory to commercial uses, ~~resteraunt~~restaurants or an entertainment vessel should be considered. An entertainment vessel, such as the Showboat, may be located in this subarea. Additionally, t~~The former turning basin ~~is,~~ no longer maintained as part of the federal navigation project, ~~but could~~ be altered substantially (see discussion of the Cove area, below).

5. Brookville Subarea

Due to shallow waters, there are no in-water uses beyond the navigation allowed by the water depths.

C. PROPOSED PROJECTS

The following section describes a set of site-specific and programmatic projects which will be or are being implemented to improve the Village's LWRP area. This section is not intended to anticipate all projects that would further the goals of the LWRP; other future projects may develop that could also improve the LWRP area.

1. Enhance and Increase Public Waterfront Access

Port Chester presently contains a very limited amount of public waterfront space, with the existing resources primarily confined to the downtown riverfront walkway and the boat ramp at the Port Chester Yacht Club. The 1992 LWRP outlined a series of ambitious proposals for the creation of new waterfront park areas; however, these proposals were never realized. Therefore, the central goal of the proposed projects in this LWRP is to increase public waterfront access in a meaningful and achievable manner. The following specific areas are targeted (see Figure 19):

a. "The Cove" area at foot of Westchester Avenue

Along the Byram River shoreline just north of Westchester Avenue is a manmade indentation totaling approximately one half-mile in area. This area, known as "The Cove," is a remnant of the river's industrial past; it was carved out to accommodate barges and other large watercraft which serviced the oil tanks directly across the river in Greenwich. However, with those tanks now removed and regular dredging no longer being conducted in this area due to the lack of water-dependent industry, ~~the~~The Cove has no practical function. It is too shallow to accommodate watercraft, and it acts as a collector for waterborne garbage, detracting from the visual quality of the downtown waterfront area. The Cove also interrupts the pedestrian waterfront walkway and the overall fabric at the foot of Westchester Avenue.

This LWRP proposes to fill in The Cove and convert it to the Byram River Waterfront Park, which would also include the existing triangular open space area immediately north of The Cove. This park could be the centerpiece of Port Chester's waterfront, and would be a significant asset in the continued redevelopment of the downtown area. Key issues that would need to be addressed in creation of this park include State permitting approval for filling the area, filling of the floodway and changing of base flood elevation, relocation of the existing stormwater outfall into The Cove and conveyance or use agreement for the existing, privately owned (by G&S) open space area between the parking lot and The Cove. As part of any relocation of the stormwater outfall, the outfall should be upgraded to include an oil/water separator, to improve water quality in the Byram River. Implementation of this project should begin with a feasibility study. See Figures 20-22, below.

b. Byram River Waterfront Walkway

The existing waterfront walkway along the Byram River represents a major access opportunity that is not presently being captured. The portion of the walkway adjoining the Costco parking lot is in poor condition, with portions of the structure falling into the river. In addition, the overall design of this walkway does little to promote its use and enjoyment, because the walkway structure is at a lower grade than the adjacent parking lot. This situation makes the walkway completely disconnected from the landward uses, as well as potentially unsafe, given that pedestrians would largely not be visible from upland locations. The Village is currently in negotiations with the owners of The Waterfront at Port Chester complex on the appropriate repairs or replacement of this portion of the walkway. This LWRP recommends that, beyond simply repairing or replacing the structure in kind, the Village ~~coordinate~~[coordinate](#) with the shopping center owners to expand and enhance the walkway. This could be achieved by eliminating the row of parking immediately adjacent to the walkway and adjusting the slope of this area down to the river so that the walkway is wider and closer to at-grade with the land. In addition, a public point of interest could be added at the southern terminus of the walkway, where the Costco parking lot dead-ends as it meets a substantial topographical change and abuts heavy industrial uses. A gazebo, pocket park or similar resource could be added to give this area a sense of place and provide pedestrians a reason to travel the full length of the walkway, thus enhancing its usability and safety.

North of The Cove area, the riverfront walkway is in better condition and appears to be fairly well used. This segment should extend at least as far northward as the bartaco restaurant north of Willett Avenue, with every effort made to continue it farther to Highland Street. This extension could be accomplished through the site plan approval process, as existing uses along the Byram River are redeveloped in the future. In addition, any potential reuse of the public parking lots currently leased to the Village along Abendroth Avenue north of ~~The~~ Cove should include a condition that the waterfront walkway be preserved and enhanced, as practicable. Figures 19-22 illustrate the potential for an expanded and improved Byram River Waterfront Walkway.

c. Columbus Park

Columbus Park is the most significant public open space within the LWRP area, and the Village's recent upgrades have significantly enhanced its attractiveness and potential use by the community, in particular the neighborhoods immediately south and west. However, despite the fact that this park is located along the river, there is virtually no visual or physical access to the water. This LWRP proposes opening up the waterfront portion of the park for a combination of passive and water recreational use. The existing walkway to the park's water feature could be extended to the waterline, and a pedestrian walkway and fishing pier constructed to allow the community to closely interact

with the water. Given the shallow depths at this portion of the Byram River, a shoreline boat launch is not feasible, but the fishing pier could also provide mooring opportunities for small craft. This area also provides a potential opportunity for wetlands creation and restoration, which would attract wildlife and could serve to mitigate potential environmental effects of filling in the Cove farther north. The end result would be a unique passive recreational area that could allow users to relate both to Port Chester's riverfront habitats as well as its robust industrial usage. Development of the Columbus Park waterfront would require close coordination with the existing industrial users to the north and with the New York State Thruway Authority.

d. Fox Island

Beginning at the northernmost portion of Fox Island, there is a small, undeveloped area of land between I-95 and the sewage treatment plant that could be used for storage and launch of small watercraft such as canoes, rowboats, dinghies and kayaks. Because of limited space and the proximity of the public boat ramp at the Port Chester Yacht Club, no launch facilities for motorcraft are proposed in this undeveloped area. Communication and coordination with Westchester County would be required to ensure no disruption to the operation of the sewage treatment plant.

There is also the potential for this area to be connected with the redeveloped waterfront portion of Columbus Park (see above) under I-95. Clearly, the public use of land underneath the highway could raise security concerns and would have to be negotiated with the Thruway Authority and other relevant agencies. However, it could provide an important pedestrian and open space link between the Fox Island Peninsula and the rest of the Port Chester waterfront. Recent and current projects throughout the region (including planned renovations to Brooklyn Bridge Park that would allow public access under the Brooklyn and Manhattan Bridges in New York City) have shown that security issues can be overcome in the interest of increasing public open space.

South of the sewage treatment plant, the Village should promote development of a public waterfront walkway southward along the remainder of Fox Island. Much of the land immediately adjacent to the water in this area appears to be devoted to underutilized parking areas and boat storage, and could be reworked to accommodate the walkway. As uses in Fox Island are redeveloped or changed, this public access could be achieved through the site plan approval process.

Another major opportunity to enhance public access and open space on Fox Island lies with the Village's DPW site. While it is anticipated that this facility will remain at the current location due to the extremely limited feasible alternative sites within Port Chester, the DPW operations should be consolidated to the greatest degree practicable away from the water. This would allow for both the

necessary environmental cleanup of the landfill/mulching area and for the public use and access of this area, which provides one of the few unobstructed, public viewsheds of Port Chester Harbor. In conjunction with this creation of new public space, a vegetative buffer would be created at the western edge of the Fox Island Peninsula to provide more clear separation from the industrial uses to the east from the low-density Greyrock neighborhood to the west.

2. Implement Harbor Management in the Village

The Village plan for harbor management is an integral part of this LWRP. Its components are: the in-water boundary of the LWRP (section1); the description of the current water-dependent uses and water-enhanced uses of the shoreline and the waters and the issues to be addressed (section 2); the policies that relate to uses of the shoreline and waters (Section3, particularly policies 9, 10, and 11); the proposed uses of the shoreline and the water (Section 4); projects described in Section 4; the zoning that provides for water-dependent and water-enhanced uses for most of the shoreline (Section 5); the continuation of the Federal channel and its associated facilities; and the provisions of the boating and watercraft law and the designation of personnel to implement it (Section 5 and Appendix).

3. Explore Future Opportunities for Mooring of Entertainment Vessels

The Village has considered proposals in the past for permanent moorings of vessels intended for use as entertainment and dining space, ~~for example the Showboat, which is presently docked at the Highland Street marina.~~ Such uses could present opportunities for Port Chester to gain unique waterfront attractions that would enhance downtown activity. Permanent moorings of entertainment-themed vessels could also provide for upgrades to adjacent marina facilities, as well as potential upgrades or extensions to the waterfront pedestrian walkway.

Although any proposal to permanently moor a vessel for entertainment use along the Village's waterfront would need to address issues of traffic (vessel, vehicular and pedestrian), parking, interference with navigation and other factors, such proposals should be thoughtfully considered as key waterfront redevelopment opportunities.

4. Explore Provision of Hand-Launched and Transient Docking Facilities in the Downtown Area

The potential small watercraft launch off Fox Island Road discussed above could take some time to plan and develop, with issues of access and parking to be addressed. In the short-term, the Village could provide for more immediate hand-launched boat facilities in appropriate locations. For example, once repairs to the Byram River bulkhead are complete, the municipal docks are planned to be extended southward to the end of the adjacent Costco parking lot. Until these docks are fully utilized by seasonal permit holders, they could be used for the next 1-2 years for the launching and storage of kayaks, canoes or other hand-launched boats. Once a more permanent

location for ~~these~~^{such}-small watercraft is developed off Fox Island Road, they could be relocated.

In addition, the Village could explore setting aside a portion of future municipal docks for transient, or short-term, docking. This would allow boaters from throughout the region to tie up and make use of the Waterfront at Port Chester and other nearby shopping and dining attractions. Such an arrangement would need to establish a physical separation between the transient and long-term docks – such as a gate with keycard access – so that the seasonal permit holders could be assured that their boats are secure.

It is important to note that both the provision of hand-launched boat facilities and transient docking facilities in the downtown area are contingent upon the completion of repairs to the Byram River bulkhead.

5. Consider Extending Utilities Along Fox Island Road

Much of Fox Island’s redevelopment potential appears to be limited by the fact that municipal utilities do not fully extend to the end of Fox Island Road, which has interfered with the continued operation of some uses and could impair the expansion potential of others. The Village should consider pursuing all available funds, including grants, to fully extend utilities throughout the Fox Island Peninsula, as a means to support the existing uses as well as promote overall redevelopment of the area.

6. Support Continued Upgrades to the Westchester County Sewage Treatment Plant

The Westchester County Sewage Treatment Plant recently completed upgrades to the facility, and no further renovations are planned in the near future. However, if current upgrades to the County’s sewage treatment plants in New Rochelle and Mamaroneck do not achieve nitrogen reduction levels required by the DEC, the County will need to retrofit its Port Chester and Blind Brook sewage treatment plants for biological nutrient removal (BNR), which removes nitrogen and phosphorous from wastewater through the use of microorganisms. The Village should support any such future upgrades to the sewage treatment plant, but should maintain close communications with the County to ensure that potential negative impacts to Village residents are minimized.

The Village should also initiate discussions with the County regarding exterior renovations to the sewage treatment plant. Although such renovations would clearly not represent as high a priority for the County as required functional upgrades, the exterior of the plant has a huge impact on Port Chester’s image, and in particular on the redevelopment of the Fox Island peninsula. The Village should work with the County to secure funding for exterior improvements through any available means, such as grants through the State’s Coastal Management or Brownfield Opportunity Area (BOA) programs. Such efforts would capitalize on the potential for the sewage treatment plant to act as a visual asset for Port Chester, as has occurred elsewhere in the region. For example, the County’s sewage treatment plant in Mamaroneck has undergone

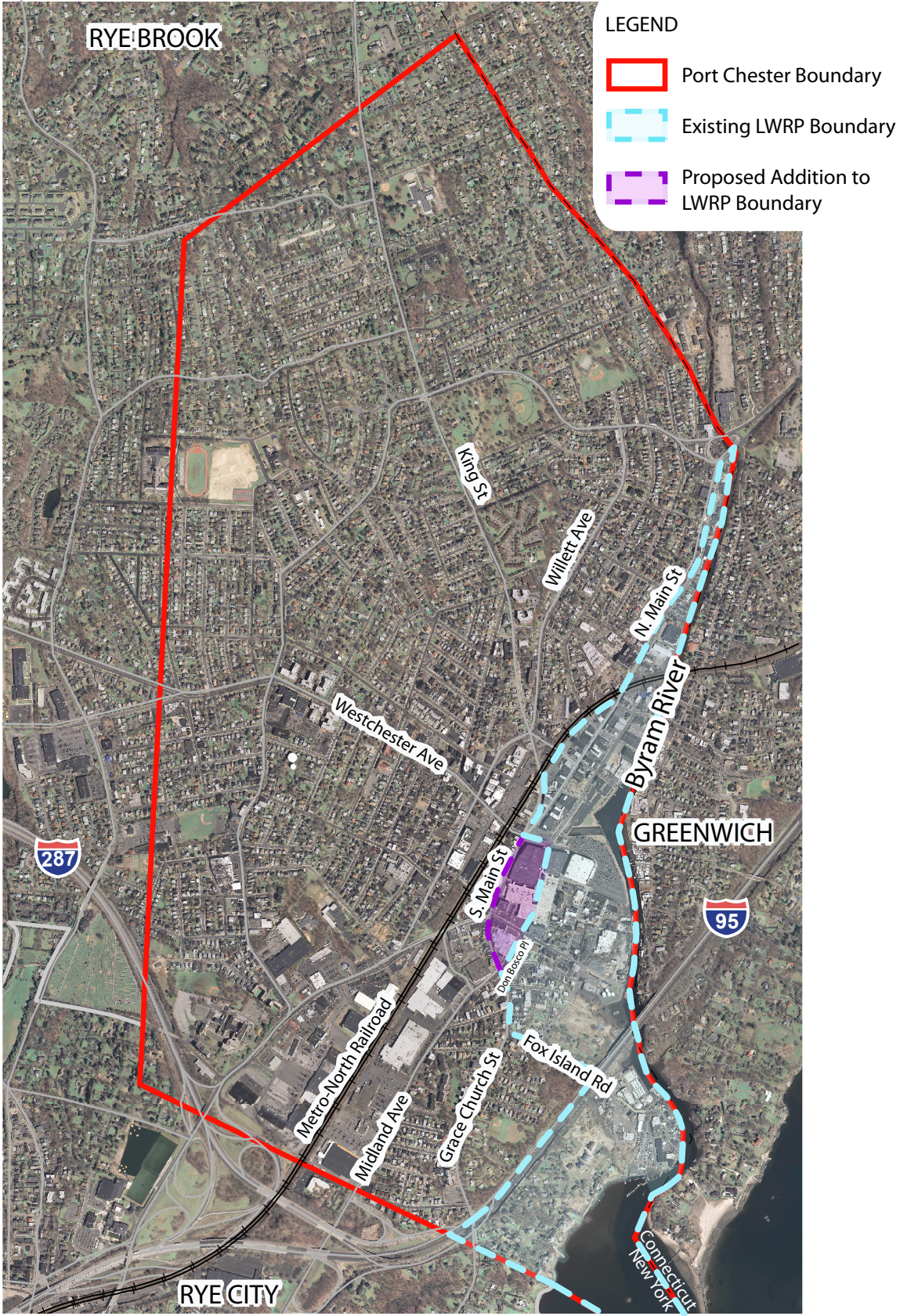
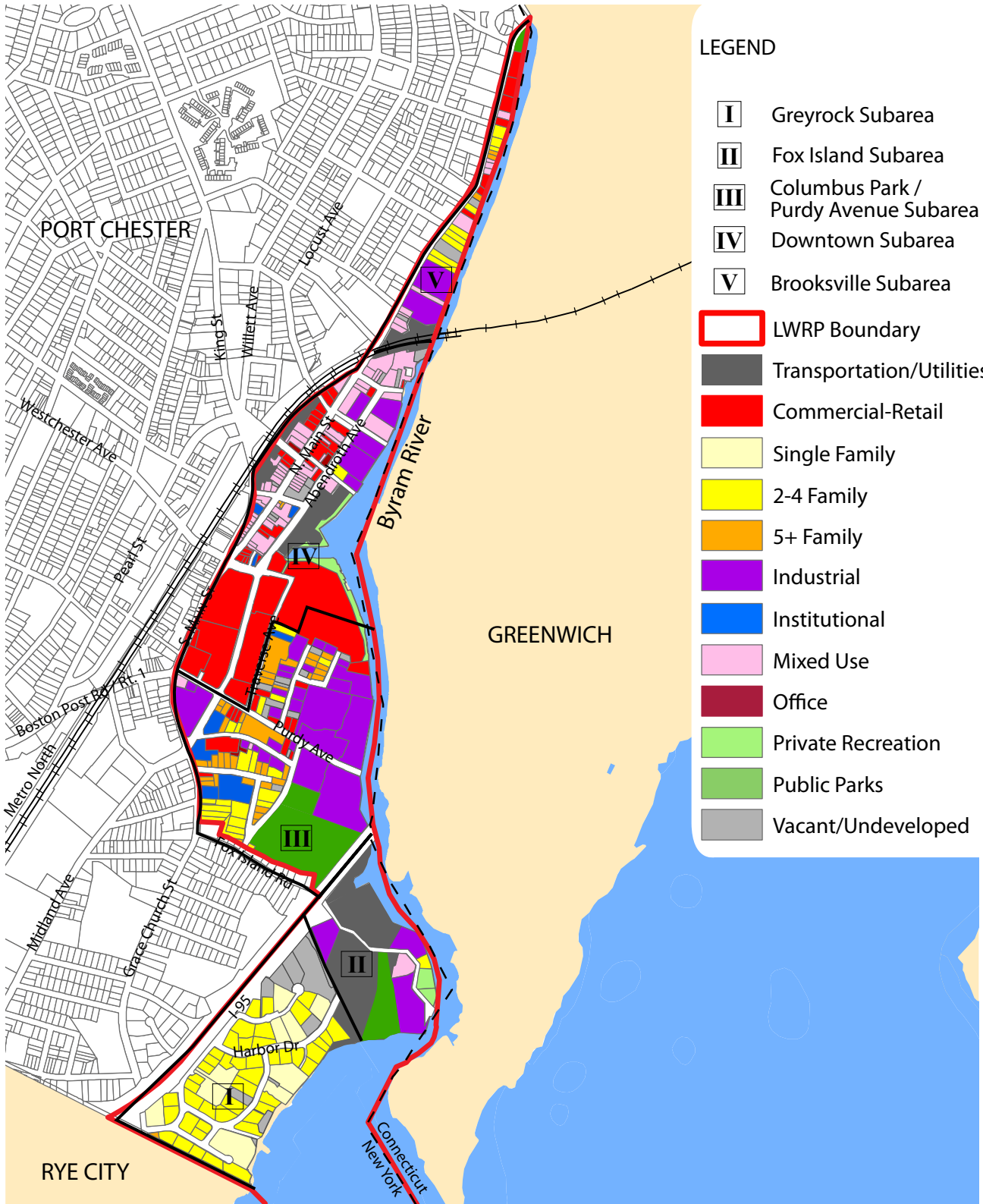


FIGURE 3: PROPOSED NEW LWRP BOUNDARY





LEGEND

- I** Greyrock Subarea
- II** Fox Island Subarea
- III** Columbus Park / Purdy Avenue Subarea
- IV** Downtown Subarea
- V** Brooksville Subarea
- LWRP Boundary
- Transportation/Utilities
- Commercial-Retail
- Single Family
- 2-4 Family
- 5+ Family
- Industrial
- Institutional
- Mixed Use
- Office
- Private Recreation
- Public Parks
- Vacant/Undeveloped

0 550 1,100 2,200 Feet

FIGURE 5: LAND USE

SOURCE: NYS Orthos & GIS



RESOLUTION

APPOINTMENT OF ADDITIONAL ELECTION INSPECTORS

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

WHEREAS, the Village Clerk has advised of the need for the Board of Trustees to appoint additional election inspectors for the 2013 Village Election; and

WHEREAS, the Clerk has proposed a number of candidates who have been qualified to serve in this capacity. Now, therefore, be it

RESOLVED, that the following named persons are qualified Election Inspectors and are hereby appointed to act as Election Inspectors for the Village of Port Chester with regard to the 2013 Village Election:

Maria R. Alvarez

Eneida E. Burton

Feliz E. Burton

Gabriel Cepallan

Elvira M. Clark

Fernando Gomez

Roy Lespier

APPROVED AS TO FORM:

Village Attorney, Anthony Cerreto

ROLL CALL

AYES:

NOES:

ABSENT:

DATE:

AGREEMENT TO PROVIDE SHELTER AND VETERINARY SERVICES FOR DOGS
SEIZED IN THE VILLAGE OF PORT CHESTER

On motion of TRUSTEE _____, seconded TRUSTEE _____, the

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

WHEREAS, the Village desires a shelter and veterinary services for dogs seized by the Police Department in accordance with the requirements of the New York Agriculture and Markets Law; and

WHEREAS, Village staff has identified an animal hospital/veterinarian qualified to provide such services;

WHEREAS, this matter is provided for in the 2012-2013 Budget.. Now, therefore, be it

RESOLVED, that the Village Manager be and is hereby authorized to enter into an agreement with Stamen Animal Hospital and Violi Veterinary Care PPC, 61 Quaker Ridge Road, New Rochelle, New York 10804 to provide an maintain a pound or shelter for dogs seized in the Village and necessary veterinary care, compensation and other terms as provided for in the said agreement annexed hereto, payable out of Account Code 3510-400 "Animal Control".

APPROVED AS TO FORM:

Village Attorney

REPORT
OF
THE VILLAGE MANAGER

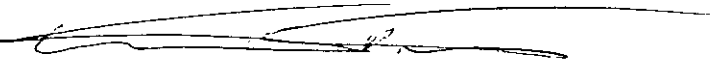


VILLAGE OF PORT CHESTER

OFFICE OF THE VILLAGE MANAGER

MEMORANDUM

TO: Mayor and the Board of Trustees

FROM: 
Christopher D. Steers, Village Manager

DATE: February 15th, 2013

RE: Updates

ACTIONS:

- **Budget:** budget preparations underway. The Five Year Operating Budget model worksheet was reviewed and distributed to BOT. Budget worksheets received from all departments and reviewed and inputted. VM meetings with department heads will be completed this week. Focus is on:
 - Cost cutting and controls (taking a close look at workers compensation, our insurance coverage's, risk, etc...)
 - Revenue enhancements (reviews of all fees, receivables, meter rates, other recurring collections)
 - Maintaining service delivery
 - In-kind-services
- **Recruitments:** recruitment efforts for the Assistant Building Inspector, Code Enforcement Officer, Administrative Intern, and replacement Fire Inspector have been completed. All offers have been accepted. Candidates are either already on the job or starting within the next two weeks.
- **Library Budget Adoption:** review of the Library budget has highlighted questions relating to their insurance and workers compensation. Currently it appears that they are piggy backing on the Villages coverage which is problematic.
- **BOT follow ups:**
 - DPW indicates missing Newton Street sign is on back order but will be installed as soon as they receive it.
 - PD indicates AVR realty was contacted and they have installed left turn signs as required on Boston Post Road exit.
 - PD indicates that DOT was contacted about missing left turn signs on B.P.R. Apparently the signs on back order but will be installed once received.

INITIATIVES

- **Risk Management & HR:** I am reviewing the Village's risk management procedures and/or lack thereof. Focus is being placed upon workers compensation costs, rates, experience Mod, safety training, and OSHA reporting and compliance. Mr. Ed Brancati Sr., has been brought in on a contractual as needed basis to help coordinate and make recommendations.
- **Brining:** due to the limited success of the snow removal during the last snow event albeit with our best efforts, an interim agreement was reached with the Village of Rye Brook to brine several streets for the Village as a pilot or test to judge the efficacy. The brining test was completed at 3:00 PM today; it took only 2 hours and approximately 365- gallons of brine for the following streets:
 - N & S Main Street
 - Westchester Avenue
 - King Street
 - Putnam Avenue
 - N & S Regent Street
 - Irving Avenue

Initial estimates for system implementation are from \$4,000.00 to \$10,000.00. See Attached details from supplier.

