

**VILLAGE OF PORT CHESTER  
BOARD OF TRUSTEES  
Meeting, Monday, July 20, 2015  
PROPOSED EXECUTIVE/CLOSED SESSION 6:00-7:00 P.M.  
Regular Meeting: 6:00 P.M.  
VILLAGE JUSTICE COURTROOM  
350 North Main Street  
Port Chester, New York  
**AGENDA – AMENDED****

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**TIME: 6:00 P.M.**

<b>I</b>	<b>PROPOSED MOTION FOR EXECUTIVE SESSION</b>	<b>ACTION</b>
1	Regarding an appointment of particular person(s) as Marshal.	
2	Regarding an appointment of particular person(s) as Police Officer to Port Chester Police Department.	
3	Consultation with special council regarding United Hospital Redevelopment preliminary Draft Environmental Impact Statement.	

**TIME: 7:00 P.M.**

<b>II</b>	<b>AFFIDAVIT OF PUBLICATION AND NOTICE OF PUBLICATION RE:</b>	<b>ACTION</b>
1	Public hearing to consider the advisability of adopting a local law to amend the Code of the Village of Port Chester, Chapter 345 “Zoning” that would: update the use classification and amend existing standards for the granting of special use exceptions for medical and dental offices and establish off-street parking requirements for such uses, create a new C1M Neighborhood Retail – Medical Zoning District with changes to the Schedule of Use Regulations, and amend the Official Zoning Map to provide for the zoning designation of certain properties currently in the C1 Neighborhood Retail District to be changed to the new C1M District.	
2	Public hearing to consider the advisability of adopting a local law to amend the Code of the Village of Port Chester, Chapter 283, Streets and Sidewalks, clarifying and codifying the obligations of property owners and other responsible parties with regard to the adjoining or contiguous public sidewalk.	
<b>III</b>	<b>PUBLIC COMMENTS</b>	<b>ACTION</b>
<b>IV</b>	<b>RESOLUTIONS</b>	<b>ACTION</b>
	<b>Administration</b>	
1	Adoption of comment and determination of completion on the Draft Environmental Impact Statement with regard to the proposed action of PC406 BPR, LLC and PC 999 High Street Corp.	

2	Requesting that the New York State Department of Transportation study with the Village of Rye Brook the feasibility of traffic light at the corner of Betsy Brown Road and King Street.	
3	Authorizing payment for taxes overpaid following an administrative correction of errors process under State Real Property Tax Law.	
	<b>Appointment(s)</b>	
4	Appointment of Trustee Saverio Terenzi to the Port Chester IDA and LDC.	
5	Re-appointment of Frank Errigo to Commission on Recreation with term expiring on 07-09-2018.	
6	Re-appointment of Janice Kunicki to Commission on Recreation with term expiring on 07-09-2018.	
7	Re-appointment of Kim Morabito to Commission on Recreation with term expiring on 07-09-2018.	
	<b>Senior / Nutrition Program</b>	
8	Authorizing the Village Manager to sign the New York State Office for the Aging Certification stating the Village has provided 2% salary and related fringe benefits to direct care staff and direct support professionals, full or part time in 2014-2015.	
	<b>Finance</b>	
9	Awarding BID 2015-06 - Mortimer Street Drainage – Sewer Improvements.	
10	Awarding BID 2015-09 - Fencing of Abendroth Dog Run.	
<b>V</b>	<b>DISCUSSIONS</b>	<b>ACTION</b>
1	Booting and Towing Law follow up.	
2	Film permit ordinance change request.	
3	Village Marshals -Rules and Regulations	
<b>VI</b>	<b>REPORT OF THE VILLAGE MANAGER</b>	<b>ACTION</b>
<b>VII</b>	<b>CORRESPONDENCE</b>	<b>ACTION</b>
1	From Mellor Engine & Hose Co. No. 3, Inc. on the election of Alessandro Calvera to active membership.	
2	From Salvatore Muto, Commodore Port Chester Yacht Club.	
3	From Bob Roth Logistics Coordinator for Global Impact Productions request a permit and/or approval to utilize the town roads of Port Chester for a one day Charity Bike Ride.	
<b>VIII</b>	<b>PUBLIC COMMENTS AND BOARD COMMENTS</b>	<b>ACTION</b>