PROJECTS:

- **350 North Main Street:** the assessment of the current conditions at the Police and Court building include the need for exterior drainage work, interior drainage work, painting, possible lead abatement, pointing of the brick around key sites of the building, and repairs to the cell blocks.
 - The exterior drainage work was bid out and the low bid came in at about \$25,000.00. This work will correct several of the exterior drainage issues including the backing up of sewerage in the basement. The funds will come from Police Building Repairs 99/03, code 5.3120.2090.
 - DPW and the Village Engineer are working to get quotes on the other interior drainage, painting, lead abatement, and brick pointing.
 - I am still reviewing the JCJ report and assessing any plausible low cost fixes for the current conditions in the cell blocks. DPW has been instructed to clean and paint the cells in the interim.
- **Promenade Cameras:** Promenade cameras have been installed. Various issues have arisen relating to efficacy, camera type, and overall project efficacy. VM is coordinating with PD, DPW, and installer to work out any possible resolutions to issues.

PRIORITY LIST

- See attached table.

CC: Tony Cerreto, Village Attorney
Christopher Ameigh, Administrative Aide
Maryanne Veltri, Office Assistant
File

Port Chester - Rye Brook Public Library

1 Haseco Avenue
Port Chester, New York 10573
914-939-6710

ROBIN LETTIERI, Director
ROGER HERMAN, President

Hon. Dennis Pilla
Mayor of Port Chester
Village Rooms
222 Grace Church Street
Port Chester, New York 10573

January 28, 2013

Dear Mayor Pilla:

I am writing to you on behalf of the Library Board of Trustees.

At the Library Trustees meeting, the Board approved the proposed budget for the 2013/2014 fiscal year. The budget is being sent to you for your perusal.

Please notify me if you require additional information. My telephone number is 939-6710, extension 114. Thank you for your time and consideration.

Sincerely,



Robin Lettieri, Director
Cc: Christopher Steers and Village Trustees

PORT CHESTER-RYE BROOK PUBLIC LIBRARY			
REVENUE	BUDGET-2011-12	BUDGET 2012-2013	PROPOSED 13-14
Rye Brook	\$ 457,512.00	\$ 470,000.00	\$ 482,690.00
Port Chester	\$ 849,732.00	\$ 872,732.00	\$ 896,300.00
Contributions	\$ 73,898.00	\$ 24,061.00	\$ 25,010.00
Fines	\$ 19,500.00	\$ 19,500.00	\$ 19,500.00
Nathan L. Wein Act.	\$ 6,500.00	\$ 6,500.00	\$ 6,500.00
Leffert's Fund	\$ 36,000.00	\$ 60,000.00	\$ 60,000.00
Byrne's Fund	\$ 3,600.00	\$ 6,000.00	\$ 6,000.00
Library Act.	\$ 6,000.00	\$ 6,000.00	\$ 6,000.00
TOTAL	\$1,452,742.00	\$ 1,464,793.00	\$ 1,502,000.00
EXPENSES			
Bldg. Equip.&Repr.	\$ 41,000.00	\$ 41,000.00	\$ 55,000.00
Bldg. Supplies	\$ 5,500.00	\$ 5,500.00	\$ 6,000.00
Utilities	\$ 42,400.00	\$ 40,000.00	\$ 32,000.00
Insurance-Building	\$ 27,000.00	\$ 30,000.00	\$ 30,000.00
Heat	\$ 30,000.00	\$ 30,000.00	\$ 20,000.00
Sewer Tax	\$ 2,000.00	\$ 3,000.00	\$ 3,000.00
Telephone	\$ 13,000.00	\$ 13,000.00	\$ 13,000.00
Supplies & Postage	\$ 25,000.00	\$ 23,000.00	\$ 25,000.00
Lib. Materials&Progrm	\$ 57,292.00	\$ 55,384.00	\$ 71,604.00
Technology Services	\$ 62,500.00	\$ 61,000.00	\$ 62,830.00
Acctg.&Payroll Svcs	\$ 13,000.00	\$ 12,500.00	\$ 12,500.00
Salaries	\$ 780,300.00	\$ 780,125.00	\$ 797,716.00
Health Insurance	\$ 169,000.00	\$ 180,000.00	\$ 180,000.00
Payroll Tax	\$ 69,750.00	\$ 63,000.00	\$ 64,900.00
Prof. Education	\$ 500.00	\$ 750.00	\$ 750.00
Retirement	\$ 62,500.00	\$ 75,000.00	\$ 76,000.00
Security	\$ 50,000.00	\$ 49,534.00	\$ 49,700.00
Outside Services	\$ 2,000.00	\$ 2,000.00	\$ 2,000.00
TOTAL	\$ 1,452,742.00	\$ 1,464,793.00	\$ 1,502,000.00

RB 2.7% PG 2.7%
given for 2012-13

2.7% increase request



GREGSON-CLARK
A Division of Robert M. Clark, Inc.

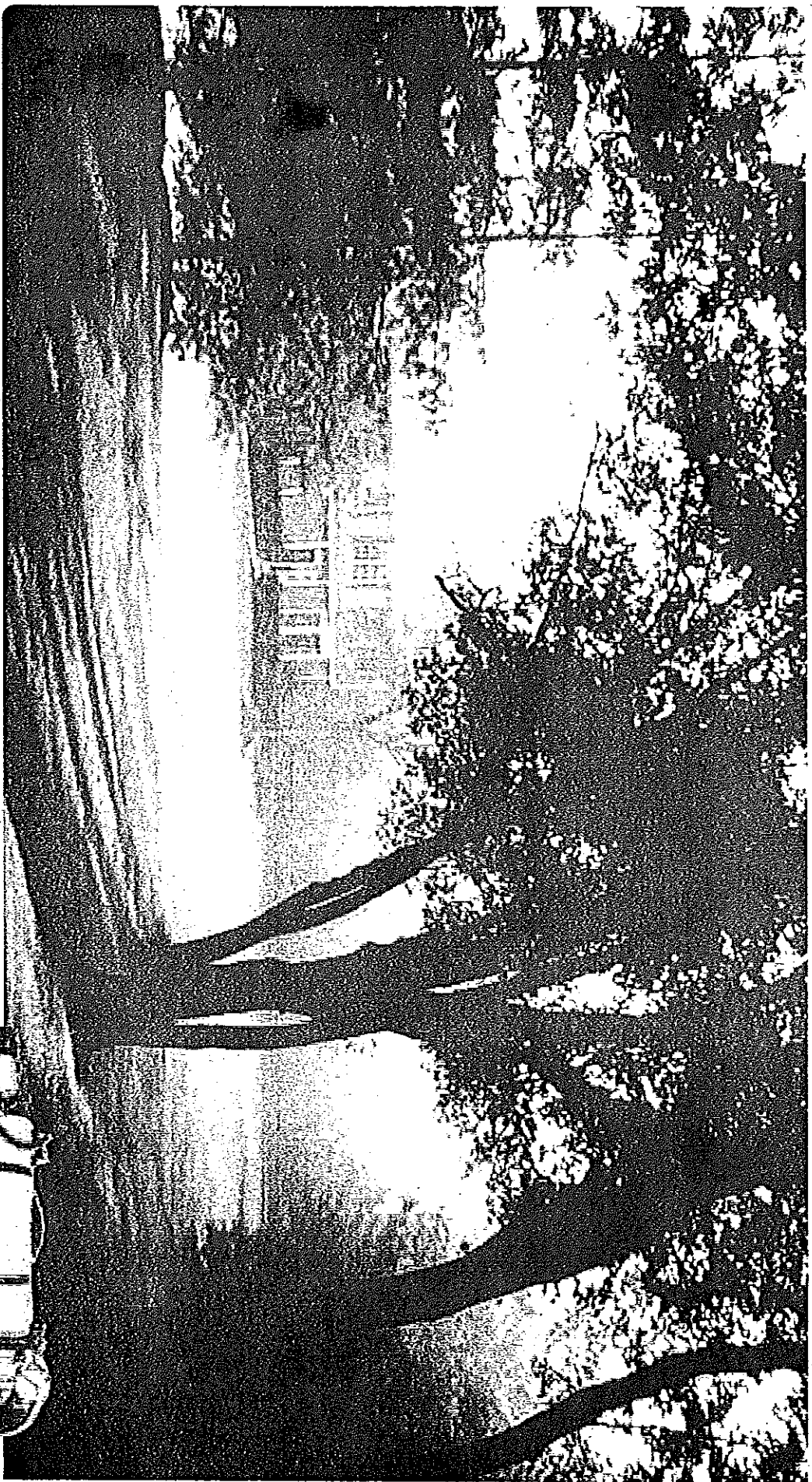


PHOTO COURTESY OF THE UNIVERSITY OF MICHIGAN LIBRARY

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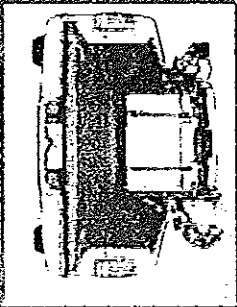
Toll free: 800-706-9530

Phone: 585-538-9570

Fax: 585-538-9577

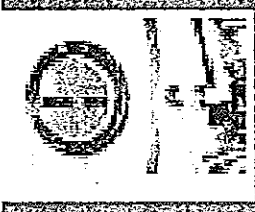
gregsonclark.com

V-SERIES SKID SPRAYERS

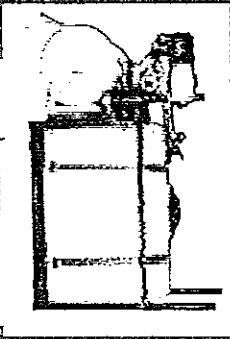


Eliminate the need for expensive, low quality equipment. One manufacturer, one equipment.

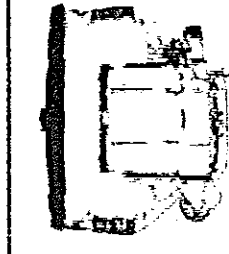
High quality tank fittings reduce tank potential.



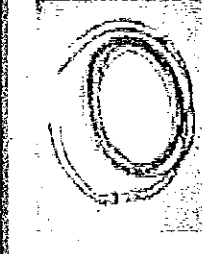
Two position jet mount allows the same sprayer to be used in a pick up truck or van.



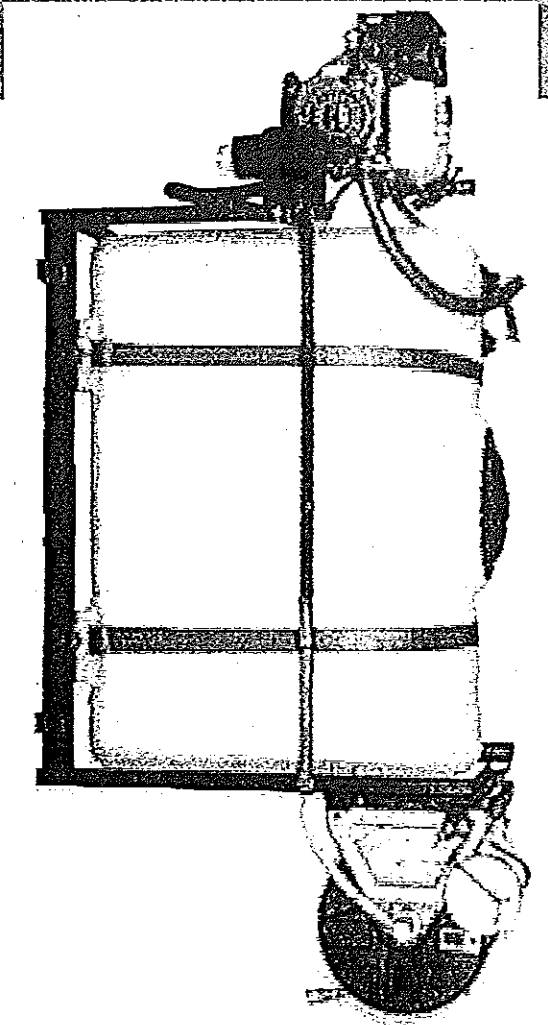
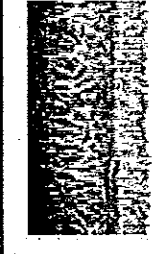
Modular add-on tank assemblies are easy and reversible way to provide increased capacity and or separate solutions.



A 5 gauge heavy duty wiring assembly with a quick disconnect and quick break connector available with all electric reels.



Compatible Ter Compatible



- Controls are located for easy operation and maintenance.
- Powdercoat finish on frame.

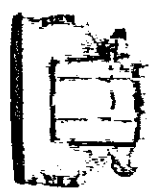
ACCESSORIES (See page 9)



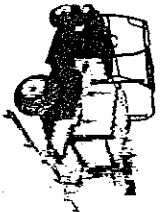
Roller guide



Air gap fill line



Modular add-on tank assemblies



Utility vehicle boom kit



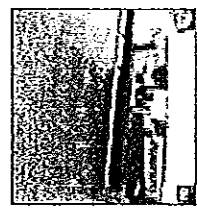
Eco-505 Injection System



Strainer bag

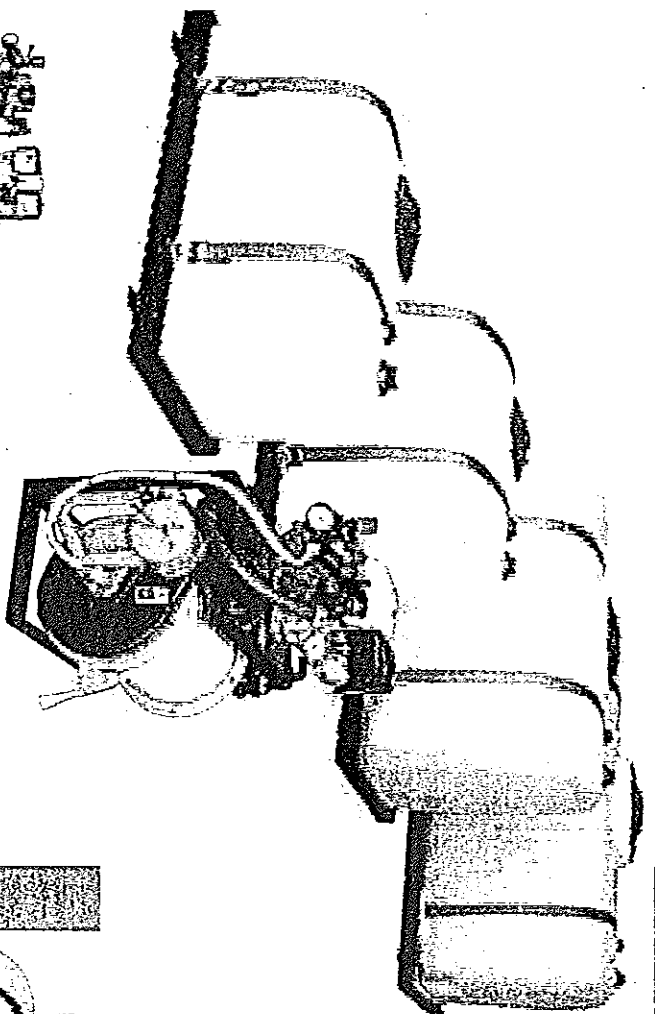


High pressure strainer

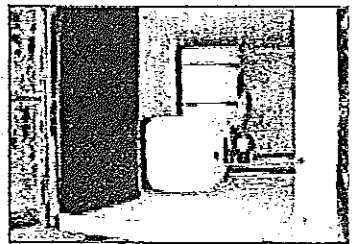
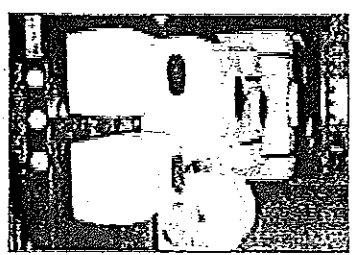
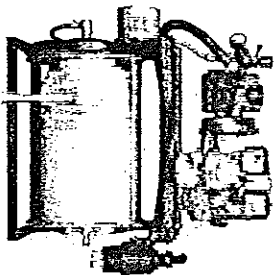


Reese hitch de-icing boom

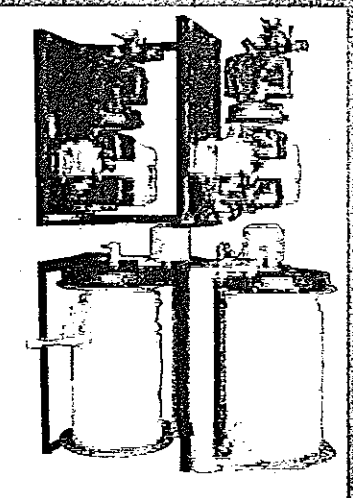
MODULAR SYSTEMS



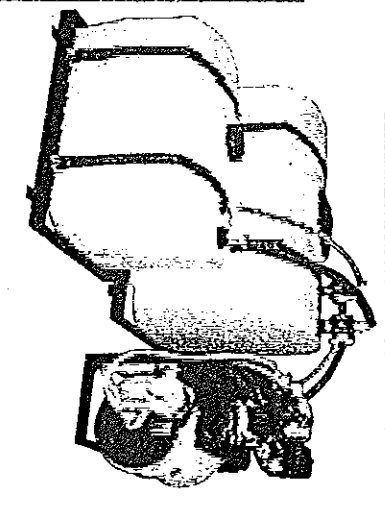
MODULAR SYSTEM DIMENSIONS
 Pump/engine and reel
 W-37.5" x D-20.5" x H-36.5"



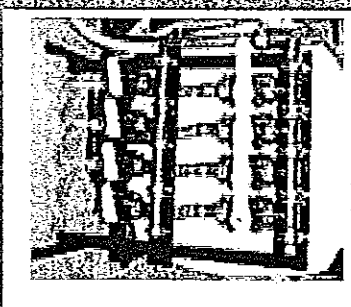
Pump/engine and hose reel can be positioned for curbside access and the tanks can be positioned for ease of filling and ideal weight distribution.



Compact Modular System with pump/engine and hose reel on pump/engine on the top of bottom.



Modular System with pump/engine and hose reel on the side of tanks with a manual valve system.

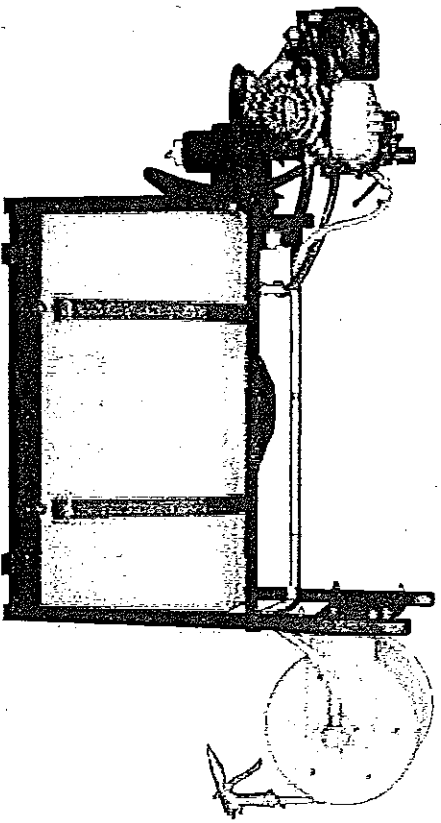


MODULAR TANK ASSEMBLY DIMENSIONS

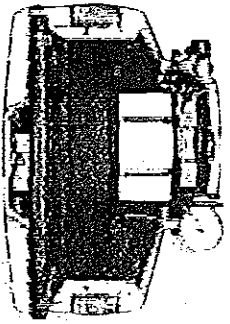
Capacity (Gallons)	Length (Inches)	Width (Inches)	Height (Inches)
35 GALLON	38 1/2	19	31
50 GALLON	48 1/2	21	33
100 GALLON	68 1/2	22	38
150 GALLON	88 1/2	23	44
200 GALLON	108 1/2	23	48
300 GALLON	148 1/2	24	54

V-50 ST | V-100 ST

MODEL V-50 ST

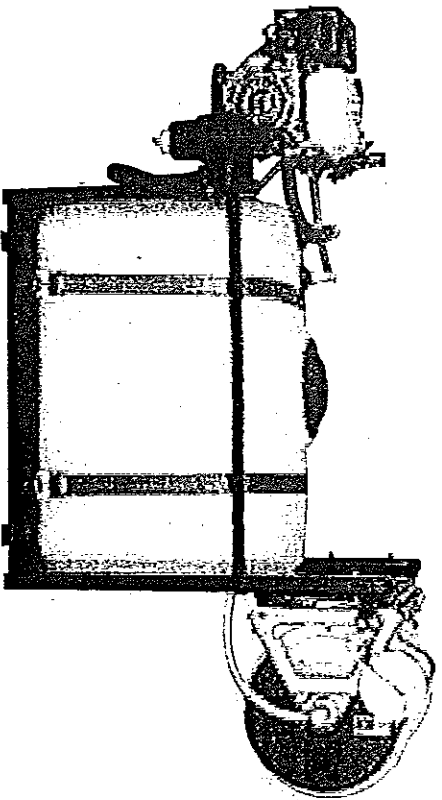


Compact, lightweight an inexpensive, the V-50 ST is ideal for pest control, weed spraying or as a dedicated unit for special services. With a base width of 38.5" the V-50 fits well in compact pickup trucks.

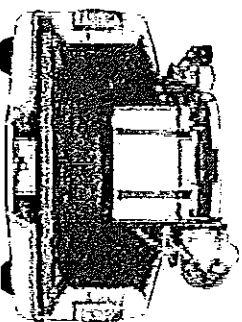


Frame	Welded steel, powdercoat finish, gloss black
Tank	50 gallon polyethylene PCO style, jet agitation, 8" lid
Strainer	Arag 1-1/2" suction strainer with built in shut off valve, 16 mesh
Engine	Honda GX 120 4.0 HP, pull start with oil alert
Pump	Udor Kappa 25 GR diaphragm pump (7.0 gpm, 350 psi)
Reel	Hannay model 1020-14-16, manual rewind
Hose	200 feet 3/8" ID psi PVC hose
Gun	Green Garde GES spray gun
Dimensions	See page 15

MODEL V-100 ST



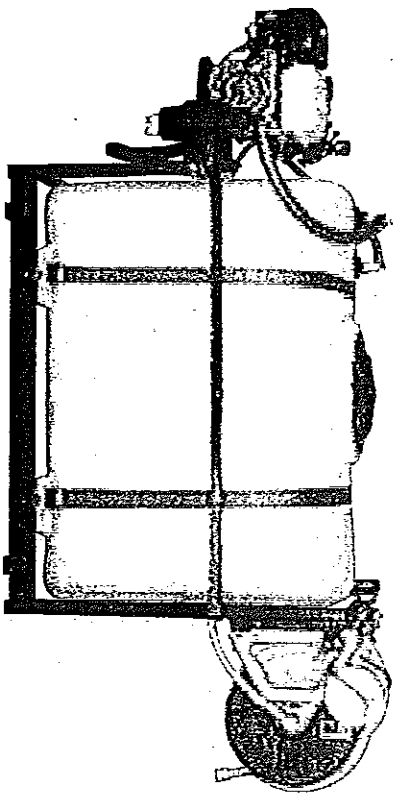
With a base width of 38.5" the V-100 ST fits well in medium and full size pickup trucks. By mounting the hose reel under the pump/engine, the V-100 ST works well in vans with side-door access to all controls.



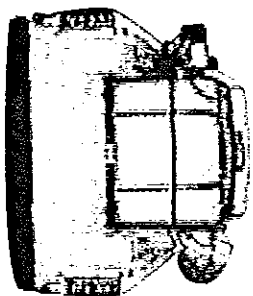
Frame	Welded steel, powdercoat finish, gloss black
Tank	100 gallon polyethylene PCO style, jet agitation, 8" lid
Strainer	Arag 1-1/2" suction strainer with built in shut off valve, 16 mesh
Engine	Honda GX 160 5.5 HP, pull start with oil alert
Pump	Udor Kappa 43 GR diaphragm pump (12.5 gpm, 560 psi)
Reel	Hannay model E-1530-17-18, 12-volt rewind
Hose	300 feet 1/2" ID psi PVC hose
Gun	Lesco/Chemlawn gun with nozzle
Dimensions	See page 15

V-200 ST | V-300 ST

MODEL V-200 ST

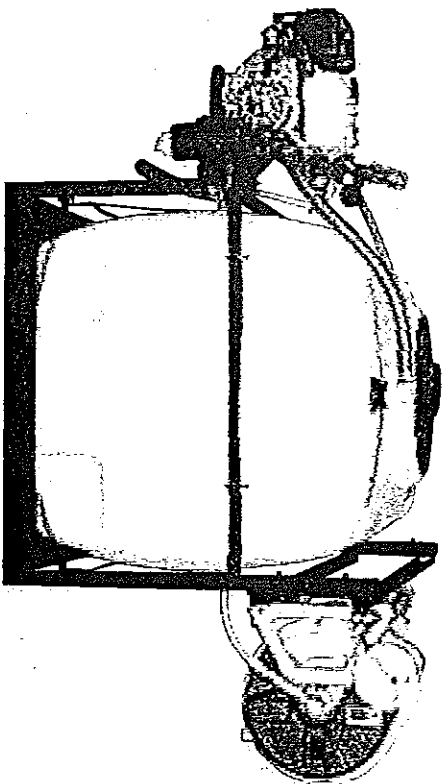


Our most popular sprayer, the V-200 ST fits well in full size pickup trucks leaving plenty of space remaining for other equipment or materials

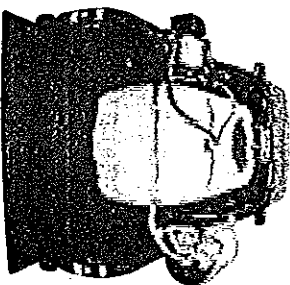


- Frame Welded steel, powdercoat finish, gloss black
- Tank 200 gallon polyethylene PCO style, jet agitation, 12" lid
- Strainer Arag 1-1/2" suction strainer with built in shut off valve, 16 mesh
- Engine Honda GX 160 5.5 HP, pull start with oil alert
- Pump Udor Kappa 43 GR diaphragm pump (12.5 gpm, 560 psi)
- Reel Hannay model E-1530-17-18, 12-volt rewind
- Hose 300 feet 1/2" ID psi PVC hose
- Gun Lesco/Chemlawn gun with nozzle
- Dimensions See page 15

MODEL V-300 ST



The V-300 ST can accommodate two hose reels. The tank is baffled and features a 16" lid. The 14 gpm pump ensures plenty of agitation.



- Frame Welded steel, powdercoat finish, gloss black
- Tank 300 gallon polyethylene PCO style w/baffle, jet agitation, 16" lid
- Strainer Arag 1-1/2" suction strainer with built in shut off valve, 16 mesh
- Engine Honda GX 160 6.5 HP, pull start with oil alert
- Pump Udor Kappa 55 GR diaphragm pump (14.0 gpm, 560 psi)
- Reel Hannay model E-1530-17-18, 12-volt rewind
- Hose 300 feet 1/2" ID psi PVC hose
- Gun Lesco/Chemlawn gun with nozzle
- Dimensions See page 15

TANKS

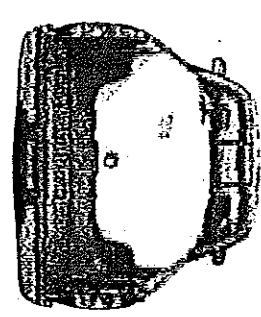
LAWN & GARDEN

Capacity	Length	Width	Height
14 gallon	31"	14"	14"
25 gallon	34"	18"	18"



PCO

Capacity	Length	Width	Height
35 gallon	35"	16"	21"
50 gallon	38"	19"	23"
100 gallon	38"	30"	29"
150 gallon	48"	37"	29"
200 gallon	48"	37"	38"
300 gallon	69"	37"	40"

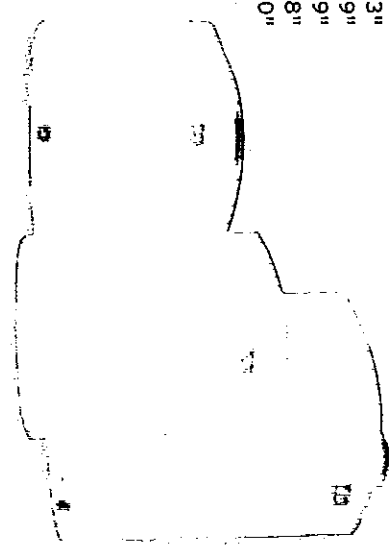


Capacity	Length	Width	Height
205 gallon	52"	52"	26"
305 gallon	58"	60"	30"

LOW PROFILE

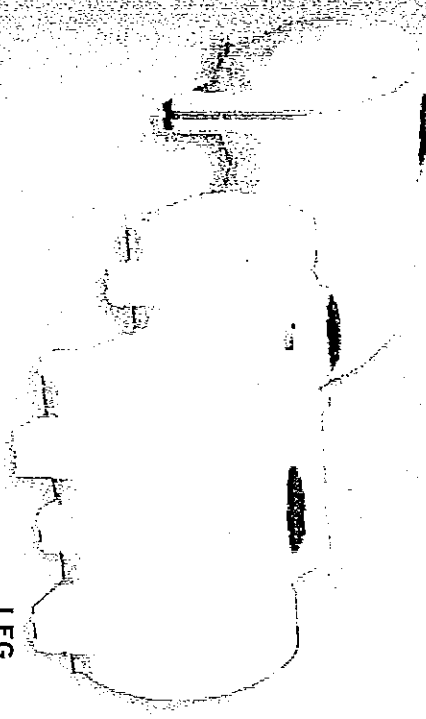
STORAGE

Capacity	Diameter	Height
1050 gallon	85"	54"
1500 gallon	85"	69"
2500 gallon	90"	103"
3000 gallon	90"	120"

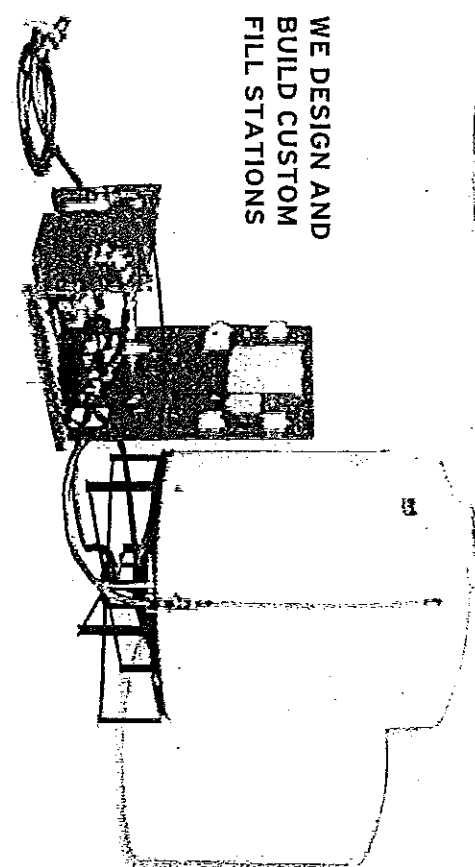


LEG

Capacity	Length	Width	Height
535 gallon	78"	48" diameter	48" diameter
735 gallon	103"	48" diameter	48" diameter
1035 gallon	90"	78"	52"







WE DESIGN AND BUILD CUSTOM FILL STATIONS

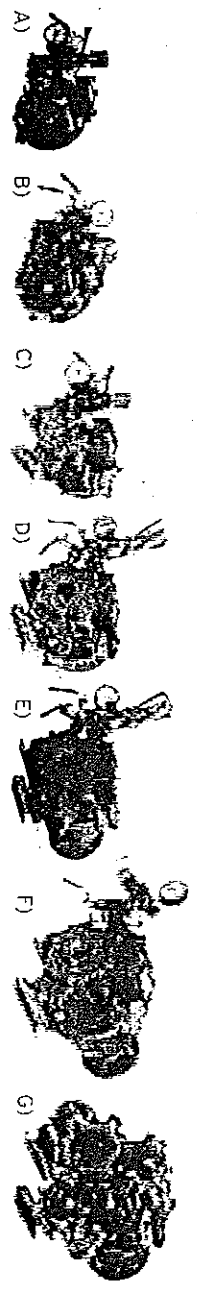


PUMPS | HOSE REELS

V-SERIES AND MODULAR SYSTEM PUMP OPTIONS

12-VOLT DIAPHRAGM PUMPS

	Volume Max.	Pressure Max.
A) 	A Shurtflo 2088-343-500	3.3 gpm 45 psi
B) 	B Fiolet 4100-143	5.0 gpm 45 psi
C) 	C Udor Kappa 18/12-Volt	4.2 gpm 70 psi
D) 	D Delavan Fat Boy	7.0 gpm 50 psi



GAS ENGINE POWERED DIAPHRAGM PUMPS (DIRECT COUPLED)

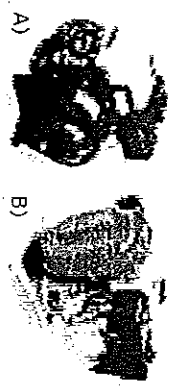
Pump	Engine	Volume Max.	Pressure Max.
A Udor Kappa-25/GR	Honda 4.0 HP	7.0 gpm	300 psi
B Udor Kappa-40/GR	Honda 5.5 HP	10.5 gpm	560 psi
C Udor Kappa-43/GR	Honda 5.5 HP	12.5 gpm	560 psi
D Udor Kappa-55/GR-5	Honda 6.5 HP	14 gpm	350 psi
E Udor Kappa-55/GR-8	Honda 9.0 HP electric start	14 gpm	560 psi
F Udor Kappa-75/GR	Honda 13.0 HP electric start	19 gpm	560 psi
G Udor RO-110/GR	Honda 9.0 HP electric start	29 gpm	300 psi

TRUCK MOUNT HIGH VOLUME TREE SPRAY PUMPS

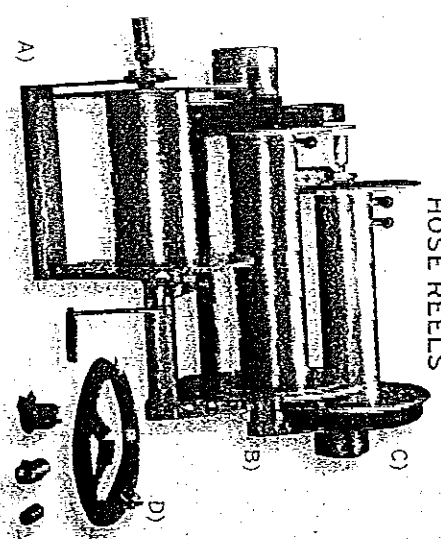
Pump	Engine	Volume Max.	Pressure Max.
A Udor Kappa-150/GR	Honda or Briggs & Stratton Vanguard 31 HP	42 gpm	700 psi
B Udor Beta 240 (Belt Drive)	Call for options	64 gpm	700 psi

CENTRIFUGAL PUMPS

Pump	Engine	Volume Max.	Pressure Max.
A Banjo 2" Polyporo	Honda 5.5 HP	160 gpm open flow	50
B Hypro 1551-SP	Honda 9.0 HP	155 gpm open flow	135



HOSE REELS



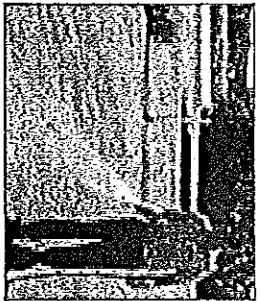
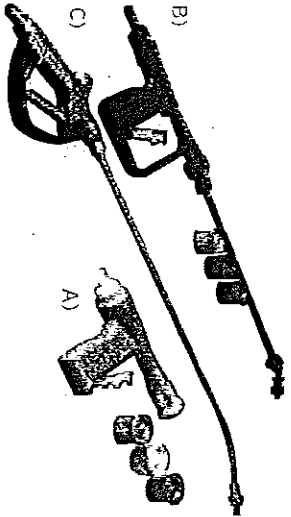
A) Model 1020-14-16 Hose capacity 175 feet, 3/8" ID Rewind Manual Inlet 1/2" FNPT Outlet 3/8" FNPT	B) Model EI530-17-18 Hose capacity 400 feet, 1/2" ID Rewind 12-volt electric Inlet 1/2" FNPT Outlet 1/2" FNPT
--	---

C) Model E2030-17-18 Hose capacity 400 feet, 1/2" coaxial 300 feet, 3/8" x 1/4" twin-line Rewind 12-volt electric Inlet (2) 1/2" FNPT Outlet (2) 1/2" FNPT

D) A 6-gauge heavy duty wiring assembly with a quick disconnect and circuit breaker comes standard with all sprayers with electric reels. In addition to hose reels shown, many other models are available to accommodate any need.

SPRAY GUNS | HOSE

LAWN SPRAY GUNS

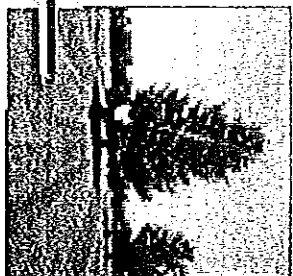
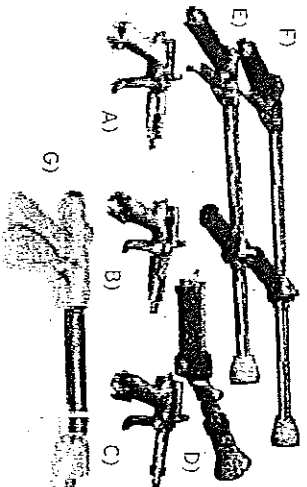


Model

Description

A	007433	Lesco/Chemlawn gun
B	25660	TeeJet lawn gun
C	23.208.84-24	Plated aluminum trigger valve with brass extension wand (ideal for Compost Tea application)

TREE SPRAY GUNS



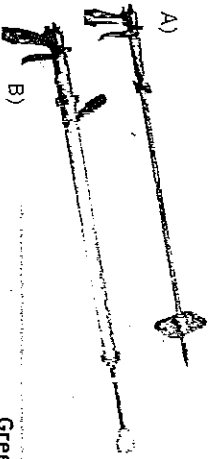
Model

Description

Features

A	38505	Green Garde GES	Less expensive version of JD9-C. Not for use with rootfeeders.
B	38500	Green Garde JD9-C	Rugged heavy duty gun compatible with rootfeeders.
C	38507	Green Garde JD9-PT	Trigger adjusts spray pattern.
D	26.901.162	Udor Turbo Gun	Pattern adjusted by thumb lever allowing for one handed operation.
E	7.901.103	Udor Turbine Gun 17" Barrel	Forward handle adjusts spray pattern.
F	13.901.151	Udor Tall Tree Gun 21" Barrel	Many size tips available.
G	FMC 785	FMC Bean 785 Tree Gun	Ideal for high-volume tall tree spraying.

ROOT FEEDERS

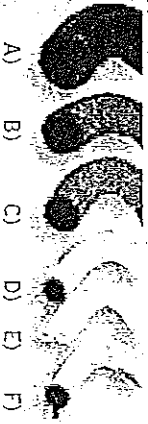


Type

Features

A	38919	Green Garde standard rootfeeder used with JD9-C (38500) only
B	39920	HD-8 rootfeeder with cup shield

HOSE TYPES



Type

Description

Sizes ID

Pressure Rating

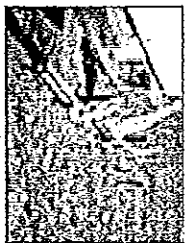
Coil Length

Uses

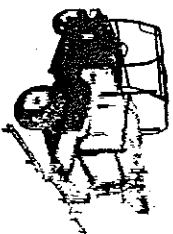
A	K-series suction hose	Clear PVC with green spiral helix	3/4", 1", 1.25", 1.5", 2", 3"	65 psi pressure 28" Hg vacuum	100	Suction lines on sprayers, low pressure fill/transfer hose
B	A-1687 series Ribbed Cover	Green PVC	1/2", 5/8", 3/4"	800 psi	300, 400 feet	tree spraying
C	A1628 series	Grey PVC with PVC/polyurethane tube	3/8", 1/2", 3/4", 1"	200 psi	100-300 feet	Sprayer bypass lines, Low pressure spraying and watering
D	A-1661 series ribbed cover	Yellow PVC/PU	3/8", 1/2", 3/4", 1"	600 psi	300, 400 feet	Lawn spraying
E	A-9350 series reinforced dual-line	Polyethylene	1/4" x 3/8", 1/4" x 1/2"	250 psi	300, 400 feet	On-demand Injection lawn spraying
F	Coaxial	Yellow PVC 1/2" ID hose with 3/16" OD tubing inserted	1/2" ID hose 3/16" OD tubing	200 psi	300, 400 feet	On-demand Injection lawn spraying

ACCESSORIES | ECO-505 INJECTION SYSTEM

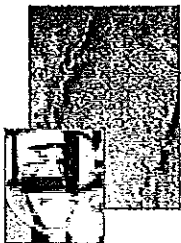
ACCESSORIES



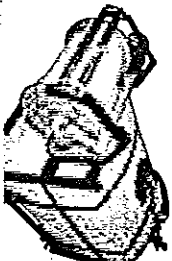
REESE HITCH STYLE BOOM KIT
Commonly used in pickup trucks for ice control applications and large area boom spraying these kits can be installed in minutes. In the cab switch console controls 12-volt solenoid valves. Many sizes are available. 10, 15, 20 and 27 feet.



UTILITY VEHICLE BOOM KIT
Commonly used on utility vehicles for large area turf spraying, these kits are fully adjustable and feature a manual boom selector valve. Many sizes are available.



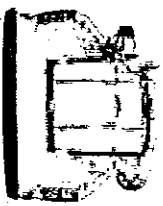
COMPOST TEA COMPONENTS
Air pumps and diffusers can be easily added for maximum viability of Compost Tea.



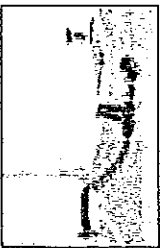
HOSE REEL ROLLER GUIDE
Protects truck when pulling hose off at sharp angles.



HIGH PRESSURE STRAINER
Easily mounted on the hose reel swivel, this strainer is easily flushed and virtually eliminates clogged gun nozzles. Eliminate forever the need to constantly remove and clean lawn gun nozzles.



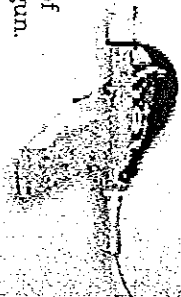
MODULAR ADD-ON TANKS
An inexpensive and efficient way to provide for increased capacity and or separate solutions. All hoses and valves are included and the tank can be easily removed when not needed.



AIR GAP FILL LINE
Prevents accidental back flow contamination when filling tank.



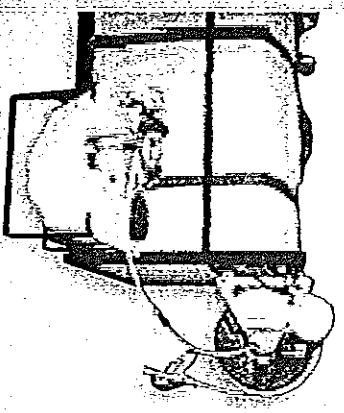
STRAINER BAG
Ideal for dissolving Urea (holds up to 50 lbs.) or simply to keep contaminants out. 35 inch bag available to fit 8, 10, 12 and 16 inch lids.



DUAL TRIGGER GUN
The Eco-505 features a Dual Trigger Gun that is lightweight, durable and easy to use. The pesticide is mixed into the flow of fertilizer instantaneously at the gun.

CHOICE OF HOSES
Our unique coaxial hose features a tube within a hose. Side-by-side hose is also available.

EASY TO INSTALL
The Eco-505 includes everything needed to convert your existing sprayer to a dual line injection spray unit.



ECO-505 INJECTION SYSTEM

IPM APPROACH
The Eco-505 allows the operator to blanket apply fertilizer and spot-spray a pesticide on-demand simply by pulling a second trigger on the gun.

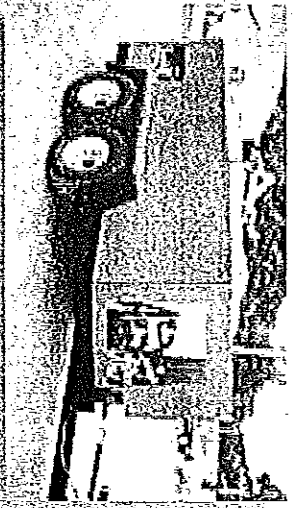
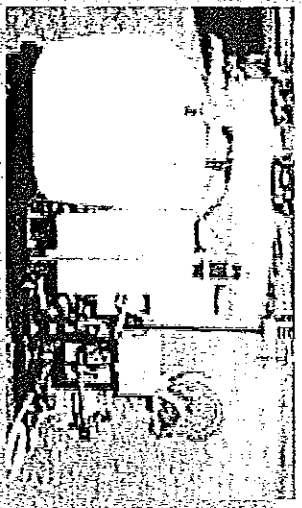
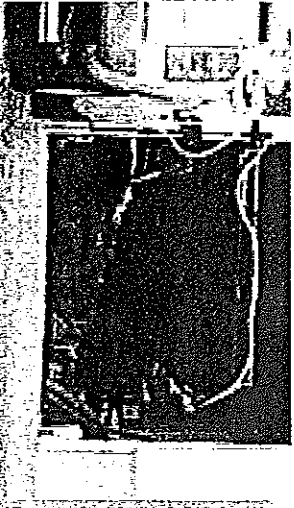
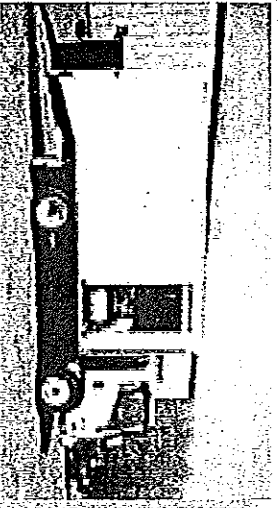
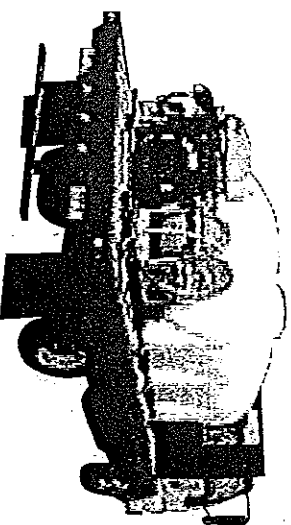
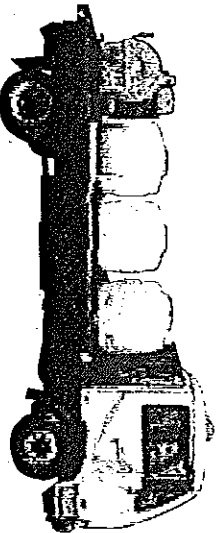
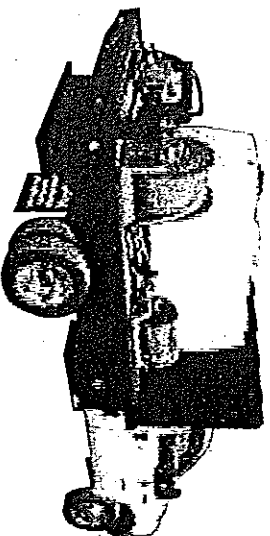
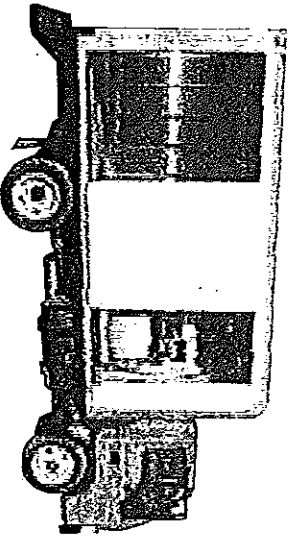
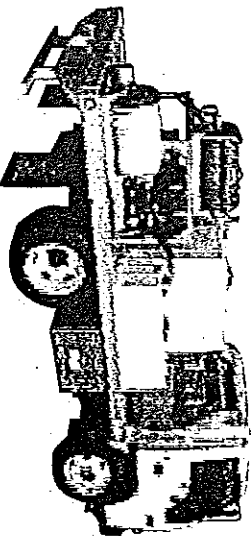
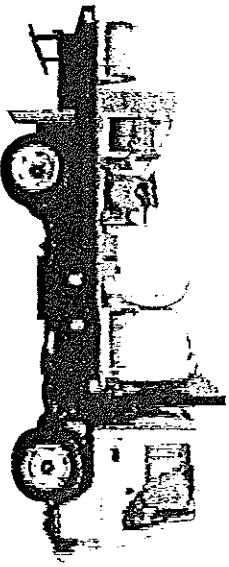
PESTICIDE SAVINGS
How often do you blanket apply a pesticide to control a problem that exists in only a portion of the lawn? The Eco-505 lets you reduce pesticide cost by 50% or more.