TIME: \_\_\_\_\_

**PROPOSED MOTION  
FOR  
EXECUTIVE SESSION**

AFFIDAVIT OF PUBLICATION  
AND  
NOTICE OF PUBLICATION RE





VILLAGE OF  
**PORT CHESTER**

222 Grace Church Street, Port Chester, New York 10573

**AGENDA MEMO**

**Planning and Development Department**

**Village BOT Meeting Date:** 7/20/2015

**Item Type:** Resolution to Adopt the Local Law

Description	Yes	No	Description	Yes	No
Fiscal Impact		X	Public Hearing Required	X	
Funding Source:			BID #		
Account #:			<b>Strategic Plan Priority Area</b>		
			Business & Economic Development		
Agreement		X	<b>Manager Priorities</b>		
Strategic Plan Related	X		Planning & Zoning		

**Sponsor's Name:** Jesica C. Youngblood, Assistant Director of Planning & Development

**Agenda Heading Title**  
*(Will appear as indicated below on Agenda)*

Establish a new C1M Neighborhood Retail – Medical District, amend special exception use criteria, establish off-street parking requirements, and amend the official zoning map.

**Summary**

**Background:**

The proposed zoning changes would permit medical and dental facilities in the newly established C1M Neighborhood Retail – Medical District and re-define special exception use criteria. The proposed C1M District will replace the existing C1 District located along Westchester Avenue between Oak Street and Pongo Street. Specifically, the proposal would remove burdensome special exception criteria that are unachievable to applicants (e.g. proximity to an operating hospital) as previously discussed as well as require safeguard requirements to protect surrounding residential land uses (landscaped screening, window signage, etc.). The proposed zoning change also includes the establishment of an off-street parking requirement for medical and dental offices.

The Planning Commission reviewed the draft changes at their February 23, 2015 and May 28, 2015 meetings and is supportive of the concept.

<b>Proposed Action</b>
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Close the public hearing and adopt the proposed local law.

<b>Attachments</b>
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SEQRA Negative Declaration and Resolution, Draft Proposed Local Law, and County Referral Response.
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A LOCAL LAW AMENDING THE CODE OF THE VILLAGE OF PORT CHESTER,  
CHAPTER 345, "ZONING", UPDATING THE USE CLASSIFICATION AND AMENDING  
EXISTING STANDARDS FOR THE GRANTING OF SPECIAL USE EXCEPTIONS FOR  
MEDICAL AND DENTAL OFFICES AND ESTABLISHING OFF-STREET PARKING  
REQUIREMENTS FOR SUCH USES, CREATING A NEW C1M NEIGHBORHOOD  
RETAIL – MEDICAL DISTRICT WITH CHANGES TO THE SCHEDULE OF  
REGULATIONS, AND AMENDING THE OFFICIAL ZONING MAP TO PROVIDE FOR  
THE ZONING DISTRICT DESIGNATION OF CERTAIN PROPERTIES CURRENTLY IN  
THE C1 NEIGHBORHOOD RETAIL DISTRICT TO BE CHANGED TO THE NEW C1M  
DISTRICT

SECTION 1: Purpose and Intent.