REDUCED CALLBACKS
When the only effort required to treat a problem area of a lawn is to pull a second trigger it gets done. No more going back to the truck for a hand sprayer.

CUSTOM SPRAY UNITS

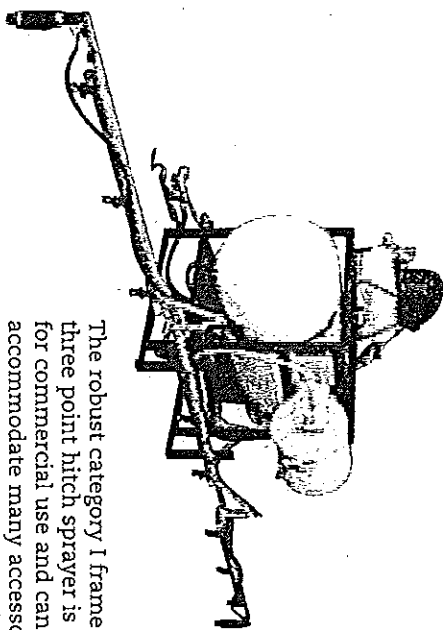
CUSTOM BUILT SPRAY UNITS

We specialize in designing and building custom spray trucks for all types of applications. Our approach is not one size fits all. We will work closely with you to determine your specific needs to ensure that we provide you with the best possible solution for your requirements.

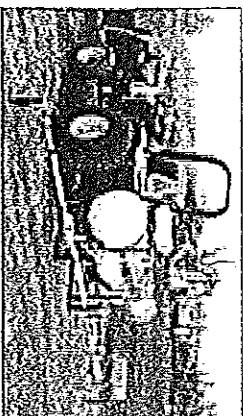
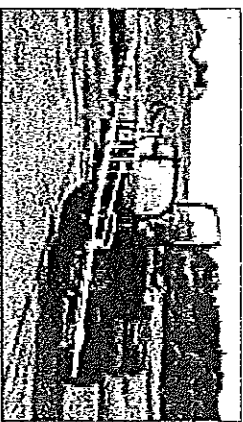


THREE POINT HITCH SPRAYERS | HYDRO SEEDING SYSTEMS

THREE POINT HITCH SPRAYERS

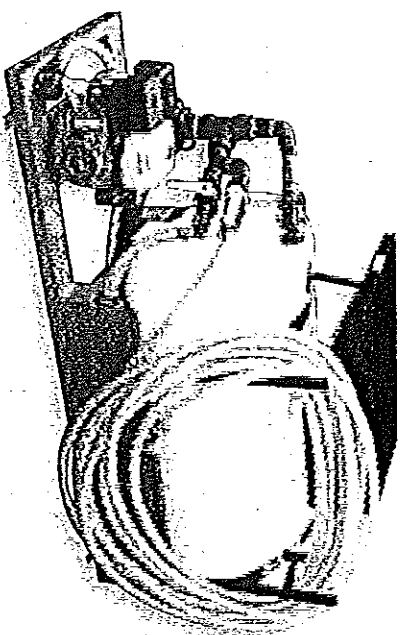


The robust category I frame of our three point hitch sprayer is designed for commercial use and can accommodate many accessories including a hose reel and foam marker.



	Standard	Optional
Tank	85 gallon	55 gallon
Pump	Hypro 6500C roller pump (9 gpm, 200 psi) PTO drive	Udor Kappa 55 diaphragm pump (14 gpm, 560 psi) PTO drive
Boom	15 Foot Manual Fold 3-Section wet boom galvanized with spring break-away	10, 20, 27 foot
Controls	Spraying systems 17H manual boom selector valve	12-volt solenoid valves with switch console
Nozzles	Turbo TeeJet TT110-04	Many sizes and styles available

HYDRO SEEDING SYSTEMS



Skid type model GCH-300

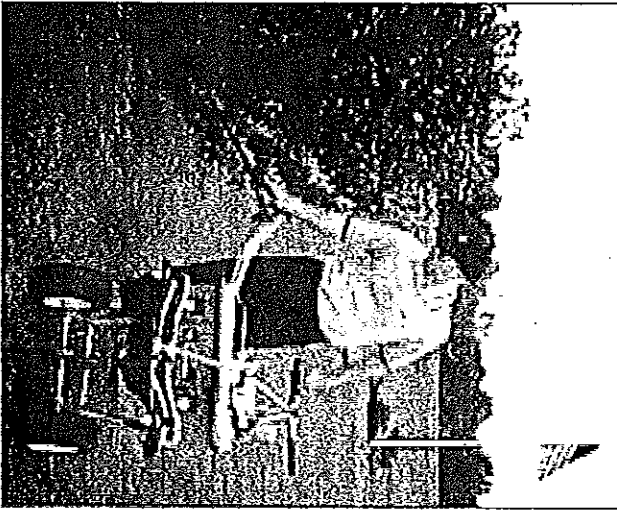
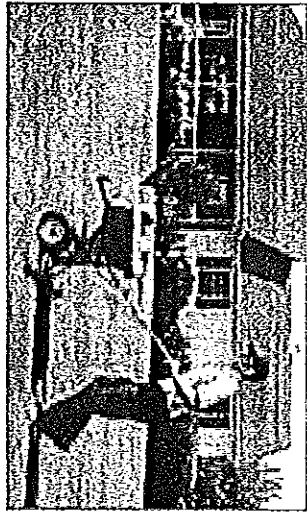


Pull type

Tank	300 gallon poly elliptical with sump
Engine	Honda 13.0 HP with electric start
Pump	Heavy duty Banjo cast iron 3" centrifugal
Agitation	Cross flow dual jet agitation
Hose	100 feet 1.25" heavy wall clearbraid
Gun	1" valve with narrow and wide quick change nozzles

- FEATURES**
- Built in fork pockets
 - Hinged mulch screen
 - Drain line with valve
 - Pull type frame available with high flotation tires

SPREADER-MATE™



SPECIFICATIONS

Overall dimensions:

W: 20-1/2" x D: 17-3/8" H: 15-7/8"

9 Gallon Polyethylene Tank, 5" Diameter lid, Brass threaded inserts for pump and battery mounting, bottom sump

12-volt diaphragm

3.0 gpm, 40 psi

6 amp draw @ 20 psi

Adjustable 0-60 psi regulator with pressure gauge

Pump Recirculation

12-volt, sealed, maintenance free type. 90 minute continuous run time (3 to 4 acres) between battery charges.

Physical width - 62"

Folded width - 24"

Effective spray width - 80"

Nozzle spacing - 20"

3-section spring breakaway and retract.

Dripless nozzle bodies with 1/4 turn caps

50 mesh stainless nozzle screen

Shut-off caps provide individual

nozzle selection.

Lightweight poly trigger valve with 15" wand and spray tip.

Handlebar mounted on/off toggle switch

Truck mounted, quick-attach bracket available. See next page.

Tank assembly 8 lbs.

Battery 12lbs.

Boom assembly 9 lbs.

Total empty weight 26 lbs.

Total full weight 99 lbs.

FEATURES

The specially designed tank fits in most commercial spreaders including Lesco™, Spyker™, Earthway™, and Scotts™. Call to confirm your specific model. All fittings enter the tank through the top reducing leak potential.

Quiet and dependable.

Other 12-volt pumps are available upon request.

Easy to read gauge ensures accurate application.

Excess flow returns to the tank for agitation.

Spare batteries as well as larger capacity batteries are available. Batteries can be easily recharged between jobs with a 12-volt automotive charger or from the truck charging system.

Black powder-coated finish.

On most spreader models, the boom can be attached in seconds. The boomless, single-nozzle option provides up to 80" of spray width.

Standard nozzles are Spraying Systems Turbo

Tee-Jet Air Induction TTI-11002 nozzles, minimizing

drift at very low application rates. (0.29 gallons per 1000

sq. ft. at 30 psi, and 4 mph) Other nozzles are available.

With an 8 foot, self-retracting hose, the hand spray wand is ideal for spot spraying turf and ornamentals.

Handlebar mounted thumb switch provides simple and easy control.

When using your spreader for dry applications the Spreader-Mate stores quickly and easily with our optional storage bracket.

Boomless Style:

N/A

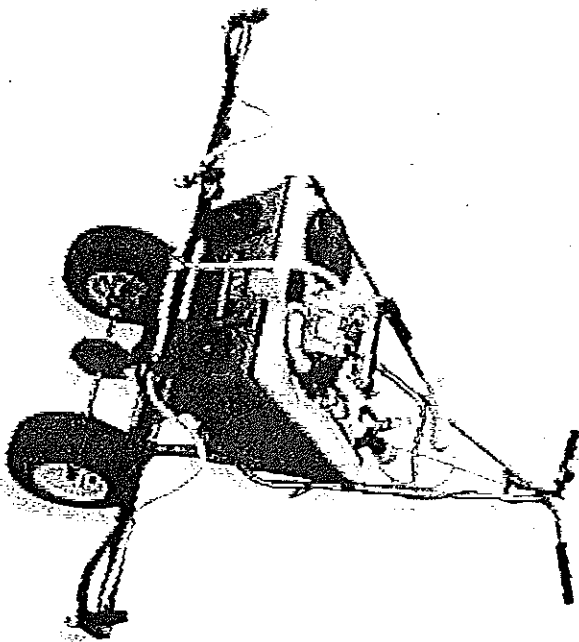
20 lbs.

93 lbs.

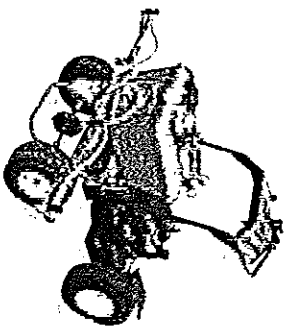
Warranty

One-year parts replacement warranty against defects in materials and workmanship. Pump elastomers and battery, which are considered normal wear components, carry a 90-day parts replacement warranty.

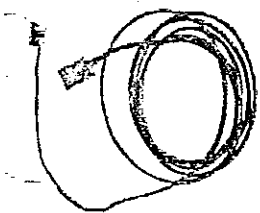
SPREADER-MATE™ | ICE CONTROL SPRAYERS



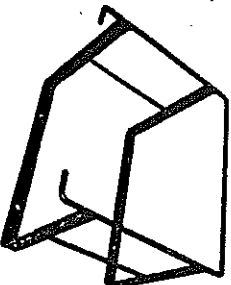
The specially molded, 9-gallon, polyethylene tank fits neatly into most commercial spreaders including Lesco™, Earthway™, and Spyker™. The pump, battery, filter, regulator, and valves are all mounted on the tank, making it a self-contained assembly. To install the unit, you need only to "drop" the tank unit in the spreader, mount the quick-attach boom, and hook up the hose to the boom.



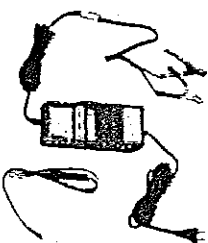
SPREADER-MATE ACCESSORIES



Truck mounted battery charger



Truck mounted storage bracket

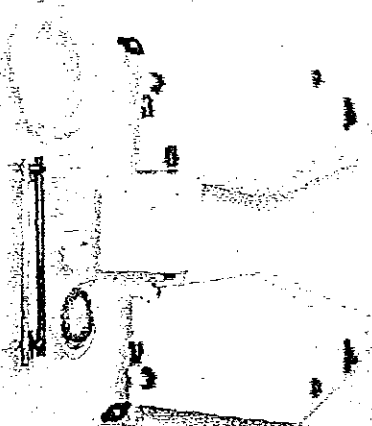
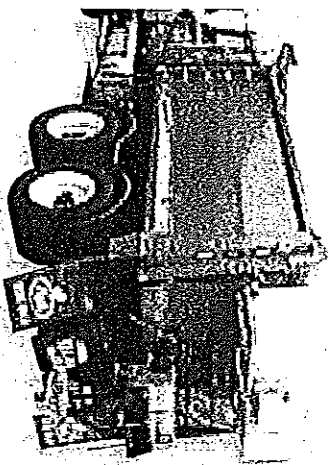


Accurate 12-volt battery charger

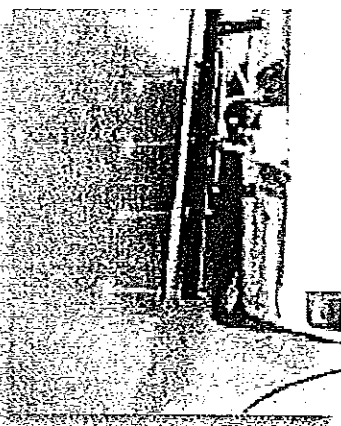
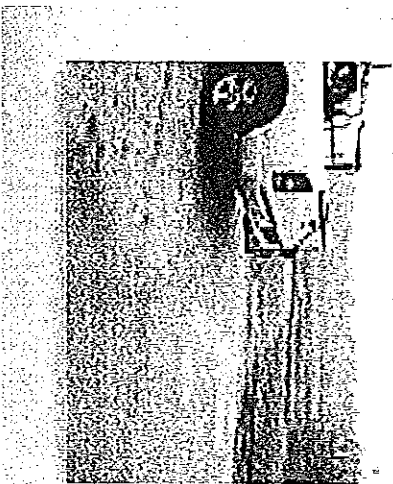
ICE CONTROL SPRAYERS

Gregson-Clark pre-wetting systems are available with either tailgate mount or hopper side-mount tanks. Both systems feature a weatherproof pump enclosure with a pressure regulator and stainless steel pressure gauge.

The in-cab pump console has indicator lights for "pump-on" and low pressure.



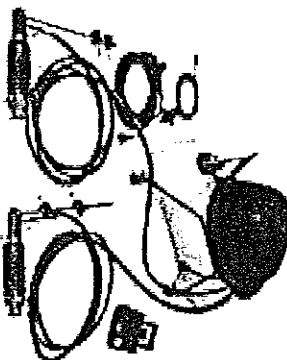
Receiver hitch booms are available with pencil stream de-icing nozzles or wide angle nozzles for anti-icing, dust control and soil stabilization.



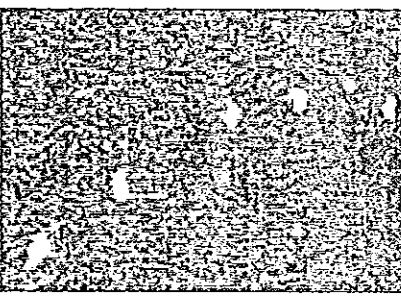
PARTS AND ACCESSORIES

55/80 GALLON NURSE TANK FILL SYSTEM

- Ideal for filling self-propelled and backpack sprayers.
- Takes up very little space.
- Base dimensions 55-gallon 18" x 18" 80-gallon 18" x 27"
- Features 12-volt 5 gpm pump with demand pressure switch and bypass agitation line
- Many other tank sizes available. w

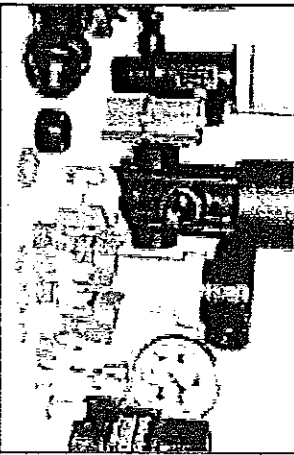


- ### FOAM MARKER
- Eliminates skips and overlaps
 - Provides a clear temporary indicator of your last pass



WE ARE PROUD TO REPRESENT THE FULL LINE OF PRODUCTS FROM THESE FINE MANUFACTURERS

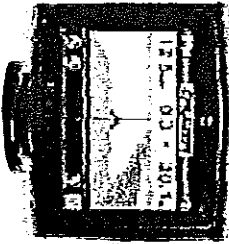
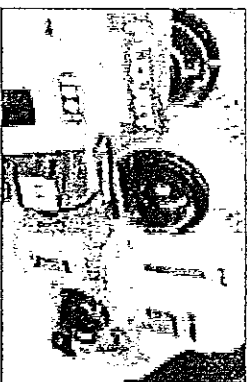
- Galvanized steel construction
- Spring break-away
- Many sizes 10, 15, 20 and 27 feet
- Also available with power folding



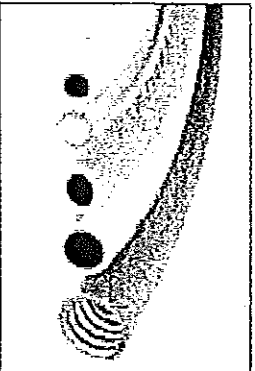
BOOM COMPONENTS
We maintain a large inventory of TeeJet nozzles and boom components.

- Delavan Pumps and Ag Spray Products
- Fairview Fittings
- Flojet Pumps
- Green Leaf Fittings
- Hannay Reels
- HD Hudson/Green Garde
- Honda Engines
- Hypro
- Kuriyama
- Lechler
- Raven Industries Inc.
- Salvarani
- Shurflo Pumps
- TeeJet Technologies
- Spraying Systems
- Udor USA
- Valley Industries
- Wilger

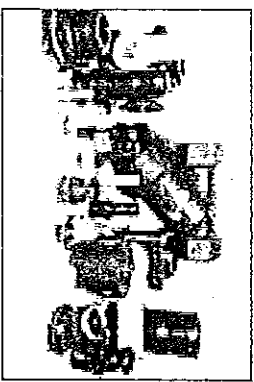
RAVEN ELECTRONICS



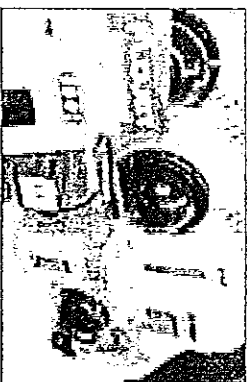
REPLACEMENT HOSE



VALVES/FITTINGS



PUMP KITS



FREQUENTLY ASKED QUESTIONS

WHICH MODELS WILL FIT IN MY TRUCK?

Be sure to check your truck's capacity and refer to the weights and dimensions below. If you call our office, we'll be happy to help you determine the best model for your needs.

MODEL	Base Dimensions		Overall Dimensions Pickup Style			Overall Dimensions Van Style			Empty Weight (lbs.)	Full Weight Water (lbs.)
	Width (A)	Depth (B)	Width (C)	Depth (D)	Height (E)	Width (F)	Depth (G)	Height (H)		
V-50 ST	38.5"	22"	71.5"	30.5"	37"	54.5"	30.5"	37"	255	672
V-100 ST	38.5"	32"	75.5"	36.5"	41"	58"	36.5"	41"	370	1203
V-150 ST	48.5"	38"	85.5"	43"	41"	68"	54.75"	41"	385	1635
V-200 ST	48.5"	38"	85.5"	43"	41"	68"	54.75"	41"	390	2056
V-300 ST*	41"	69"	77"	74"	41"	60.5"	74"	41"	540	3039

Note: Clearance under engine plate is 20". Some pickups (Ford F-150) may require extended posts.

*V-300 ST tank orientation is front-to-back in truck bed versus side-to-side on all other models. See page 5.

DO YOU HAVE DEALERS? We do have dealers in some parts of the country however the majority of our sales are direct. You can call our office to determine the best way for you to purchase.

HOW IS YOUR EQUIPMENT SHIPPED? Parts and smaller accessories ship by UPS. Larger units are crated and shipped by common carrier.

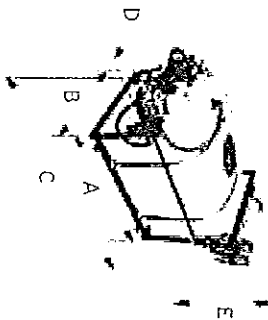


WHAT IF I DO NOT HAVE A FORKLIFT OR LOADING DOCK? You can pick up at the freight companies' local terminal. You can have your sprayer shipped to a nearby business that can unload it for you or, you can also have your sprayer delivered on a lift-gate truck for an extra charge.

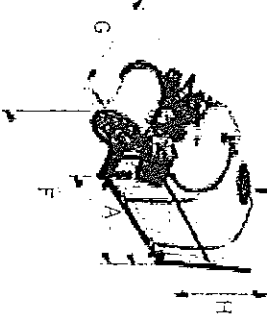
HOW DO I KNOW WHEN THE TRUCK WILL ARRIVE? Once your sprayer ships, we will contact you with the tracking information and the contact information for your local delivering terminal. Your local dispatcher can tell exactly you when you should expect the truck to arrive.

WHAT ABOUT SERVICE? Because our only business is spraying equipment for the green industry you can rest assured that when you call us you will immediately be helped by someone that knows your equipment and cares about getting you up and running. As manufacturers we stock a complete inventory of replacement parts.

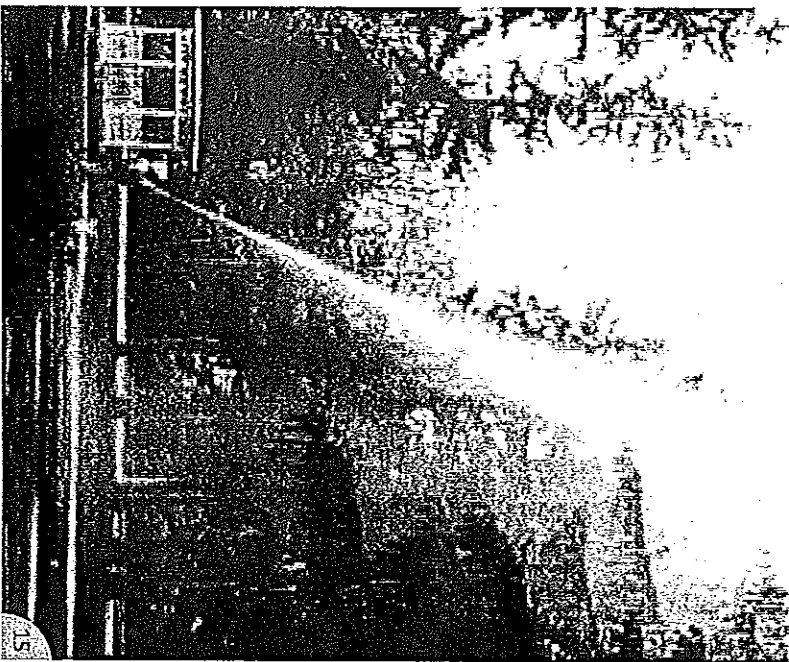
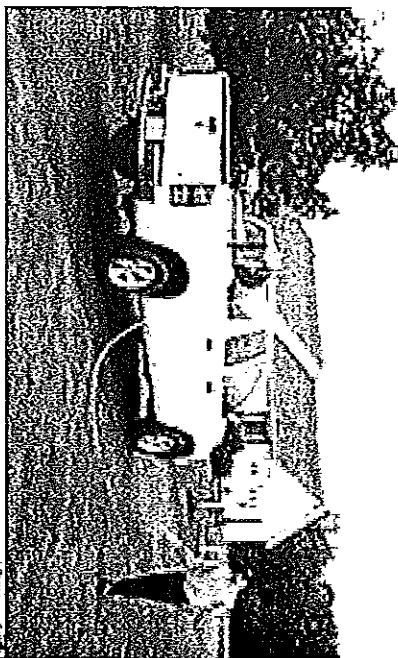
WHAT IS THE WARRANTY? That's the best news of all. Our V-Series skid sprayers and Modular Systems carry an industry exclusive 2-Year Warranty against defects in materials and workmanship. This excludes pump diaphragms which are considered normal wear items.

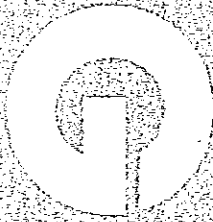


PICKUP STYLE



VAN STYLE





CREGSON CLARK
GRAPHIC EQUIPMENT

10000 1/2 1st St. S.E. - Olympia, WA

Phone (360) 338-1111

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Pricing is effective 1/01/13 and subject to change without notice. We are not responsible for typographical errors.		
Item #	Description	
Modular Systems		
MPU-ST	Standard Modular Pumping Unit (complete w/ components below)	
MPU	Modular pump/engine/reel frame only	\$336.00
MPU-FA	Filter Assembly with mounting bracket	\$102.00
H5.5/K43 LP	Honda 5.5 HP, Udor Kappa-43/GR, Control Unit (12.0 gpm, 350 psi)	\$1,560.00
E1530-17-18-INST12	Hannay Reel, capacity 400 feet 1/2" ID hose, 12-volt rewind, Installed	\$688.00
RTWA	20' 6-gauge wiring assy. (truck battery to reel) w/ circuit breaker and quick connect	\$72.00
A-1661-1/2X300	1/2" Lawn spray hose 600 psi, PVC/PU blend, yellow- 300 foot coil	\$314.00
007433-(B,Y,G,W)	Lesco/Chemlawn Gun with nozzle	\$107.00
Modular Tank Assemblies		
35B-SA	35 gal. mod. tank assy. w/ base, frame suct. agit. lines installed	\$504.00
50B-SA	50 gal. mod. tank assy. w/ base, frame suct. agit. lines installed	\$504.00
100B-SA	100 gal. mod. tank assy. w/ base, frame suct. agit. lines installed	\$594.00
150B-SA	150 gal. mod. tank assy. w/ base, frame suct. agit. lines installed	\$670.00
200B-SA	200 gal. mod. tank assy. w/ base, frame suct. agit. lines installed	\$748.00
300B-SA	300 gal. mod. tank assy. w/ base, frame suct. agit. lines installed	\$1,172.00
3W-S/A	3-way ball valves, hoses- required for 2-tank systems	\$152.00
MFA-3-125	Manifold frame and valves for 3 tanks	\$546.00
MFA-4-125	Manifold frame and valves for 4 tanks	\$656.00
V-Series Skid Sprayers		
V-50 ST	50 Gallon V-Series skid sprayer complete	\$2,669.00
V-50-25	V-50 Skid Sprayer tank and frame w/ strainer, suct. and agit. lines installed	\$938.00
H5.5/K25	Honda 5.5 HP, Udor Kappa-25/GR, Control Unit (7.0 gpm, 350 psi)	\$1,243.00
1020-14-16-INST	Hannay Reel capacity 175 feet 3/8" ID hose, manual rewind, Installed	\$250.00
A-1661-3/8X200	3/8" Lawn spray hose 600 psi, PVC/PU blend, yellow- 200 foot coil	\$147.00
38505	Green Garde GES Spray Gun	\$91.00
V-100 ST	100 Gallon V-Series skid sprayer complete	\$3,763.00
V-100	V-100 Skid Sprayer tank and frame w/ strainer, suct. and agit. lines installed	\$1,022.00
H5.5/K43 LP	Honda 5.5 HP, Udor Kappa-43/GR, Control Unit (12.0 gpm, 350 psi)	\$1,560.00
E1530-17-18-INST12	Hannay Reel, capacity 400 feet 1/2" ID hose, 12-volt rewind, Installed	\$688.00
RTWA	20' 6-gauge wiring assy. (truck battery to reel) w/ circuit breaker and quick connect	\$72.00
A-1661-1/2X300	1/2" Lawn spray hose 600 psi, PVC/PU blend, yellow- 300 foot coil	\$314.00
007433-(B,Y,G,W)	Lesco/Chemlawn Gun with nozzle	\$107.00
V-150 ST	150 Gallon V-Series skid sprayer complete	\$3,910.00
V-150	V-150 Skid Sprayer tank and frame w/ strainer, suct. and agit. lines installed	\$1,169.00
H5.5/K43 LP	Honda 5.5 HP, Udor Kappa-43/GR, Control Unit (12.0 gpm, 350 psi)	\$1,560.00
E1530-17-18-INST12	Hannay Reel, capacity 400 feet 1/2" ID hose, 12-volt rewind, Installed	\$688.00
RTWA	20' 6-gauge wiring assy. (truck battery to reel) w/ circuit breaker and quick connect	\$72.00
A-1661-1/2X300	1/2" Lawn spray hose 600 psi, PVC/PU blend, yellow- 300 foot coil	\$314.00
007433-(B,Y,G,W)	Lesco/Chemlawn Gun with nozzle	\$107.00
V-200 ST	200 Gallon V-Series skid sprayer complete	\$3,978.00
V-200	V-200 Skid Sprayer tank and frame w/ strainer, suct. and agit. lines installed	\$1,237.00
H5.5/K43 LP	Honda 5.5 HP, Udor Kappa-43/GR, Control Unit (12.0 gpm, 350 psi)	\$1,560.00
E1530-17-18-INST12	Hannay Reel, capacity 400 feet 1/2" ID hose, 12-volt rewind, Installed	\$688.00
RTWA	20' 6-gauge wiring assy. (truck battery to reel) w/ circuit breaker and quick connect	\$72.00
A-1661-1/2X300	1/2" Lawn spray hose 600 psi, PVC/PU blend, yellow- 300 foot coil	\$314.00
007433-(B,Y,G,W)	Lesco/Chemlawn Gun with nozzle	\$107.00
V-300 ST	300 Gallon V-Series skid sprayer complete	\$4,841.00
V-300	V-300 Skid Sprayer tank and frame w/ strainer, suct. and agit. lines installed	\$1,821.00
H6.5/K55	Honda 6.5 HP, Udor Kappa-55/GR, Control Unit (14.0 gpm, 560 psi)	\$1,839.00
E1530-17-18-INST12	Hannay Reel, capacity 400 feet 1/2" ID hose, 12-volt rewind, Installed	\$688.00
RTWA	20' 6-gauge wiring assy. (truck battery to reel) w/ circuit breaker and quick connect	\$72.00
A-1661-1/2X300	1/2" Lawn spray hose 600 psi, PVC/PU blend, yellow- 300 foot coil	\$314.00
007433-(B,Y,G,W)	Lesco/Chemlawn Gun with nozzle	\$107.00
CRATE200	Shipping Crate for V-50, V-100, V-150, V-200	\$135.00
CRATE300	Shipping Crate for V-300	\$190.00
Call for shipping quotes		

Pump Options			
Udor Diaphragm Pump/Engine Packages Direct Coupled			
H5.5/K25	Honda 5.5 HP, Udor Kappa-25/GR, Control Unit (7.0 gpm, 350 psi)		\$1,243.00
H5.5/K40	Honda 5.5 HP, Udor Kappa-40/GR, Control Unit (10.5 gpm, 560 psi)		\$1,560.00
H5.5/K43 HP	Honda 5.5 HP, Udor Kappa-43/GR, Control Unit (12.0 gpm, 560 psi)		\$1,560.00
H5.5/K43 LP	Honda 5.5 HP, Udor Kappa-43/GR, Control Unit (12.0 gpm, 350 psi)		\$1,560.00
H6.5/K55	Honda 6.5 HP, Udor Kappa-55/GR, Control Unit (14.0 gpm, 560 psi)		\$1,839.00
H13.0/K75	Honda 13.0 HP Elec. Start, Udor Kappa-75/GR, Control Unit (19.0 gpm, 560 psi)		\$2,823.00
H9.0E/RO110	Honda 9.0 HP Elec. Start, Udor RO-110/GR, Control Unit (29 gpm, 300 psi)		\$2,639.00
<i>Larger Pump/Engine packages available on custom skid and truck units.</i>			
12-Volt Diaphragm Pumps			
2088-343-500	Shurflo 12-volt diaphragm pump (3.3 gpm, 45 psi)		\$110.00
Kappa-18/12 Volt	Udor 12-volt diaphragm pump (4.4 gpm, 70 psi)		\$762.00
04100-143A	Flojet 12-volt diaphragm pump (5.0 gpm, 45 psi)		\$126.00
7970-101Y-INST	Delavan FatBoy 12-volt diaphragm pump (7.0 gpm, 100psi Switched) with solenoid		\$411.00
FS-12VRA	Pressure regulator assy. for 12-volt pumps, includes gauge		\$135.00
Hose Reel Options			
		Reel Installed	Reel In Box
1020-14-16-INST	Hannay Reel capacity 175 feet 3/8" ID hose, manual rewind, Installed	\$250.00	\$212.00
1526-17-18-INST12	Hannay Reel, capacity 300 feet 1/2" ID hose, manual rewind, Installed	\$319.00	\$270.00
E1530-17-18-INST12	Hannay Reel, capacity 400 feet 1/2" ID hose, 12-volt rewind, Installed	\$688.00	\$625.00
E2030-INST-C	Hannay Reel, cap. 400 ft. coaxial or 300 ft. 3/8"x1/4" bonded, 12-volt rewind, Stainless Hub, Installed	\$1,064.00	\$865.00
1836-17-18-INST	Hannay Reel, capacity up to 230 feet 3/4" ID hose, manual rewind, Installed	\$380.00	\$326.00
E1836-17-18-INST	Hannay Reel, capacity up to 230 feet 3/4" ID hose, 12-volt rewind, Installed	\$959.00	\$685.00
E6024-30-31-INST	Hannay Reel, capacity up to 400 feet 3/4" ID hose, 12-volt rewind, Installed	\$1,327.56	\$1,205.00
E6028-25-26-INST	Hannay Reel capacity up to 400 feet 5/8" ID hose, 12-volt rewind, installed	\$1,223.00	\$1,100.00
RTWA	20' 6-gauge wiring assy. (truck battery to reel) w/ circuit breaker and quick connect	\$72.00	
RTWA-EXT	15' 6-gauge Wiring Harness Extension with quick connects (Trailer Kit)	\$60.00	
Hose Options			
A-1661-3/8X200	3/8" Lawn spray hose 600 psi, PVC/PU blend, yellow- 200 foot coil		\$147.00
A-1661-3/8X300	3/8" Lawn spray hose 600 psi, PVC/PU blend, yellow- 300 foot coil		\$238.00
A-1661-3/8X400	3/8" Lawn spray hose 600 psi, PVC/PU blend, yellow- 400 foot coil		\$294.00
A-1661-1/2X300	1/2" Lawn spray hose 600 psi, PVC/PU blend, yellow- 300 foot coil		\$314.00
A-1661-1/2X400	1/2" Lawn spray hose 600 psi, PVC/PU blend, yellow- 400 foot coil		\$419.00
A-1661-3/4X300	3/4" Lawn spray hose 600 psi, PVC/PU blend, yellow- 300 foot coil		\$579.00
A-1687-1/2X300	1/2" Tree spray hose 800 psi, PVC/PU blend, green- 300 foot coil		\$522.00
A-1687-5/8X300	5/8" Tree spray hose 800 psi, PVC/PU blend, green- 300 foot coil		\$637.00
A-1687-3/4X300	3/4" Tree spray hose 800 psi, PVC/PU blend, green- 300 foot coil		\$808.00
A-BR-1/2X300	1/2" Lawn spray hose 600 psi, PVC/PU blend, Blue Ribbon- 300 foot coil		\$348.00
A-BR-1/2X400	1/2" Lawn spray hose 600 psi, PVC/PU blend, Blue Ribbon- 400 foot coil		\$465.00
A9350-04060-03S	1/4" x 3/8" twin-line bonded hose, 200 psi, polyethylene- 300 foot coil		\$364.00
K-4350-3/8X300	3/8" EVA light weight spray hose, 250psi- 300 foot coil		\$141.00
K-4350-3/8X500	3/8" EVA light weight spray hose, 250psi- 500 foot coil		\$235.00
K-4350-1/2X300	1/2" EVA light weight spray hose, 250psi- 300 foot coil		\$185.00
K-4350-1/2X500	1/2" EVA light weight spray hose, 250psi- 500 foot coil		\$308.00
COAX-300	Coaxial Hose 1/2" ID hose x 3/16" OD tubing- 300 feet coil		\$483.00
COAX-400	Coaxial Hose 1/2" ID hose x 3/16" OD tubing- 400 feet coil		\$627.00
Guns			
007433-(B,Y,G,W)	Lesco/Chemlawn Gun with nozzle		\$107.00
007433	Lesco/Chemlawn Gun		\$93.00
BLUE	Lesco/Chemlawn Nozzle 1.5 gpm		\$14.00
YELLOW	Lesco/Chemlawn Nozzle 2.0 gpm		\$14.00
GREEN	Lesco/Chemlawn Nozzle 3.0 gpm		\$14.00
WHITE	Lesco/Chemlawn Nozzle 4.0 gpm		\$14.00
25660-0	TeeJet Lawn Gun		\$82.00
CP25670-1.5-NY	TeeJet Nozzle 1.5 gpm gray		\$12.90
CP25670-3.0-NYB	TeeJet Nozzle 3.0 gpm black		\$12.90
CP25670-4.0-NY	TeeJet Nozzle 4.0 gpm red		\$12.90
25660-XA	Wand Kit - Includes: Adapter, 15" Wand, Angle Adapter, Screen, Cap, XR8004-VK Tip		\$43.00
23.208.84-24	Aluminum trigger valve w/ 24" brass wand, screen, cap, XR-8004-VK tip		\$67.00
38500	Green Garde JD9-C Spray Gun		\$140.00
38505	Green Garde GES Spray Gun		\$91.00
38507	Green Garde JD9-C style gun with trigger pattern adjustment		\$162.00
26.901.162	Udor Turbo Gun		\$115.05
7.901.103	Udor Turbine Gun		\$157.00
13.901.151	Udor Long Range Gun		\$219.00
FMC785	Bean FMC 785 Tree Gun		\$530.00
38919	Green Garde Root feeder with 2-hole tip		\$307.00
39920	Green Garde HD-8 Root feeder with cup shield		\$414.00
007433-ECO	Dual Trigger Lawn Injection Gun		\$343.00

Accessories for V-Series Skid Sprayers		
Modular Add-on Tanks		
35B-SA	35 gal. mod. tank assy. w/ base, frame suct. agit. lines installed	\$504.00
50B-SA	50 gal. mod. tank assy. w/ base, frame suct. agit. lines installed	\$504.00
100B-SA	100 gal. mod. tank assy. w/ base, frame suct. agit. lines installed	\$594.00
150B-SA	150 gal. mod. tank assy. w/ base, frame suct. agit. lines installed	\$670.00
200B-SA	200 gal. mod. tank assy. w/ base, frame suct. agit. lines installed	\$748.00
300B-SA	300 gal. mod. tank assy. w/ base, frame suct. agit. lines installed	\$1,172.00
3W-SA	3-way ball valves, hoses- required for 2-tank systems	\$152.00
V-100-RISER	5" lift base frame to accommodate bottom drain on V-100	\$292.00
V-200-RISER	5" lift base frame to accommodate bottom drain on V-200	\$323.00
V-300-RISER	5" lift base frame to accommodate bottom drain on V-300	\$425.00
V-RGA	Hose Reel Roller Guide with V-Series mounting frame	\$331.00
V-0503.50	High Pressure Strainer	\$113.00
V-AG-075	3/4" Air Gap Fill Line	\$76.00
V-AG-150	1-1/2" Air Gap Fill Line	\$126.00
V-AG-200	2" Air Gap Fill Line	\$142.00
SB-8	Strainer Bag 8"	\$35.00
SB-10	Strainer Bag 10"	\$35.00
SB-12	Strainer Bag 12"	\$41.00
SB-16	Strainer Bag 16"	\$48.00
MPU-RSBB	Easy Access Reel Mounted Switch Button Bracket	\$25.00
Eco-505 Injection System		
ECO-505-3A	Eco-505 Injection System Complete 300 feet	\$2,604.00
ECO-505-4A	Eco-505 Injection System Complete 400 feet	\$2,748.00
	Eco-505 (300 feet hose) as option on new sprayer	\$1,482.55
	Eco-505 (400 feet hose) as option on new sprayer	\$1,625.88
ECO-505-PU	Nine Gallon Tank/Pumping unit complete with frame	\$714.00
ECOC-PU	Five Gallon Compact Tank/Pumping unit complete with SS frame	\$822.00
E2030-INST-C	Hannay Reel, cap. 400 ft. coaxial or 300 ft. 3/8"x1/4" bonded, 12-volt rewind	\$1,064.00
COAX-300	Coaxial Hose 1/2" ID hose x 3/16" OD tubing x 300 feet	\$483.00
COAX-400	Coaxial Hose 1/2" ID hose x 3/16" OD tubing x 400 feet	\$627.00
007433-ECO	Dual Trigger Lawn Injection Gun	\$343.00
007433-ECO-TL	Trigger Lock Kit for Dual Trigger Lawn Injection Gun	\$25.00
Spray Boom Kits and Accessories		
UTVBK-M	Utility Vehicle Boom Kit with AA17L selector valve, includes brackets, hoses to boom	\$475.00
UTVBK-E	Utility Vehicle Boom Kit with switch console, 1 electric valve, includes brackets, hoses to boom	\$525.00
UTVBK-E3	Utility Vehicle Boom Kit with switch console, 3 electric valves, includes brackets, hoses to boom	\$850.00
PTO-AA17L KIT	AA17L Three Section Manual Boom Control Valve with Pressure regulator and gauge.	\$240.00
PTO-AA144P-1-KIT	Boom Control Kit with Switch Console and 1 Electric Solenoid Valves	\$340.00
PTO-AA144P-3-KIT	Boom Control Kit with Switch Console and 3 Electric Solenoid Valves	\$675.00
RHBF	Reese Hitch boom adapter bracket (frame only)	\$135.00
SMFGB-10-6-20	10-foot manual fold 3-section galvanized boom w/ 6 nozzles, 20" on center	\$306.00
SMFGB-16-9-20	15-foot manual fold 3-section galvanized boom w/ 9 nozzles, 20" on center	\$566.00
SMFGB-20-12-20	20-foot manual fold 3-section galvanized boom w/ 12 nozzles, 20" on center	\$679.00
SMFGB-27-16-20	27-foot manual fold 3-section galvanized boom w/ 16 nozzles, 20" on center	\$1,972.00
Deicing Boom Kits and Accessories		
DIB-6-KIT-C	2" Receiver Hitch with 72" Boom; 6 Dripless nozzle bodies w/ 1 gpm pencil stream nozzles; 12-volt Solenoid Valve, Bloomless Nozzle, Switch Console, Wiring	\$1,091.00
DIB-6-KIT-BM	2" Receiver Hitch with 72" Boom; 6 Dripless nozzle bodies w/ 1 gpm pencil stream nozzles; 12-volt Solenoid Valve, Switch Console, Wiring	\$951.00
DIB-6-KIT-BL	2" Receiver Hitch with Single Bloomless Nozzle Assembly; 12-volt Solenoid Valve, Switch Console, Wiring	\$706.00
DIB-6-KIT	Deicing Boom 6 feet, 4-dripless nozzle bodies for pencil stream nozzles (specify nozzles)	\$650.00
DIB-BOOMLESS	2" Receiver Hitch adapter w/ cam lock nozzle holder; 12-volt Solenoid Valve	\$350.00
BM-2650FM	SS Boominator wide area boomless nozzle (requires solenoid valve and console)	\$140.00
SSW-DIB1	Switch console with indicator lights and wiring. Must be wired to a fused circuit (20 amp max)	\$110.00
SSW-14/3-30	14/3 wire harness with 2 way weather-pack connectors 30' length	\$81.00
DIB-BMLSS-ADD	Installs on Deicing boom to provide boomless spraying option; manual 3way valve to select pencil stream or boomless nozzle spraying	\$85.00
SSW-12VPLUG	Console supply wiring harness; powers switch console through the vehicles convenience outlet.	\$35.00
Compost Tea Components		
CT-DF1	Compost Tea Air Diffuser System installed, up to 200 gallon tank	\$182.00
CT-SL94	Linear Air Pump 4 cfm 110-volt (requires XAN600 inverter)	\$634.00
CT-SL88	Linear Air Pump 6.5 cfm 110-volt (requires XAN600 inverter)	\$736.32
CT-DC15	Linear Air Pump 1.4 cfm 12-volt	\$172.00
CT-FF	Fast Flush Line For Kappa Series Pumps, Includes 10 Feet 1/2" Hose With Fittings And Valve	\$44.00
XAN600	Modified Sine Wave Power Inverter 600watt	\$202.00

55/80 Gallon Nurse Tank Fill System		
FS-55-12V	Fill System includes 55 gallon upright tank, Flojet 5.0 gpm demand pump, bypass line, wiring, 12' 1/2" hose and valve, strap and buckles	\$431.00
FS-80-12V	Fill System includes 80 gallon upright tank, Flojet 5.0 gpm demand pump, bypass line, wiring, 12' 1/2" hose and valve, strap and buckles	\$529.00
FS-12VSA	Pump package only-no tank, includes suction and return lines for tank	\$299.00
FS-12V	Pump package only-no tank, suction and return lines for tank not included. Use this assembly with modular tanks that have lines already installed	\$273.00
Three-Point Hitch Sprayers		
GC55-3PT-ST	55 Gallon 3-PT hitch sprayer complete, 6500C roller pump, 15 foot boom	\$2,266.00
GC85-3PT-ST	85 Gallon 3-PT hitch sprayer complete, 6500C roller pump, 15 foot boom	\$2,293.00
GC100-3PT-ST	100 Gallon 3-PT hitch sprayer complete, 6500C roller pump, 15 foot boom	\$2,493.00
GC55-3PT-TF	55 gallon 3-pt frame (cat. 1) w/ tank plumbing	\$1,270.00
GC85-3PT-TF	85 gallon 3-pt frame (cat. 1) w/ tank plumbing	\$1,297.00
GC100-3PT-TF	100 gallon 3-pt frame (cat. 1) w/ tank plumbing	\$1,497.00
PTO-6500C	Hypro 6500C Roller Pump (9.7 GPM @ 540 RPM, 300 PSI Max.) with fittings and shaft kit	\$190.00
PTO-7700C	Hypro 7700C Roller Pump (14.2 GPM @ 540 RPM, 200 PSI Max.) with fittings and shaft kit	\$250.00
PTO-1700C	Hypro 1700C Roller Pump (25 GPM @ 540 RPM, 200 PSI Max.) with fittings and shaft kit	\$300.00
PTO-KAPPA55	Udor Kappa 55 Diaphragm Pump (14 GPM @ 540 RPM, 560 PSI Max.) with regulator and shaft kit	\$1,200.00
PTO-KAPPA75	Udor Kappa 75 Diaphragm Pump (20 GPM @ 540 RPM, 560 PSI Max.) with regulator and shaft kit	\$1,646.00
PTO-AA17L KIT	AA17L Three Section Manual Boom Control Valve with Pressure regulator and gauge.	\$240.00
PTO-AA144P-1-KIT	Boom Control Kit with Switch Console and 1 Electric Solenoid Valves	\$340.00
PTO-AA144P-3-KIT	Boom Control Kit with Switch Console and 3 Electric Solenoid Valves	\$675.00
SMFGB-10-6-20	10-foot manual fold 3-section galvanized boom w/ 6 nozzles, 20" on center	\$306.00
SMFGB-16-9-20	15-foot manual fold 3-section galvanized boom w/ 9 nozzles, 20" on center	\$566.00
SMFGB-20-12-20	20-foot manual fold 3-section galvanized boom w/ 12 nozzles, 20" on center	\$679.00
SMFGB-27-16-20	27-foot manual fold 3-section galvanized boom w/ 16 nozzles, 20" on center	\$1,972.00
1020-200-GES	Manual hose reel, 175' 3/8" hose, GES Gun installed	\$475.00
1020-200-TJ	Manual hose reel, 175' 3/8" hose, TriggerJet wand installed	\$410.00
901713-INST	TJ-Golf Foam Marker 4-Gallon with console installed	\$903.00
Spreader-Mate		
SM-A	Spreader-Mate with single boomless nozzle	\$540.00
SM-B	Spreader-Mate with full folding boom	\$795.00
Spreader-Mate Accessories		
SM-TC	Truck Charger	\$47.00
SM-TS	Storage Bracket	\$63.00
SM-AC	Accumate 110 Volt Charger	\$60.00
SM-SB	Spreader-Mate 17ah 12-volt battery with quick connect plug and circuit breaker	\$85.00
SM-SB-HC	Spreader-Mate 33ah 12-volt battery with quick connect plug and circuit breaker	\$141.00
Foam Markers		
901713	TJ Golf Foam Marker	\$695.00
901750	TJ Golf SP1 Foam Marker, single drop	\$550.00