The Village Board of Trustees has observed an increased interest in opening medical and dental offices in the C1 Neighborhood Retail District along Westchester and Irving Avenues between Poningo and Oak Streets where such uses are not currently permitted. The Board desires to promote such uses in this area, provided that appropriate conditions and safeguards are installed to protect neighborhood character and not increase residential density. This local law will update the use classification for medical and dental offices, amend existing standards for the granting of special exception for such uses, establish off-street parking requirements, create a new zoning district classification C1M Neighborhood Retail-Medical District to permit medical and dental offices by a grant of special exception, and to amend the Official Zoning Map to change the zoning district designation of certain properties of the aforementioned area to the new C1M District. The Board finds and determines that this local law is consistent with the Village's Comprehensive Plan which encourages medical facilities and services to locate in the Village to serve its diverse population.

SECTION 2: The Code of the Village of Port Chester, Chapter 345, "Zoning", Article IX "Use and Dimensional Regulations for Nonresidence Districts", is hereby amended by the addition of a new section, Section 345-47.1 C1M Neighborhood Retail District, with accompanying amendment to the Schedule of Regulations for Nonresidence Districts (Attachments 3A and 3B) to read as annexed hereto and to be made a part hereof.

SECTION 3: The Code of the Village of Port Chester, Chapter 345, "Zoning", Section 345- 60, is hereby amended as follows:

Section 345-60 General Procedure and conditions

A. The Planning Commission and/or Board of Trustees, as applicable, may establish general and special rules, effective upon being filed in the office of the Village Clerk, for the conduct before it of such procedures. Such rules shall be consistent with law and the purposes and objectives of this Regulation.

....

D. Jurisdiction to hear specific applications is as follows:

(1) Board of Trustees

....

(2) Planning Commission

(a) Multifamily.

....

(q) Medical and dental office [including x-ray and therapy room.]

....

SECTION 4: The Code of the Village of Port Chester, Chapter 345. "Zoning", Section 345-61, is hereby amended as follows:

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

No authorization for a building permit shall be granted by the Planning Commission or Board of Trustees for any use listed in this section unless the Commission shall specifically find that, in addition to meeting all the general standards set forth in § 345-59, the proposed special exception use also meets the special conditions and safeguards required in this section.

.....

U. Medical and dental offices [including x-ray and therapy room.]

(1) [The use shall not be permitted on a lot having an area of less than 12,500 square feet.] Medical and dental offices shall not be hazardous to the surrounding neighborhood by reason of excessive traffic, assembly of persons or vehicles on the site, or congregations of children or pedestrians.

(2) [The site must be located within 500 feet of an M-1 Zone.] The site shall be suitably screened from adjoining residential uses and residential districts with planted evergreen buffers of appropriate height, type, spacing, and arrangement. Screens should be continually maintained. Native and non-invasive plants are encouraged.

(3) [The site must be located no more than .6 mile from a hospital.] Newly constructed medical or dental offices occupying the first floor must have 60% of any street adjacent façade transparent. The bottom of windows shall begin no higher than two (2) feet above grade level, and the top of all windows and doors shall be no lower than eight (8) feet above grade level. Taller windows are encouraged.

(4) Adequate emergency access shall be assured through access to a major thoroughfare.

(5) Medical and dental offices and their associated parking lots shall be in compliance with the Americans with Disabilities Act.

[(5)] (6) A site plan is to be provided for approval by the Planning Commission, showing compliance with the above conditions and the site plan regulations.

SECTION 5: The Code of the Village of Port Chester, Chapter 345. “Zoning”, Section 345-14, is hereby amended as follows:

A. General application of off-street parking, truck loading and vehicular access.

...

(4)The off-street parking requirements for buildings and uses in a C1 or C1M District may be satisfied if the subject premises are adjacent to or within 600 feet of a municipal parking facility and upon a showing of the availability of parking with such facility

C. Schedule of off-street parking space requirements

...

(2) For nonresidential land uses

Uses	Number of Spaces Required
...	
<u>Medical and dental offices</u>	<u>1 per 500 square feet of area devoted to patient use.</u>
...	

SECTION 6: Change to Official Map.