Pump Rebuild Kits and Replacement Parts		
Udor Diaphragm Replacement Pump Only		
Kappa-25/GR	Udor Diaphragm Pump (7.0 gpm, 350 psi) w/ gear reduction and control unit	\$736.00
Kappa-40/GR	Udor Diaphragm Pump (10.5 gpm, 560 psi) w/ gear reduction and control unit	\$1,053.00
Kappa-43/GR HP	Udor Diaphragm Pump (12.0 gpm, 560 psi) w/ gear reduction and control unit	\$1,053.00
Kappa-43/GR LP	Udor Diaphragm Pump (12.0 gpm, 350 psi) w/ gear reduction and control unit	\$1,053.00
Kappa-55/GR-5	Udor Diaphragm Pump (14.0 gpm, 560 psi) w/ gear reduction and control unit	\$1,278.00
Kappa-55/GR-8	Udor Diaphragm Pump (14.0 gpm, 560 psi) w/ gear reduction and control unit	\$1,352.00
Kappa-75/GR	Udor Diaphragm Pump (19.0 gpm, 560 psi) w/ gear reduction and control unit	\$1,614.00
RO-110/GR	Udor Diaphragm Pump (29 gpm, 300 psi) w/ gear reduction and control unit	\$1,605.00
Kappa-120/GR	Udor Diaphragm Pump (34 gpm, 700 psi) w/ gear reduction and control unit	\$2,933.00
Kappa-150/GR	Udor Diaphragm Pump (42 gpm, 700 psi) w/ gear reduction and control unit	\$3,169.00
Beta-240/CC	Udor Diaphragm Pump (64 gpm, 700 psi) w/ gear reduction and control unit	\$4,455.00
<i>Larger Pump/Engine packages available on custom skid and truck units.</i>		
Udor Diaphragm Pump Rebuild Kits		
8700.01	Udor Iota 17 Diaphragm Replacement Kit	\$47.00
8700.27	Udor Kappa 15/18 Diaphragm Replacement Kit	\$38.00
8700.65	Udor Kappa 25 Diaphragm Replacement Kit	\$69.00
8700.02	Udor Kappa 40 Diaphragm Replacement Kit	\$75.00
8700.45	Udor Kappa 43 Diaphragm Replacement Kit	\$80.00
8700.26	Udor Kappa 55 Diaphragm Replacement Kit	\$78.00
8700.10	Udor Kappa 75 Diaphragm Replacement Kit	\$101.00
8700.24	Udor Kappa 100 Diaphragm Replacement Kit	\$115.00
8700.22	Udor Kappa 120/150 Diaphragm Replacement Kit	\$148.00
8700.07	Udor Beta 150 Diaphragm Replacement Kit	\$177.00
8700.55	Udor Beta 200/240 Diaphragm Replacement Kit	\$295.00
8700.05	Udor RO70 Diaphragm Replacement Kit	\$82.00
8700.04	Udor RO106/110/121 Diaphragm Replacement Kit	\$111.00
Hypro Diaphragm Pump Repair Kits		
9910-KIT1723	Hypro D252 Diaphragm Replacement Kit	\$52.00
9910-KIT1724	Hypro D30 Diaphragm Replacement Kit	\$65.00
9910-KIT2423	Hypro D403 Diaphragm Replacement Kit	\$43.00
9910-KIT1725	Hypro D50 Diaphragm Replacement Kit	\$87.00
9910-KIT1881	Hypro D503 Diaphragm Replacement Kit	\$65.00
Hose		
K-075	3/4" PVC suction hose, clear with green helix-price per foot	\$0.85
K-100	1" PVC suction hose, clear with green helix-price per foot	\$0.99
K-125	1-1/4" PVC suction hose, clear with green helix-price per foot	\$1.12
K-150	1-1/2" PVC suction hose, clear with green helix-price per foot	\$1.49
K-200	2" PVC suction hose, clear with green helix-price per foot	\$2.18
K-300	3" PVC suction hose, clear with green helix-price per foot	\$3.87
A-1628-3/4	3/4" low pressure spray hose 200 psi, PVC/PU blend, gray-price per foot	\$1.61
A-1628-1	1" low pressure spray hose 200 psi, PVC/PU blend, gray-price per foot	\$2.01
A-1661-3/8X200	3/8" Lawn spray hose 600 psi, PVC/PU blend, yellow- 200 foot coil	\$147.00
A-1661-3/8X300	3/8" Lawn spray hose 600 psi, PVC/PU blend, yellow- 300 foot coil	\$238.00
A-1661-3/8X400	3/8" Lawn spray hose 600 psi, PVC/PU blend, yellow- 400 foot coil	\$294.00
A-1661-1/2X300	1/2" Lawn spray hose 600 psi, PVC/PU blend, yellow- 300 foot coil	\$314.00
A-1661-1/2X400	1/2" Lawn spray hose 600 psi, PVC/PU blend, yellow- 400 foot coil	\$419.00
A-1661-3/4X300	3/4" Lawn spray hose 600 psi, PVC/PU blend, yellow- 300 foot coil	\$579.00
A-1687-1/2X300	1/2" Tree spray hose 800 psi, PVC/PU blend, green- 300 foot coil	\$522.00
A-1687-5/8X300	5/8" Tree spray hose 800 psi, PVC/PU blend, green- 300 foot coil	\$637.00
A-1687-3/4X300	3/4" Tree spray hose 800 psi, PVC/PU blend, green- 300 foot coil	\$808.00
A-8R-1/2X300	1/2" Lawn spray hose 600 psi, PVC/PU blend, Blue Ribbon- 300 foot coil	\$348.00
A-8R-1/2X400	1/2" Lawn spray hose 600 psi, PVC/PU blend, Blue Ribbon- 400 foot coil	\$460.00
A9350-04060-03S	1/4" x 3/8" twin-line bonded hose, 200 psi, polyethylene- 300 foot coil	\$364.00
K-4350-3/8X300	3/8" EVA light weight spray hose, 250psi- 300 foot coil	\$141.00
K-4350-3/8X500	3/8" EVA light weight spray hose, 250psi- 500 foot coil	\$235.00
K-4350-1/2X300	1/2" EVA light weight spray hose, 250psi- 300 foot coil	\$185.00
K-4350-1/2X500	1/2" EVA light weight spray hose, 250psi- 500 foot coil	\$308.00
COAX-300	Coaxial Hose 1/2" ID hose x 3/16" OD tubing- 300 feet coil	\$483.00
COAX-400	Coaxial Hose 1/2" ID hose x 3/16" OD tubing- 400 feet coil	\$627.00

Gregson-Clark Spraying Equipment
 3213 Lehigh Street
 Caledonia NY 14423
 www.GregsonClark.com

800.706.9530
 p - 585.538.9570
 f - 585.538.9577
 sales@gregsonclark.com

Guns		
007433-(B,Y,G,W)	Lesco/Chemlawn Gun with nozzle	\$107.00
007433	Lesco/Chemlawn Gun	\$93.00
BLUE	Lesco/Chemlawn Nozzle 1.5 gpm	\$14.00
YELLOW	Lesco/Chemlawn Nozzle 2.0 gpm	\$14.00
GREEN	Lesco/Chemlawn Nozzle 3.0 gpm	\$14.00
WHITE	Lesco/Chemlawn Nozzle 4.0 gpm	\$14.00
25660-0	TeeJet Lawn Gun	\$82.00
CP25670-1.5-NY	TeeJet Nozzle 1.5 gpm gray	\$12.90
CP25670-3.0-NYB	TeeJet Nozzle 3.0 gpm black	\$12.90
CP25670-4.0-NY	TeeJet Nozzle 4.0 gpm red	\$12.90
25660-XA	Wand Kit - Includes: Adapter, 15" Wand, Angle Adapter, Screen, Cap, XR8004-VK Tip	\$43.00
23.208.84-24	Aluminum trigger valve w/ 24" brass wand, screen, cap, XR-8004-VK tip	\$67.00
38500	Green Garde JD9-C Spray Gun	\$140.00
38505	Green Garde GES Spray Gun	\$91.00
38507	Green Garde JD9-C style gun with trigger pattern adjustment	\$162.00
26.901.162	Udor Turbo Gun	\$115.05
7.901.103	Udor Turbine Gun	\$157.00
13.901.151	Udor Long Range Gun	\$219.00
FMC785	Bean FMC 785 Tree Gun	\$530.00
38919	Green Garde Root feeder with 2-hole tip	\$307.00
39920	Green Garde HD-8 Root feeder with cup shield	\$414.00
007433-ECO	Dual Trigger Lawn Injection Gun	\$343.00
Parts		
6062.A9	Kappa 43 Regulator Repair Kit	\$49.59
8701.02	Kappa 75 Regulator Repair Kit	\$49.92
8701.10	Kappa 40/55 Regulator Repair Kit	\$49.92
9917.0004	Pushbutton Switch With Rubber Cap	\$15.00
9917.0008	Rubber Cap only for push button switch	\$4.00
9917.0025	12-volt Solenoid	\$25.00
9927.8551	Hannay Super Swivel 1/2"	\$43.00
SS8-KIT	1/2" Swivel Rebuild Kit	\$19.00
38511	Green Garde Repair Kit w/ Teflon Seat	\$24.90
007642	Lesco/Chemlawn Gun Repair Kit	\$24.30
9920-KIT10/11	Spray Gun Repair Kit (Udor Turbo, Turbine, and Long Range Guns)	\$33.75
AA144P-1	DirectoValve Control Valve 1 Unit Valve Assembly (100 psi Max)	\$145.35
314001.030	Suction Strainer Replacement Screen -16 Mesh	\$18.54

Steers, Christopher

From: Bradbury, Chris [cbradbury@ryebrook.org]
Sent: Monday, February 11, 2013 1:14 PM
To: Steers, Christopher
Subject: FW: Brine specs and details

FYI- thought this info would be helpful if you are looking into it...

From: Nowak, Michal
Sent: Monday, February 11, 2013 12:39 PM
To: Bradbury, Chris
Subject: Brine specs and details

Here is the link to the company where I bought the deicing setup. The one we have is a no nonsense simple unit, no fancy controls, 735 gallon tank matched for a F550 dump truck. Many companies make these units but this one came on a nice steel skid easily loadable. You can do smaller units for 350 dump trucks with a 350 gallon tank, just more passes to fill up and more shuttling to the county to transfer. If there is a larger truck in the fleet that can be used you can get a larger tank.

http://www.gregsonclark.com/snow_ice_control.html

We get Brine from Westchester County in Silver Lake area Harrison. We give them Salt when they need and they in turn give us as much brine as we need.

Also The cost of a storage tank (2,000 gallons or so) for the yard to stockpile is close to \$2,700 or so ball park

For \$10,000 you can get a nice setup maybe even 2 spray systems.

There are limitations for applications, mixtures, temperatures and vehicle speed that needs to be adjusted. There is a little science behind this and trial/error

Pricing as follows for 2011

735 gallon Skid mounted De-icing system	1	\$3,856.00	\$3,856.00
Shipping	1	\$385.00	\$385.00
Material Transfer Fittings	1	\$245.00	\$245.00

Need more info let me know

Michal J. Nowak
Superintendent of Public Works
Village Engineer
ISA Certified Arborist - NY5534-A
NYS Code Cert. #1008-7413
The Village of Rye Brook
938 King Street
Rye Brook, NY 10573
Phone: 914-939-0753
Fax: 914-939-5801
www.ryebrook.org

DISCUSSION



Caritas of Port Chester

Holy Rosary Soup Kitchen, Food Pantry, Open Closet and Emergency Services
CaritasPC@ Hotmail.com
22 Don Bosco Place
Port Chester, New York 10573

Executive Director Deacon William Vaccaro

President Patricia Hart
Vice President Anthony R. Tirone, Esq.

Secretary-Treasurer Marylyn Vaccaro
Board of Directors
Reverend Bruce Baker
Cathy Lavaty

Carmen Linero
Larry Lupo

Emily Saunders

February 12, 2013

Dear Hon. Mayor and Hon. Trustees of The Village of Port Chester:

We are writing to you as the Executive Director and Vice President of the Board of Directors of *Caritas* respectively.

Caritas of Port Chester, Inc. is a not-for-profit organization that provides a variety of services to the most needy of our Port Chester community and located in the Don Bosco Community Center at Holy Rosary Church. Those services include a daily soup kitchen, a daily and weekly food pantry and clothing distribution to the needy in our community. Our soup kitchen, provides a staggering **650+** free meals each week including breakfast and lunch to men, women and children. Without reservation or restriction we feed and clothe whoever comes to our door.

The Don Bosco Community Center building as many of you know will be undergoing a necessary renovation and facility expansion starting in March 2013. As a result of the renovations our soup kitchen facilities **will be closed the first week of April for at least a period of 5-6 months.**

The fire companies of Mellor E&H Co. #3 and Putnam E&H Co.#2 have both approved our request subject to your consent and permission.

To continue to assist and provide these much needed services of *Caritas* uninterrupted, we must find an alternative kitchen facility to prepare hot meals. Therefore, in light of the proximity of the South Main Firehouse and the common purpose we share of serving those in need we come to you to ask your cooperation in these unusual circumstances.

If you would be so kind as to allow **Caritas** the use of just the kitchen area in the South Main Firehouse you can assist us in continuing our mission. **Only the cooking staff (3-5)** of **Caritas** would be working in the firehouse kitchen area **Monday through Friday, from 7 am to 1 pm**. The public would never be permitted to enter or visit the firehouse kitchen. Once the meals are prepared they would be transported across the street to our visitors each day in the Lower Hall of The Church of the Holy Rosary.

As you can well appreciate, the kitchen in the South Main Firehouse is ideal and would guarantee continued service to the community. We would undertake to provide liability insurance to cover our usage and ensure that your facilities would be left clean and orderly.

Our cooking staff, the Social Services Coordinator and the Executive Director of Caritas would be the only individuals to have access to your kitchen and we would limit that access to just the kitchen area. As of now, we expect to be out of Don Bosco for approximately 6 months.

We look forward to a meeting with your representatives to discuss the specifics of an arrangement that would allow **Caritas** to continue its mission without inconveniencing the working of the firehouse staff.

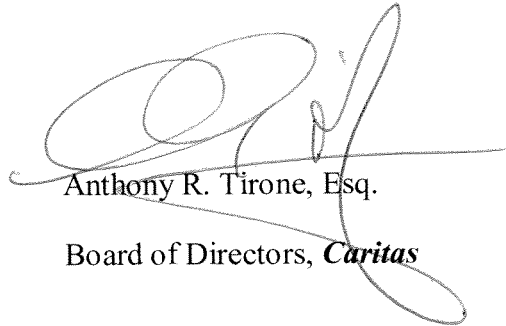
Thank you for your consideration and attention to this urgent matter.

Sincerely,



Deacon Bill Vacarro

Executive Director, **Caritas**



Anthony R. Tirone, Esq.

Board of Directors, **Caritas**

Additional Amnesty for One and Two Family Residences as defined under the NYS Residential Code and Local Zoning Code

The NYS Fire prevention and building code treats one and two family residences a little differently than multi-family and commercial properties. In fact one and two family residences are the only occupancy types relegated to the NYS Residential Code. As such, it stands to reason that locally we can treat them differently as well. For instance we can amend the amnesty program to allow the following:

PART I

- **Allow for self certification (no inspections by the building department required, only by the licensed design professional hired by the home owner)**
- **Allow for minor improvements to be documented through a reasonable floor plan (not full construction documents) from a licensed professional**
- **Other similar documentation as required**

Self certification does several things for us;

- 1. Removes all liability from us and puts it on the design professional and home owner**
- 2. Eliminates the need for a building inspection**
- 3. Removes our bureaucracy from the majority of the process which can ultimately save time for the property owner**

A reasonable floor plan;

- 1. Lowers costs on the homeowner while still documenting the improvement in an adequate way.**

A definition will be needed for the term “Minor improvement” i.e. “Less than 10,000 in cost and/or less than 500 square feet”?

All this should save significant time and expense and give relief to the target properties. We will however require a design professionals sign off prior to their application for CO and reserve the right to inspect the property as warranted. At that point CO issuance is ministerial.

Additional Amnesty for One and Two Family Residences as defined under the NYS Residential Code and Local Zoning Code

PART II

- As a companion to Section 4 of the current program add additional relief for one and two family residences for pre-existing structures / additions built prior to 1975 with a proper building permit having been issued.

SECTION 4: Zoning (Existing law)

For those applications under the Permit 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.

(Proposed Amendment)

Those applications under the Permit Amnesty Program regarding open expired permits issued prior to the effective date of the 1955 Zoning Regulation, relating to structures that were preexisting the code change, that may involve the need for some dimensional and or use variance from the requirements under the applicable zoning regulation; are hereby determined to be lawfully non-conforming. 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 1955 Zoning Regulation.
2. The building or structure complies with all other aspects of the Village of Port Chester planning and zoning regulations and the Building Code in effect at the time of construction.

Such structures are deemed “Lawfully non-conforming” as prescribed above and shall not require waiver or variance from the Zoning Board of Appeals.



Village of

PORT CHESTER, NEW YORK

Permit Amnesty Policy Discussion
January 2013

February 4th, 2013

By: Christopher D. Steers, Village Manager





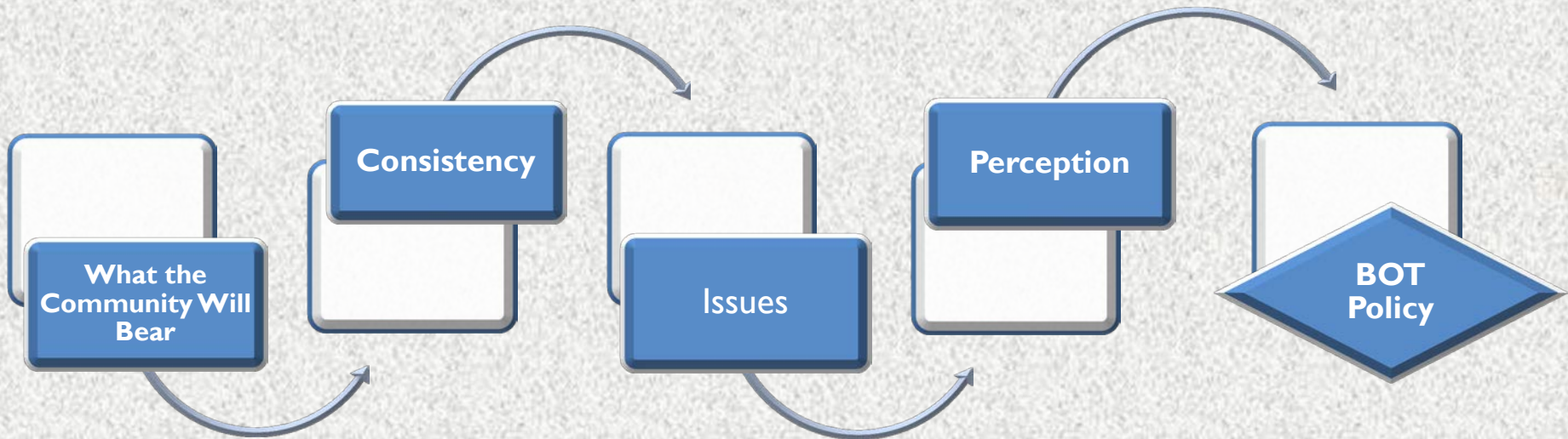
Permit Amnesty Policy Discussion Report Contents

- ▶ **Progress and Issues**
- ▶ **Solutions / Strategies**
- ▶ **Q & A**



Permit Amnesty Policy Discussion Issues

Areas of Opportunity



All of our joint efforts are strategic in nature and are focused on the practice of preventative law; aimed at minimizing and mitigating the risk of litigation while maintaining a fair and nondiscriminatory approach. Our current amnesty program is one more tool in the approach. The permit amnesty program again reveals that the vast majority of instances continue to involve open permits and/or the lack of Certificates of Occupancy. The frequency of Planning and Zoning violations remains nominal and are still the exception.



Permit Amnesty Policy Discussion Issues

ISSUES SURROUNDING THE ACTUAL APPLICATION AND ENFORCEMENT OF THE VILLAGES LOCAL ZONING CODE
AND THE NYS UNIFORM FIRE PREVENTION AND BUILDING CODE.

PERCEPTION

Vs.

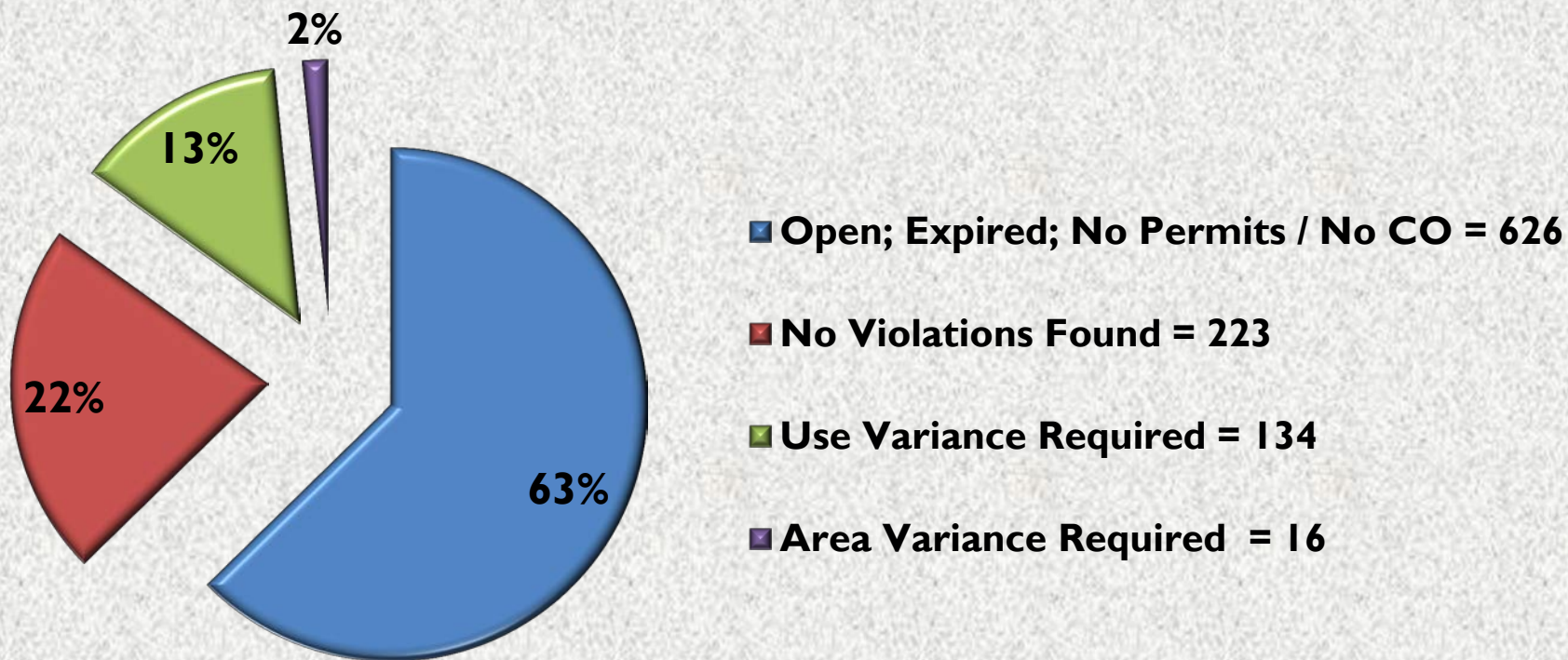
REALITY



Permit Amnesty Policy Discussion

Facts

Facts: The Vast Majority of Searches with Violations Found Continue to Involve Open Permits, No Permits, and/or the Lack of Certificates of Occupancy. The Frequency of Planning and / or Zoning Violations is Nominal and These Violations are Really the Exception.

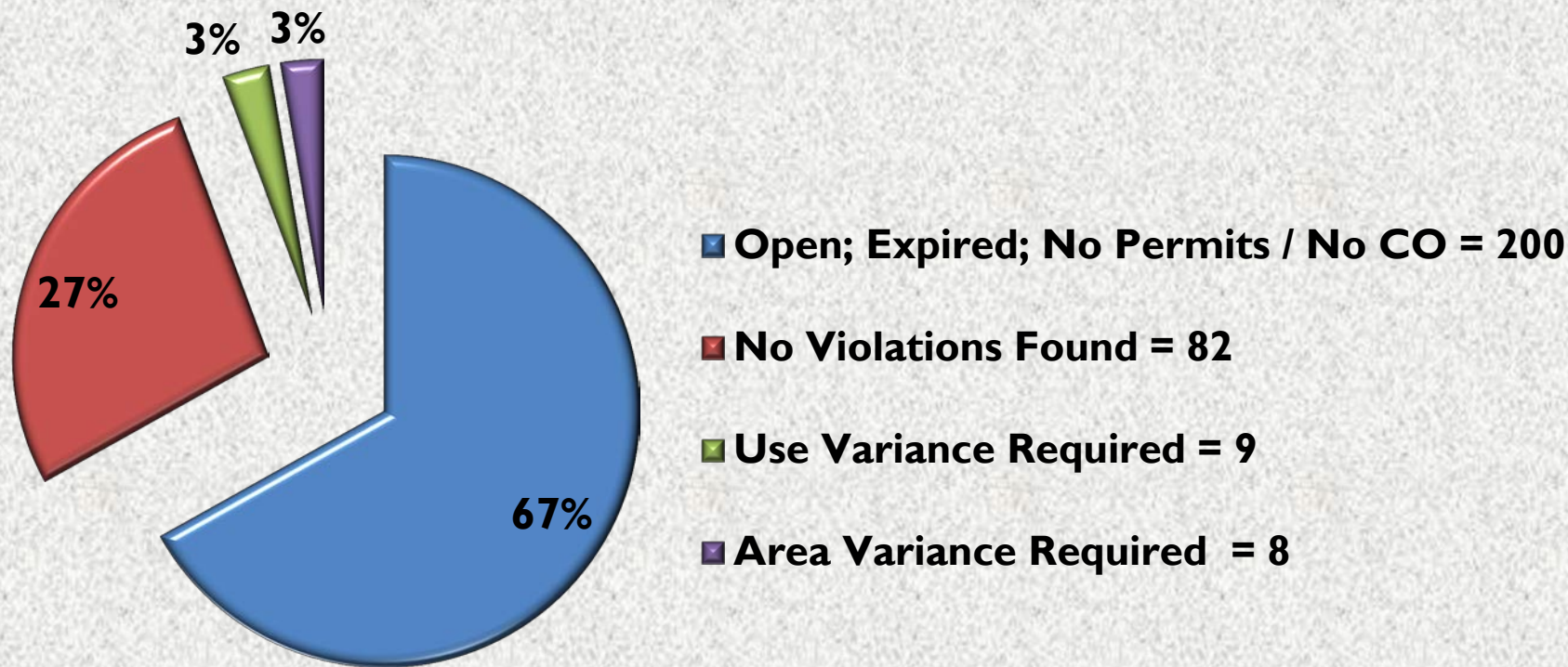


Total Searches in a 20 Month Period (April 11' Thru Jan 13') = 999



Permit Amnesty Policy Discussion Facts

Facts: Searches with Violations Found 1-2 Family's (July 12' thru Dec 12')



Total Searches 1-2 Family's in a 6 Month Period = 299



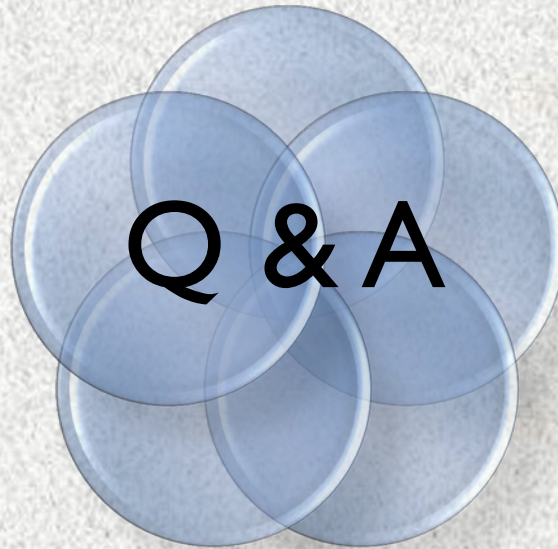
Permit Amnesty Policy Discussion Additional Solutions / Strategies

See Attachment

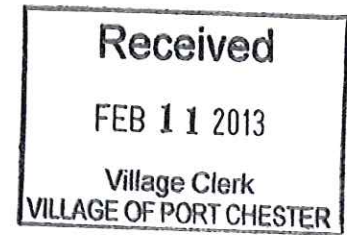
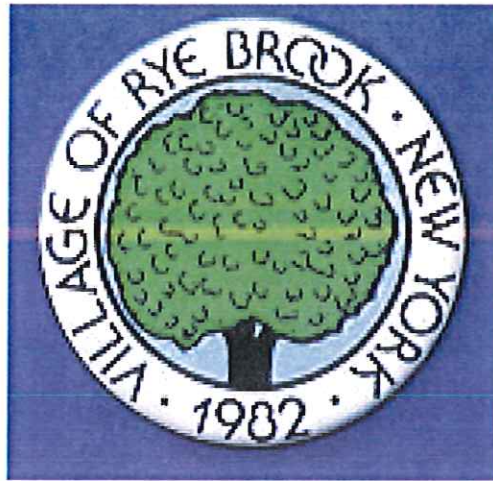




Permit Amnesty Policy Discussion



CORRESPONDENCE



**Please Join the Village of Rye Brook
at a Reception Honoring Outgoing
Mayor Joan L. Feinstein**

**Thursday, March 21, 2013
6:30 P.M. to 7:30 P.M.**

**Remarks to follow at the Village Board
meeting beginning at 7:30 P.M.**

**Rye Brook Village Hall
938 King Street
Rye Brook, New York 10573**

Questions? Please call Shari Melillo at (914) 939-0111



Companies:

Reliance Chemical & Hose
No. 1

Putnam Steamer & Hose
No. 2

Fire Department
Village of Port Chester

WESTCHESTER COUNTY, N. Y.



Headquarters: Westchester Avenue and Boning Street

Received

FEB 14 2013

Harry Howard Hook &
Ladder No. 1

Village Clerk

VILLAGE OF PORT CHESTER

Fire Police No. 1

Mellor Hose No. 1

Washington Engine & Hose
No. 4

Brooksville Hose No. 5

TO THE HONORABLE BOARD OF TRUSTEES OF THE VILLAGE PORT CHESTER, N. Y.:

The *Fire Patron & Rescue Co^{ty}* respectfully reports that at a meeting

held on *Tues. Feb. 5, 2013* favorable action was taken on the following:

Elected active members *Barrett, Omar*

Elected honorary members

Members resigned

Members expelled

Members suspended

Members died

Badges returned (numbers)

Remarks *DOB 07/18/79 Al Exchange Pl Port Chester, N.Y.*

[Signature]
Secretary.

VILLAGE OF PORT CHESTER

36 North Ridge Street
Rye Brook, New York 10572

FEB 14 2013

RECEIVED




Mayor Dennis Pilla
Village of Port Chester
222 Grace Church Street
Port Chester, N.Y. 10573

Dear Mayor Pilla:

I am writing on behalf of the Port Chester Irish American Association for permission again this year to raise the Irish flag at the flag pole in Liberty Square, Port Chester on St. Patrick's Day, Sunday March 17th, 2013 at 8AM.

This special event is a tradition going back nearly four decades. We appreciate your continued support of our annual flag raising ceremony on St. Patrick's Day.

Sincerely yours,


Harry Florentine

Port Chester Irish American Association



Caritas of Port Chester

Holy Rosary Soup Kitchen, Food Pantry, Open Closet and Emergency Services
CaritasPC@ Hotmail.com
22 Don Bosco Place
Port Chester, New York 10573

Executive Director Deacon William Vaccaro

President Patricia Hart
Vice President Anthony R. Tirone, Esq.

Secretary-Treasurer Marylyn Vaccaro
Board of Directors
Reverend Bruce Baker
Cathy Lavaty

Carmen Linero
Larry Lupo

Emily Saunders

February 12, 2013

Dear Hon. Mayor and Hon. Trustees of The Village of Port Chester:

We are writing to you as the Executive Director and Vice President of the Board of Directors of *Caritas* respectively.

Caritas of Port Chester, Inc. is a not-for-profit organization that provides a variety of services to the most needy of our Port Chester community and located in the Don Bosco Community Center at Holy Rosary Church. Those services include a daily soup kitchen, a daily and weekly food pantry and clothing distribution to the needy in our community. Our soup kitchen, provides a staggering **650+** free meals each week including breakfast and lunch to men, women and children. Without reservation or restriction we feed and clothe whoever comes to our door.

The Don Bosco Community Center building as many of you know will be undergoing a necessary renovation and facility expansion starting in March 2013. As a result of the renovations our soup kitchen facilities **will be closed the first week of April for at least a period of 5-6 months.**

The fire companies of Mellor E&H Co. #3 and Putnam E&H Co.#2 have both approved our request subject to your consent and permission.

To continue to assist and provide these much needed services of *Caritas* uninterrupted, we must find an alternative kitchen facility to prepare hot meals. Therefore, in light of the proximity of the South Main Firehouse and the common purpose we share of serving those in need we come to you to ask your cooperation in these unusual circumstances.

If you would be so kind as to allow **Caritas** the use of just the kitchen area in the South Main Firehouse you can assist us in continuing our mission. **Only the cooking staff (3-5)** of **Caritas** would be working in the firehouse kitchen area **Monday through Friday, from 7 am to 1 pm**. The public would never be permitted to enter or visit the firehouse kitchen. Once the meals are prepared they would be transported across the street to our visitors each day in the Lower Hall of The Church of the Holy Rosary.

As you can well appreciate, the kitchen in the South Main Firehouse is ideal and would guarantee continued service to the community. We would undertake to provide liability insurance to cover our usage and ensure that your facilities would be left clean and orderly.

Our cooking staff, the Social Services Coordinator and the Executive Director of Caritas would be the only individuals to have access to your kitchen and we would limit that access to just the kitchen area. As of now, we expect to be out of Don Bosco for approximately 6 months.

We look forward to a meeting with your representatives to discuss the specifics of an arrangement that would allow **Caritas** to continue its mission without inconveniencing the working of the firehouse staff.

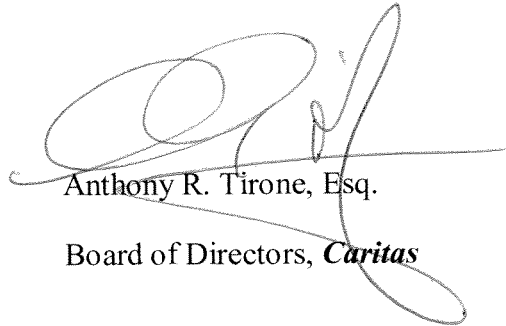
Thank you for your consideration and attention to this urgent matter.

Sincerely,



Deacon Bill Vacarro

Executive Director, **Caritas**



Anthony R. Tirone, Esq.

Board of Directors, **Caritas**

February 7, 2013

**VIA FIRST CLASS MAIL
AND ELECTRONIC MAIL**

Mayor Dennis Pilla

And Members of the Board of Trustees
Village of Port Chester
222 Grace Church Street
Port Chester, NY 10573

Re: United Hospital Redevelopment
Petition to Amend Chapter 345 (Zoning)
Premises: 406 Boston Post Road (Section 141.052, Block 1, Lot 2)

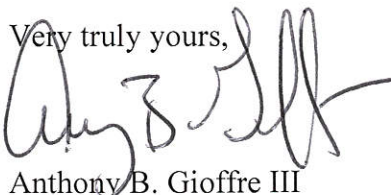
Dear Mayor Pilla and Members of the Board of Trustees:

Reference is made to the pending Petition requesting that certain amendments be made to Port Chester Village Code Chapter 345 (the "Petition") filed with your Honorable Board on behalf of affiliates of Starwood Capital Group (hereinafter "Starwood"), the owner of certain property located at 406 Boston Post Road, more commonly referred to as the former "United Hospital Site." While this past Monday's meeting was not as productive as we had hoped, we are pleased that the Board has agreed to schedule a work session to discuss Starwood's proposed project plans, the SEQR public scoping session and details related to Starwood's Petition.

In furtherance of the foregoing and the anticipated work session, Starwood hereby grants to the Village an extension of time through the end of April 2013 to schedule and conduct a public scoping session on its Petition.

We look forward to the scheduling of the work session to discuss the current status of Starwood's proposed development plans and will follow up with the Village Clerk to coordinate a mutually convenient date and time. Thank you for your continued consideration in this regard.

Very truly yours,



Anthony B. Gioffre III

cc: Christopher D. Steers, Village Manager
Janusz R. Richards, Village Clerk
Anthony M. Cerreto, Esq., Village Attorney
Christopher Gomez, Village Planner
Mark A. Chertok, Esq., Sive Paget & Riesel P.C.

Mayor Dennis Pilla

And Members of the Board of Trustees

February 7, 2013

Page -2-

Vince Ferrandino, AICP, Ferrandino & Associates, Inc.

Frank S. Fish, BFJ Planning

David B. Smith, VHB

James E. Raved, Esq.

Jonathan Ginsburg, Starwood

Joseph P. Carlucci, Esq.

Anthony F. Morando, Esq.

MINUTES

MEETING HELD NOVEMBER 15, 2012

A special meeting of the Board of Trustees of the Village of Port Chester, New York, was held on Thursday, November 15, 2012 at 6:30 P.M., in the Village Hall Conference Room, 222 Grace Church Street, Port Chester, New York, with Mayor Dennis Pilla presiding.

Present in addition to Mayor Pilla, were Trustees Saverio Terenzi, Bart Didden, and Joseph Kenner.

It should be noted that Trustee Daniel Brakewood arrived at 6:40 p.m. and Trustee Branca arrived at 6:42p.m.

It should be noted that Trustee Luis Marino was absent.

Also present were Village Manager, Christopher Steers; Village Clerk, Janusz R. Richards; and Village Attorney, Anthony Cerreto.

On motion of Trustee Didden, seconded by Trustee Terenzi, the meeting was declared opened at 6:32 p.m.

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

NOES:

ABSENT: Trustees Brakewood, Marino and Branca

WORKSESSION

Workshop to review Village Manager's goals, objectives and priorities.

Mr. Steers presented to the Board a summary of his village goals and village priorities and strategies. The goals Mr. Steers spoke about were the following: Code Enforcement, 2013 Village Election, Sewer Rent Project, Five Year Operating Budget/Goal, Capital Plan, Economic Development, Emergency Preparedness, Performance Management, Information Technology Resource Management, and the adoption of the Comprehensive Plan and Zoning Text Amendments. Mr. Steers also presented to the Board a ranking sheet of the list of priorities. The

Board asked several questions regarding Mr. Steers objectives and priorities and the following resolution was presented to the Board to adopt:

RESOLUTION

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

WHEREAS, pursuant to Port Chester's Village Manager Law, the Village Manager is the Chief Administrative Officer and Chief Fiscal Officer of the Village of Port Chester responsible for the administration of all Village affairs placed in his charge as defined therein; and

WHEREAS, the Village Manager has this date presented to the Board of Trustees a memorandum entitled "Village Manager's Draft Goals and Strategies"; and

WHEREAS, strategic planning/management is a tool that involves developing an organization's mission, describing its vision, formulating strategies, goals and objectives, ranking priorities and allocating resources to effectively implement such strategies, goals and objectives; and

WHEREAS, a strategic planning/management process is particularly important for local governments which must confront a unique and challenging environment of scarce resources, limited staff, severe fiscal constraints balanced against expectations of accustomed high levels of services; and

WHEREAS, the Board has duly considered the Village Manager's presentation at a special meeting dedicated to this matter. Now, therefore, be it

RESOLVED, that the Board of Trustees hereby accepts the Village Manager's recommended approach and ratifies and ranks the priorities enumerated in his memorandum; and be it further

RESOLVED, that the Manager be directed to report to the Board on a monthly basis on the status of the implementation of such strategies, goals and objectives by Village staff and be accountable to the Board with regard to same.

Village Manager’s Priorities Ranking

Priorities	Rank	Short Term	Ongoing	Long Term
A. Code Enforcement	1		√	
B. 2013 Election		√		
C. Sewer Rent Project	2	√	√	
D. 5 Year Operating Budget	5	√	√	
E. Capital Plan	3	√	√	
F. Economic Development				√
G. Municipal Center *				√
H. Housing Rehab Program *	4	√	√	
I. Bulkhead Repair / Replacement / Revetment , & District *		√		
J. Marina Licensing Agreement *		√		
K. Emergency Preparedness		√		
L. Performance Management			√	√
M. Information Technology Resource Management		√	√	
N. Adoption of the Comprehensive Plan and Zoning Text Amendments		√		

Source: Village Manager’s Draft Goals and Strategies 11/15/12

* These priorities can be a sub category under Economic Development

Approved by Board of Trustees 11/15/1

APPROVED AS TO FORM:

Anthony Cerreto
Village Attorney

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

NOES:

ABSENT: Trustee Marino

DATE: November 15, 2012

At 7:17 p.m., on motion of Trustee Didden, seconded by Trustee Kenner, the meeting was closed.

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

NOES: None

ABSENT: Trustee Marino

Respectfully submitted,

Jacqueline Johnson
Deputy Village Clerk

MEETING HELD NOVEMBER 19, 2012

A meeting of the Board of Trustees of the Village of Port Chester, New York, was held on Monday, November 19, 2012 at 6:00 P.M., in the Court Room of the Police Headquarters Building, 350 North Main Street, Port Chester, New York, with Mayor Dennis Pilla presiding.

Present in addition to Mayor Pilla, were Trustees Daniel Brakewood, Saverio Terenzi, Bart Didden, Luis Marino and Joseph Kenner.

It should be noted that Trustee Branca arrived at 7:33 pm.

Also present were Village Manager, Christopher Steers; Village Clerk, Janusz R. Richards; Village Treasurer, Leonie Douglas; Administrative Aide, Chris Ameigh; Director of Planning and Development Christopher Gomez; Police Chief Joseph Krzeminski and Mr. Dolph Rotfeld from Dolph Rotfeld Engineering.

On motion of Trustee Brakewood, seconded by Trustee Didden, the meeting was declared opened at 6:02 p.m.

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

NOES:

ABSENT: Trustee Branca

MEETING OF THE BOARD OF TRUSTEES IN THEIR CAPACITY AS A BOARD OF POLICE COMMISSIONERS

The Board of Police Commissioners met with the Chief of Police to discuss priorities and other issues. No action was taken in the meeting, but the Board asked for a recurring monthly meeting with the Chief of Police.

MOTION FOR EXECUTIVE SESSION

At 6:38 p.m., on motion of Trustee Terenzi, seconded by Trustee Brakewood, the Board of Trustees adjourned into the first executive session to discuss a resident complaint.

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

NOES: None

ABSENT: Trustee Branca

No action was taken in executive session.

At 6:50 p.m., on motion of Trustee Didden, seconded by Trustee Kenner, the Board of Trustees closed the first executive.

Roll Call

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

NOES: None

ABSENT: Trustee Branca

At 6:51 p.m., on motion of Trustee Kenner, seconded by Trustee Marino, the Board of Trustees adjourned into a second executive session to discuss the CSEA agreement.

Roll Call

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

NOES: None

ABSENT: Trustee Branca

No action was taken in executive session.

At 7:12 p.m., on motion of Trustee Kenner, seconded by Trustee Marino, the second executive session was closed.

Roll Call

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

NOES: None

ABSENT: Trustee Branca

After a five minute recess, the public portion of the meeting was reopened at 7:12p.m.

Roll Call

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

NOES: None

ABSENT: Trustee Branca

PRESENTATION

Audit and introduction to 5 year operating budget.

Mr. Malecki from Drescher & Malecki LLP., presented to the Board their opinions, financial highlights and observations for the Village's audit for fiscal year end May 31, 2012. Mayor Pilla said that he will plan a budget workshop with the Board and staff early next year before introducing the operating budget to the public.

PUBLIC COMMENTS

Mayor Pilla asked if there was anyone from the audience who would like to make any comments on the first six resolutions.

Mr. Terranova commented regarding the Board passing the resolution for acquiring the property at 201 Grace Church Street.

Ms. Paul also commented regarding the Board passing the resolution for acquiring the property at 201 Grace Church Street.

Mr. John Reavis commented regarding acquiring the property at 201 Grace Church Street, Columbus Park and Starwood Capital and the former United Hospital property.

Ms. Deidra Pasquale commented regarding Starwood Capital and the former United Hospital property.

Ms. Linda Turturino also commented about Starwood Capital and the former United Hospital property and also about the Village acquiring the property at 201 Grace Church Street.

Ms. Tofano commented about acquiring the property at 201 Grace Church Street and Starwood Capital and the former United Hospital property.

Ms. Goldie Solomon commented regarding properties coming off of the current tax rolls.

Mr. Morlino commented regarding Starwood Capital and the former United Hospital property as well as the current overcrowding in Port Chester schools.

Reverend Bruce Baker commented regarding Starwood Capital and the former United Hospital property.

Mr. Steve Stefano commented about acquiring the property at 201 Grace Church Street.

Mr. Abel commented about acquiring the property at 201 Grace Church Street, Starwood Capital and the former United Hospital property, and early voting for the Mayoral seat in the 2013 Village Election.

Mr. Gioffre commented on the proposed resolution accepting the petition of Starwood Capital for the zoning amendment and noticing intention to declare lead agency with regard to former United Hospital site. Mr. Gioffre said that he only learned yesterday that this item was considered as a resolution and not as a discussion item. Mr. Gioffre asked the Board the opportunity to answer any questions the Board may have during the discussion period of the resolution. Mayor Pilla commented that Trustee Terenzi asked for the zoning amendment and noticing intention to declare lead agency with regard to former United Hospital site to be on the agenda as a resolution.

Mr. Ceccarelli commented about Starwood Capital and the former United Hospital property.

RESOLUTIONS

RESOLUTION SUBSTITUTION OF COUNSEL OF RECORD IN VOTING RIGHTS LITIGATION

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 Federal Government brought suit against the Village of port Chester in the United States District Court of the Southern District of

New York claiming that the Village's at-large method of electing Trustees violated Section 2 of the Voting Rights Act; and

WHEREAS, the District Court found against the Village which required a hearing on the matter of the appropriate remedy; and

WHEREAS, after hearing, the parties entered into a Consent Decree that established an alternative method of electing Trustees, cumulative voting, for the 2010, 2013 and 2016 Village Elections and required execution of a subsequent Addendum with regard to the 2010 Village Election; and

WHEREAS, a substitution of counsel is required in this matter; and

WHEREAS, on the recommendation of the Village Manager, counsel is necessary and appropriate on an "as needed" basis to assure the successful compliance with the Village's obligations to the court with regard to the Consent Decree as well as any subsequent addenda that may be presented; and

WHEREAS, that such counsel be also be available as to any litigation that may be required in connection with this matter. Now, therefore, be it

RESOLVED, that Village Attorney be assisted in the matter of United States, et al. v. Village of Port Chester by the retainer of the firm of Sokoloff Stern, 179 Westbury Avenue, Carle Place, New York 11514 to act as attorney of record, compensation to be capped at \$10,000 without further authorization of the Board of Trustees, with rates of: \$160/hour/partners and \$140/hour associates and \$75/hour paralegals.