The Official Zoning Map of the Village of Port Chester is hereby amended by changing the zoning classification of the following properties from C1 Neighborhood Retail District to a C1M Neighborhood Retail – Medical District:

Address	SBL
200 Westchester Ave	142.22-1-1
204-210 Westchester Ave	142.22-1-2
216 Westchester Ave	142.22-1-5
220 Westchester Ave	142.22-1-6
232 Westchester Ave	142.22-1-7
238 Westchester Ave	142.22-1-8
235 Westchester Ave	142.22-1-22
Irving Ave	142.22-1-23
227 Westchester Ave	142.22-1-24
223-225 Westchester Ave	142.22-1-25
219 Westchester Ave	142.22-1-26
211-217 Westchester Ave	142.22-1-27
Westchester Ave	142.22-1-28
200 Irving Ave	142.22-1-29
204 Irving Ave	142.22-1-30
206 Irving Ave	142.22-1-31
214 Irving Ave	142.22-1-32

220 Irving Ave	142.22-1-33
227 Irving Ave	142.22-1-35
223 Irving Ave	142.22-1-36
211 Irving Ave	142.22-1-37
199 Irving Ave	142.22-1-38
26 Poningo St	142.22-1-39

#### SECTION 7: Severability

If any provision of this local law is held to be invalid or unenforceable in whole or in part, such invalidity or unenforceability shall attach only to such provision or part thereof and the remaining part of such provision and all other provisions hereof shall continue in full force and effect.

#### SECTION 8: Effective Date.

This local law shall take effect immediately as provided by law upon due publication and filing with the Secretary of State.

ZONING

345 Attachment 3A  
 Village of Port Chester  
 Schedule of Regulations for Nonresidence Districts  
 Part 1, Use Regulations

Type of Use	Districts														
	C1 Neighborhood Retail §345-47	C1 Neighborhood Retail - Medical §345-47.1	C2 Main Street Business §345-48	C3 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 <sup>1</sup>	PMU Planned Mixed Use §345-57
<b>Residential Uses</b>															
1 Family Dwelling	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
2 Family Dwelling	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Multifamily Dwelling	X	X	SE	X	X	SE	SE	X	X	X	SE	SE	X	X	P
Multifamily Dwelling (floors above first floor)	X	X	SE	X	X	P	P	X	X	X	SE	SE	X	X	P
<b>Residential Community Facilities</b>															
Church or other Place of Worship, Parish House, Rectory, Sunday School, Convent, Seminary	SE	SE	SE	SE	SE	SE	SE	SE	X	X	SE	SE	SE	SE	SE
<b>General Community Facilities</b>															
Assembly Hall	X	X	SE	SE	SE	SE	SE	X	X	X	X	X	X	X	P
Convalescent home or nursing home	X	X	X	SE	X	X	X	X	X	X	SE	SE	X	X	P
Hospital	X	X	SE	SE	X	SE	SE	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]	[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	P
Nursery school, day camp or day care center	SE	SE	SE	SE	X	SE	SE	X	X	X	X	X	X	X	SE
Public utility facility	X	X	SE	SE	SE	SE	SE	X	X	X	SE	SE	P	P	SE
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	SE
[Medical and dental offices including X-ray and therapy room]	[X]	[X]	[SE]	[X]	[X]	[SE]	[SE]	[X]	[X]	[X]	[X]	[X]	[X]	[X]	[SE]
<u>Medical and dental offices</u>	X	SE	SE	SE	X	SE	SE	SE	SE	SE	X	X	X	X	SE
<b>Business Uses</b>															
Automobile repair garage	X	X	X	X	SE	X	X	X	X	X	X	X	X	X	X
Bank, excluding drive-in	P	P	P	P	P	P	P	P	P	P	SE	SE	P	P	P
Bar or Tavern	X	X	P	X	X	P	P	X	X	X	X	X	X	X	P
Bowling Alley	X	X	SE	SE	SE	SE	SE	P	P	X	X	X	X	X	P
Cabaret	X	X	P	X	X	P	P	X	X	X	X	X	X	X	P
Catering and Events Establishment	X	X	P	X	X	P	P	X	X	X	X	X	P	P	P
Commercial Indoor Athletic Training Facility	X	X	SE	X	X	SE	SE	X	X	X	X	X	X	P	P
Drive-in establishments other than restaurant, or circus, carnival, or other outdoor amusements	X	X	X	SE	SE	X	X	SE	SE	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
Food processing shop	X	X	X	X	SE	X	X	X	X	X	X	X	X	X	X
Funeral Home	SE	SE	SE	SE	SE	SE	SE	X	X	X	X	X	X	X	SE
Gasoline Station	X	X	X	X	SE	X	X	X	X	X	X	X	SE	SE	X
Health Club, including racquetball facilities and indoor swimming pools	X	X	P	P	P	P	P	P	P	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	SE	X	P	P	X