APPROVED AS TO FORM:

Village Attorney

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

NOES: None

ABSENT: None

DATE: November 19, 2012

RESOLUTION

AUTHORIZING FURTHER ADDENDUM IN UNITED STATES v. VILLAGE OF PORT CHESTER TO IMPLEMENT THE CONSENT DECREE FOR THE 2013 VILLAGE ELECTION AS DRAFTED BY THE UNITED STATES DEPARTMENT OF JUSTICE

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

WHEREAS, the 2009 Consent Decree in the above matter "represents the parties' commitment to ensure that all citizens of the Village of Port Chester have an equal right to full electoral and political participation"; and,

WHEREAS, the Consent Decree provides that the Village of Port Chester shall allow for early voting for the term of the Consent Decree, where registered voters shall be permitted to cast their ballot during the one week period prior to election day; and,

WHEREAS, early voting increased the opportunities for candidates and voters, whereby over 600 citizens voted early, and a "write in" candidate emerged during the early voting period; and

WHEREAS, seeking to eliminate early voting from the Consent Decree is not a viable option; and,

WHEREAS, the Consent Decree also provided that the provisions therein may be changed by agreement of the parties; and,

WHEREAS, the parties are required to execute a Second Addendum to the Consent Decree to implement the 2013 Trustee Election; and,

WHEREAS, the 2013 Village election ballot shall consist of 6 Trustee seats and the Mayor's seat; and,

WHEREAS, the Consent Decree did not anticipate the issue of whether to include the Mayor's seat on the 2013 ballot for early voting; and,

WHEREAS, separating the Mayor's seat from the 2013 early voting ballot will not provide voters to the full village electoral ballot; and,

WHEREAS, separating the Mayor's seat from the 2013 early voting will require additional cost and operational changes, as well as additional voter and election official education and training; and,

WHEREAS, separating the Mayor's seat from the 2013 early voting ballot may create additional voter confusion, which may have a greater impact on minority voters; and,

WHEREAS, the Board had previously authorized the Mayor, Village Attorney and former Village Clerk, to discuss with the Federal Government the issue of including the Mayor's seat on the 2013 early voting ballot; and,

WHEREAS, both the Federal Government and the Intervenor are not opposed to include the Mayor's seat on the 2013 early voting ballot, in order to facilitate implementing the Consent Decree in the most effective and cost-efficient manner; and,

WHEREAS, the Clerk provided the Board with an analysis detailing that separating the Mayor's seat from the 2013 early voting ballot will require additional cost and personnel resources; and,

WHEREAS, the Village Clerk subsequently identified additional proposed changes to the Voter Education Program so as to minimize taxpayers expense and enable Village resources to be more efficiently provided; and,

WHEREAS, the Federal Government provided a draft Addendum in the form annexed which incorporates the changes proposed and extends the opportunity to include the Mayor's seat on the 2013 early voting ballot for the Board's consideration; and

WHEREAS, the matter of including the Mayor's seat on the 2013 early voting ballot is a policy decision for the Board to determine; Now, therefore, be it

RESOLVED, upon review and deliberation, and in order to implement the terms of the 2009 Consent Decree in the most efficient and effective manner, the Board of Trustees authorizes the execution of the Second Addendum to the Consent Decree in the form annexed on behalf of the Village of Port Chester, as drafted by the DOJ.

APPROVED AS TO FORM:

Village Attorney, Anthony Cerreto

AYES: Trustees Brakewood, Branca, Marino and Mayor Pilla

NOES: Trustees Terenzi, Didden, Kenner

ABSENT: None

DATE: November 19, 2012

RESOLUTION

AUTHORIZING FURTHER ADDENDUM IN UNITED STATES v. VILLAGE
OF PORT CHESTER TO IMPLEMENT THE CONSENT DECREE FOR THE
2013 VILLAGE ELECTION

The following resolution was withdrawn at the request of Trustee Kenner.

WHEREAS, the Federal Government brought suit against the Village of Port Chester in the District Court of the Southern District of New York claiming that the Village's at-large method of electing Trustees violated Section 2 of the Voting Rights Act; and

WHEREAS, the District Court found against the Village which required a hearing on the matter of the appropriate remedy; and

WHEREAS, after hearing, the parties entered into a Consent Decree that established an alternative method of electing Trustees, cumulative voting, for the 2010, 2013 and 2016 Village Elections; and

WHEREAS, said Consent Decree provided for, among other things, early voting for the week prior to Village Election Day for Trustee; and

WHEREAS, said Decree also incorporated a detailed Voter Education Program that the Village was required to implement; and

WHEREAS, the parties presented to the Court a subsequent Addendum that addressed the terms of the Trustees, ballot design, use of lever machines, etc. specific to the 2010 Village Election; and

WHEREAS, the parties are required to enter into a further or Second Addendum for the administration of the 2013 Village Election for Trustee; and

WHEREAS, the Village Clerk has identified proposed changes to the Voter Education Program so as to minimize taxpayers expense and enable Village resources to be more efficiently provided for consideration by the parties; and

WHEREAS, the Board has been provided a proposed Second Addendum for consideration that does not include early voting for the Mayor's seat. Now, therefore, be it

RESOLVED, upon review and deliberation, the Board of Trustees authorizes the execution of the Second Addendum to the Consent Decree in the form annexed on behalf of the Village of Port Chester.

On the request of Trustee Kenner, no action was taken on this resolution.

RESOLUTION

ACCEPTANCE OF FILING OF APPLICATION FOR ZONING TEXT AND MAP CHANGE RELATING TO THE PROPOSED REDEVELOPMENT OF THE FORMER UNITED HOSPITAL PROPERTY; AUTHORIZING COMMENCEMENT OF THE NEW YORK STATE ENVIRONMENTAL QUALITY REVIEW PROCESS

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

WHEREAS, on or about May 21, 2012, PC406 BPR, LLC (the "Applicant") submitted a Petition to the Village Board of Trustees (the "Board") proposing zoning text and map amendments to the Village Code, Chapter 345, relating to the proposed redevelopment of approximately 14.15 acres of land located at 406 Boston Post Road in the Village of Port Chester, consisting of a portion of the

former United Hospital site, which proposed redevelopment would be for mixed residential, office and commercial uses (the “Proposed Action”); and

WHEREAS, the Petition was accompanied by a Site Plan Application and Long-Form Environmental Assessment Form (“EAF”) prepared pursuant to the New York State Environmental Quality Review Act (“SEQRA”); and

WHEREAS, the Proposed Action is a Type I Action pursuant to SEQRA and its implementing regulations; and

WHEREAS, subsequent to receipt of the Petition on May 21, 2012, the Board has:

--conducted several public workshops with the Applicant to better understand the Proposed Action; and

--solicited additional information from the Applicant; and

WHEREAS, by letter dated October 12, 2012, counsel for the applicant made a further submission relating to the Petition, which submission contained the Applicants’:

- fiscal and socioeconomic impact assessment;
- preliminary traffic analysis; and
- conceptual site plan and rendering; and

WHEREAS, by letter dated October 31, 2012, counsel for the Applicant requested that the Village Board of Trustees place the Petition on the Board’s November 5, 2012 meeting agenda for discussion and action; and

WHEREAS, in said October 31, 2012 letter the Applicant recognized the Board’s discretionary authority to accept or refuse to accept the Petition . Now, therefore, be it

RESOLVED, that the Board of Trustees accepts the Petition for filing and hereby gives notice of its intent to be Lead Agency for the purpose of reviewing the Proposed Action, including the Petition and necessary related land use approvals; and that this Notice of Intent, the Petition and exhibits thereto, including the EAF, be circulated to the following potential Involved Agencies:

William Hume, Chairman
Architectural Review Board
Village Hall
222 Grace Church Street
Port Chester, N.Y. 10573

Michael Scarola, Chairman
Port Chester Planning Commission
Village Hall
222 Grace Church Street
Port Chester, N.Y. 10573

Melissa Slater
New York State Department of Transportation
4 Burnett Boulevard
Poughkeepsie, N.Y. 12603; and be it further

RESOLVED, absent objection to such designation, the Board will be the designated lead agency for the Proposed Action and, as such, the Board is prepared to issue a Positive Declaration that the Proposed Action may have a significant impact on the environment and that a Draft Environmental Impact Statement (“DEIS”) must be prepared; and be it further

RESOLVED, that in such event, the Board desires that a public scoping session with respect to the contents of the DEIS be scheduled, conditioned upon the applicant first executing an escrow agreement with the Village to reimburse the Village for its retention of independent environmental consultants (including counsel) and placing into escrow the funds required by the escrow agreement.

Approved as to form:

Anthony M. Cerreto, Village Attorney

AYES: Trustees Terenzi, Didden, Marino and Kenner
NOES: Trustees Brakewood, Branca and Mayor Pilla
ABSENT: None

DATE: November 19, 2012

SEQR
Intent to be Lead Agency

MEMO TO: ALL INTERESTED AND INVOLVED AGENCIES

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

PROJECT TITLE: United Hospital Redevelopment
Petition to Amend Chapter 345 (Zoning)
Premises: 406 Boston Post Road (Section 141.052, Block 1, Lot 2)

MAILING DATE: November 20, 2012

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:

United Hospital Redevelopment

As set forth in the petition, the United Hospital Site, located on 406 Boston Post Road in the Village of Port Chester, Section 141.052, Block 1, Lot 2, consists of one 14.15 acre parcel. It currently consists of eight abandoned buildings of approximately 600,000 square feet, an interior roadway system, and related parking areas. The current zoning is R2F: Two-family residential.

The current owner of the property wishes to change the current R2F zone to a new PMU, Planned Mixed Use district (see attached zoning amendment petition). This zoning map change will allow the property owners to construct a mixed use development on the site. This new development will take the place of the current vacant hospital. The proposed development consists of approximately 20,000 Square Feet of ground floor retail/commercial uses and 820 multifamily dwelling units (41 Studio, 394 1BR, and 385 2BR) in five and six story structures. Residential amenities are also proposed. Approximately 1,350 parking spaces will be provided by a combination of surface and underground structured lots.

If no written objections are received within 30 days of the above date of this notice, the Port Chester Board of Trustees will assume the role of Lead Agency.

Contact Person: Hon. Dennis Pilla, Mayor
Port Chester Board of Trustees, c/o Village Clerk
222 Grace Church Street, First Floor
Port Chester, NY 10573
T. (914) 939-5202

Potential

Involved Agencies: Chairman Michael Scarola
Port Chester Planning Commission
222 Grace Church Street, Suite 202
Port Chester, NY 10573

Chairman William Hume
Architectural Board of Review
222 Grace Church Street
Port Chester, NY 10573

Melissa Slater
New York State Department of Transportation
Region 8, Eleanor Roosevelt State Office Building
4 Burnett Boulevard
Poughkeepsie, NY 12603

Copy of this Notice of Intent on file with:

Janusz Richards
Village Clerk
222 Grace Church Street
Port Chester, NY 10573
T. (914) 939-5202

RESOLUTION

REJECTING BID FOR MARINA BULKHEAD REPAIRS

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

WHEREAS, the Village of Port Chester solicited competitive bids for the Village Marina Vinyl Bulkhead Repair Project (Bid # 4-12); and

WHEREAS, such bids were returnable on September 28, 2012; and

WHEREAS, J.T. Cleary, Inc. was the single bidder in the amount of \$1,997,700.00; and

WHEREAS, at the request of the Village, the bidder has agreed to hold the bid through November 31, 2012 for the Board to consider the bid; and

WHEREAS, the Village's consulting marina engineer has presented to the Board with respect to the matter. Now, therefore be it

RESOLVED, that the Board of Trustees hereby rejects the bid of J.T. Cleary, Inc., 100 Red Schoolhouse Road, #A-12, Chestnut Ridge, New York 10977; and be it further

RESOLVED, that such action should not be understood as any reflection on the bidder but rather the intention of the Board to advance this matter in a different direction.

APPROVED AS TO FORM:

Village Attorney, Anthony Cerreto

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

NOES: None

RECUSE: Trustee Didden

ABSENT: None

DATE: November 19, 2012

Trustee Didden recused himself because the resolution relates to G&S and he has a standing recusal because of outstanding litigation.

RESOLUTION

PURCHASE OF PREMISES TO ENHANCE EDGEWOOD PARK

On motion of TRUSTEE BRANCA, seconded by TRUSTEE

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

WHEREAS, the Village was made aware that real property located at 201 Grace Church Street was on the market for sale; and

WHEREAS, such premises is currently improved by a one-family residence; and

WHEREAS, the Park Commission has recommended that the Village's acquire said property to enhance Edgewood Park which is adjacent thereto; and

WHEREAS, the Recreation Master Plan has identified the need for additional parkland and open space to serve the needs of Village residents; and

WHEREAS, the Saline family was responsible for giving to the Village the property now known as Edgewood Park; and

WHEREAS, the Board has been advised that given the historical connection between the Saline family and the Village, the premises is being offered at a price below fair market value so long as it is used for parkland; and

WHEREAS, the Village has funds available from accumulated subdivision fees-in-lieu of parkland and a one-time impact fee from the Kingsport refinancing that would defray much of the acquisition cost; and

WHEREAS, the Village commissioned an independent appraisal to provide the basis for negotiations and support any potential acquisition; and

WHEREAS, a purchase price of \$300,000 "as is" has been finally negotiated, subject to approval and ratification by the Board of Trustees. Now, therefore, be it

RESOLVED, that the Board of Trustees hereby approves the purchase of premises located at 310 Grace Church Street Port Chester, in the amount of

\$300,000 “as is” with the present intention that it be land-banked for future use; and be it further

RESOLVED, that the Trust & Agency, and Capital Fund be modify as follows for the purchase:

From:

T/A Parkland Deposit	3.3.37	\$212,000
Deferred Rev.-Impact Fee (Kingsport)	5.5.693	\$88,000

Establish-Capital Fund: Parkland Purchase-310 Grace Church St.

Revenues:

5.5.2772.2012.122	Misc Revenue (Kingsport Impact Fee)	\$88,000
5.5.2772.2012.122	Misc. Revenue (Parkland)	\$212,000

Appropriations:

5.5.7110.400.2012.122	Parkland Purchase	\$300,000
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and be it further

RESOLVED, that the Village Manager be authorized to enter into a purchase and sale agreement and that the Manager and Village Attorney are authorized to execute such other documents as may be necessary and appropriate to accomplish the closing of title.

Village Attorney, Anthony Cerreto

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

NOES: Trustee Terenzi

ABSENT: None

DATE: November 19, 2012



Village of Port Chester
Office of Planning and Development
222 Grace Church Street, rm. 202 Port Chester, New York 10573

To: Hon. Mayor Pilla and Board of Trustees

From: Christopher Gomez, Director of Planning and Development

Re: 201 Grace Church Street Acquisition – SEQRA Negative Declaration

CC: C. Steers, T. Cerreto, L. Douglas, J. Richards

Date: November 14, 2012

The attached SEQRA Negative Declaration has been prepared pursuant to Part 617 of the implementing regulations pertaining to Article 8 of the New York State Environmental Conservation Law. The proposed action is classified as an Unlisted action pursuant to Section 617.2.

This specific negative deceleration relates only to the Village's desire to acquire a .3-acre property at 201 Grace Church Street (Section 142.54, Block 2, Lot 54) immediately adjacent to Edgewood Park for a presently undetermined use. As such, this Negative Deceleration solely relates to the acquisition of real property and not any specific environmental impacts that may be associated with a future use. Any subsequent improvements or actions related to said land-banked property would be subject to additional SEQRA review to analyze the potential for environmental impacts at that time.

It should be noted that Trustee Branca had to leave the meeting at 9:54 p.m.

PUBLIC COMMENTS

Ms. Goldie Solomon thanked Trustee Marino for helping out with Father Steve Shank's wake and funeral. Ms. Solomon commented about property assessments and taxes and wished everyone a happy thanksgiving.

Mr. Terranova thanked the Board for passing the resolution to acquire the property at 201 Grace Church Street and wished everyone a happy thanksgiving.

Mr. Buccieri commented about the marina bulkhead.

RESOLUTION

STIPULATION OF AGREEMENT
CSEA – RANK & FILE

On motion of TRUSTEE KENNER, seconded by TRUSTEE MARINO, the following resolution was **adjourned to December 3, 2012** by the Board of Trustees of the Village of Port Chester,

New York:

WHEREAS, the Village of Port Chester and the CSEA, Local 1000, AFSCME, AFL-CIO, Westchester Local 860 Village of Port Chester Unit (Rank and File) have entered into negotiations for a new multi-year labor agreement for the term of June 1, 2011 through May 31, 2015; and

WHEREAS, those negotiations have been successfully concluded; and

WHEREAS, a Memorandum of Agreement reflecting amendments to the existing labor agreement has been signed by the negotiating teams, and subject to the approval of both the Union and Village; and

WHEREAS, the Association has ratified the Memorandum of Agreement. Now, therefore, be it

RESOLVED, that the Board of Trustees hereby ratifies and approves the Memorandum of Agreement with CSEA, Local 1000, AFSCME, AFL-CIO, Westchester Local 860 Village of Port Chester Unit (Rank and File) in the form annexed herein; and be it further

RESOLVED, that the Village Manager be authorized to execute the successor agreement when it is prepared, and be it further

RESOLVED, that the Board of Trustees authorizes the Village Treasurer to modify the General Fund Budget as follows:

From:		
Contingency – Contractual	1.1990.400	\$82,487
To:		
Justice Court – Personnel Services	1.1110.100	\$7,332
Finance – Personnel Services	1.1320.100	\$3,394
Village Clerk – Personnel Services	1.1410.100	\$1,054
Law – Personnel Services	1.1420.100	\$1,115
Buildings-Village Hall-Personnel Services	1.1621.100	\$1,011
Central Garage-Personnel Services	1.1640.100	\$5,194
Police Civilian-Personnel Services	1.3127.100	\$2,735
Building Dept-Personnel Services	1.3620.100	\$2,718
Code Enforcement-Personnel Services	1.3989.100	\$6,242
Street Administration-Personnel Services	1.5010.100	\$1,873
Street Maintenance-Personnel Services	1.5110.100	\$14,183
Street Cleaning-Personnel Services	1.5190.100	\$1,244
Nutrition (SNAP)-Personnel Services	1.6730.100	\$1,735
Nutrition (Transp.)-Personnel Services	1.6750.100	\$918
Parks-Personnel Services	1.7110.100	\$2,394
Youth Program-Personnel Services	1.7310.100	\$2,314
Refuse/Garbage-Personnel Services	1.8160.100	\$21,170
Social Security-FICA	1.9030.802	\$4,750
Social Security-Medicare	1.9030.810	\$1,111
Total		\$82,487

APPROVED AS TO FORM:

Village Attorney, Anthony Cerreto

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

NOES: None

ABSENT: Trustee Branca

DATE: November 19, 2012

RESOLUTION

AWARDING BID FOR PARKING TICKET MANAGEMENT SERVICES

On motion of TRUSTEE KENNER, seconded by TRUSTEE MARINO, the following resolution was adopted by the Board of Trustees of the Village of Port Chester,

New York:

WHEREAS, the Village of Port Chester solicited bids for parking ticket management services through a Request for Proposals process (RFP-2012-4); and

WHEREAS, proposals were returnable on August 10, 2012; and

WHEREAS, the incumbent vendor, Complus Data Innovations, Inc. 560 White Plains Road, Tarrytown, New York 10591, was the single proposer; and

WHEREAS, the parties have since been involved in post-bid negotiations; and

WHEREAS, Complus submitted a revised proposal in correspondence dated November 8, 2012 which the Village Manager recommends be accepted. Now, therefore, be it

RESOLVED, that the Board of Trustees hereby accepts the proposal of Complus Data Innovations, Inc., 560 White Plains Road, Tarrytown, New York 10591 included in correspondence dated November 8, 2012 to provide parking ticket management services to the Village of Port Chester, with a two year term and fee schedule as follows:

12% of all in-state parking ticket collections on Village parking ticket revenues up to \$1,300,000 annually; 16 % of all out-of-state parking ticket collections on Village parking ticket revenues up to \$1,300,000 annually and 11% of all in-state and out-of-state parking ticket collections on Village parking ticket revenues in excess of \$1,300,000 annually, and be it further.

RESOLVED, that the Village Manager is hereby authorized to sign an agreement with the vendor consistent with such terms.

APPROVED AS TO FORM:

Village Attorney, Anthony Cerreto

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

NOES: Mayor Pilla

ABSENT: Trustee Branca

DATE: November 19, 2012

**RESOLUTION
DPW HOT BOX PURCHASE**

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

WHEREAS, the Village Manager is recommending the purchase of an hot box for street patches during the winter months from Trius Inc, 458 Johnson Avenue, P.O. Box 158, Bohemia, NY 11716 for \$21,500 , and

WHEREAS, the funds are already budgeted in the General Fund Transfer to Capital line, 1.9900.400. Now, therefore be it

RESOLVED, that the Board of Trustees of the Village of Port Chester, New York hereby authorizes the Village Treasurer to modify the 2012-13 Capital Fund Budget as follows:

CAPTIAL FUND

Establish Project Budget– DPW Hot Box

Revenues:

5.5.5031.2012.123	Transfer from General Fund	\$21,500.00
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Appropriation:

5.5110.200.2012.123	DPW Hot Box	\$21,500.00
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APPROVED AS TO FORM:

Village Attorney, Anthony Cerreto

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

NOES: None

ABSENT: Trustee Branca

DATE: November 19, 2012

DISCUSSIONS

Housing Rehabilitation

Mayor Pilla said that Ms. Noonan could not be here tonight but recommended the Board should use the \$600,000 designated fund for the purpose it was intended for. Trustee Didden commented that Ms. Noonan drafted an agreement, but the Board has not seen it. There was further discussion on this topic. Mr. Steers commented that the Village Attorney has been pursuing information for the drafted agreement, but during the process, there were discrepancies, and he is waiting for clarification. Mr. Steers recommended to the Board to have Ms. Noonan come back and present to the Board the drafted agreement. The Board agreed to have staff set up a date to have Ms. Noonan come back to present to the Board the drafted agreement.

Sewer Rent Project

Mayor Pilla commented that when last met with Mr. Dichter, he was supposed to meet with United Water and as of this date, he has not met with them. As there was further discussion on this topic; Mr. Steers asked the Board to have Mr. Dichter come back at a future meeting to discuss with the Board on the current sewer rent status. The Board agreed to have Mr. Dichter come back for an updated discussion.

The attorney / client privilege for opinions sent to the Board of Trustees by the Village Attorney

Trustee Didden commented regarding the rules and procedures of privileged documents. There was further discussion with the Board on this topic. Trustee

Didden along with Trustee Terenzi (which will be the required second Trustee), will ask for a request of opinion from the Village Attorney on this matter.

CORRESPONDENCE

From Fire Department Village of Port Chester

The Board acknowledged from Reliance Engine & Hose Co. No. 1 to expel James Green as a member.

Request from Rosa Castillo to purchase a small piece of village-owned land.

Trustee Didden said that the piece of property Ms. Castillo is referring to is not owned by the Village of Port Chester and the property is located in the Town of Rye. Mayor Pilla asked staff to send Ms. Castillo a letter regarding this matter.

From Port Chester Rye Brook Rye Town Chamber of Commerce.

The Port Chester/Rye Brook/Rye Town Chamber of Commerce is asking for the Village of Port Chester to allow their annual free street parking (with a two-hour limit) on North Main Street, South Main Street, Abendroth Avenue, the lower portion of Willett Avenue from North Main Street to Abendroth Avenue, and Westchester Avenue from December 17, 2012 through December 28, 2012.

The Board referred the correspondence to staff and to have it as a resolution for the next meeting.

MINUTES

Approval of the Board of Trustees minutes of July 16, 2012, August 6, 2012 and August 20, 2012.

On motion of Trustee Didden, seconded by Trustee Marino, the minutes of July 16, 2012, August 6, 2012 and August 20, 2012 were accepted.

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

NOES:

ABSENT: Trustee Branca

**PUBLIC COMMENTS
AND
BOARD COMMENTS**

PUBLIC COMMENTS AND BOARD COMMENTS

There were no public comments.

Board:

Trustee Brakewood thanked the public for coming out this evening and their comments. Trustee Brakewood also congratulated the Port Chester High School Boys Varsity Soccer team for competing in the New York State championship game. Mr. Brakewood also wished everyone a happy thanksgiving.

Trustee Terenzi commented regarding his purpose as a Village Trustee and the five year operating plan.

Trustee Didden commented regarding service contracts and village properties.

Trustee Marino commented regarding Board packages and the Election Education Coordinator position.

Trustee Kenner commented regarding a person interested as a potential appointment to the Industrial Development Agency (IDA).

Mayor Pilla commented that he will schedule an executive session at the next meeting for the Board to discuss several open vacancies for commissions. Mayor Pilla commented about the office hours in the Building Department and the Village Clerk's office. Mayor Pilla also commented about the Rye Town dissolution, Taxi Commission and thanked the public for coming out and voicing their concerns regarding Starwood Capital.

At 11:01 p.m., on motion of Trustee Didden, seconded by Trustee Marino, the meeting was closed.

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

NOES: None

ABSENT: Trustee Branca

Respectfully submitted,

Jacqueline Johnson
Deputy Village Clerk