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

All unlisted uses are prohibited in all districts

<sup>1</sup>Editor's Note: See §345-56 for additional special exception uses in the M2 District.

ZONING

345 Attachment 3A  
Village of Port Chester  
Schedule of Regulations for Nonresidence Districts  
Part 1, Use Regulations

Type of Use	Districts														
	C1 Neighborhood Retail §345-47	C1 Neighborhood Retail - Medical §345-47.1	C2 Main Street Business §345-48	C3 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 §345-561	PMU Planned Mixed Use §345-57
Hotel or Motel	X	X	P	P	X	P	P	P	X	X	SE	SE	X	X	P
Hotel, Motel (floors above first floor)	X	X	P	P	X	P	P	P	X	X	SE	SE	X	X	P
Hotel, limited service	X	X	P	SE	X	P	P	SE	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	X	P	P	X	P	P	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	P	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	X	P	P	P	P	P	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	X	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	P	X	SE	SE	X	X	P
Tax Preparation Office	X	X	P	X	X	P	P	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	SE	SE	X	X	P
Veterinary hospital or board and care of small animals	X	X	SE	X	SE	SE	SE	X	X	X	SE	SE	X	X	SE
Wholesale business, storage building or warehouse	P	P	X	X	P	X	X	X	X	X	SE	SE	P	P	X
<b>Industrial uses</b>															
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
<b>Accessory Uses</b>															
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	X	SE	X	X	SE	SE	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

<sup>1</sup>Editor'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	C1 Neighborhood Retail - Medical § 345-47.1	C2 Main Street Business § 345-48	C3 Office & Commercial § 345-49	C4 General Commercial § 345-50	C5 Train Station Mixed Use § 345-50.1	CST Downtown Mixed Use Transitional District § 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	PMU Planned Mixed Use § 345-57	
Maximum Floor Area Ratio (See definition, § 345-2)	1.00	3.20	3.2 <sup>1</sup>	3.00	2.00	4.00 <sup>3</sup>	4.00 <sup>3</sup>	1.00	1.00	1.00	1.60	2.4 <sup>10</sup>	1.00	2.00	0.8 <sup>9</sup>	
Maximum Floor Area Ratio For 1 Story	0.35	NR	NR	0.60	NR	NR	NR	0.35	NR	NR	0.40	NR	0.50	0.70		
<b>Minimum Size of Lot:</b>																
Area, nonresidential (square feet)	NR	NR	NR	NR	NR	NR	NR	21,780	65,340	21,780	10,000	NR	NR	NR	See §345-62	
Area per dwelling unit (square feet)	NR	NR	750 <sup>2</sup>	NR	NR	400 <sup>4</sup>	575 <sup>5</sup>	NR	NR	NR	750	600 <sup>11</sup>	NR	NR		
Width (feet) (e)	40	40	40	40	40	40	40	40	NR	40	40	40	40	40		
Depth (feet)	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR	NR		
<b>Minimum Yard Dimensions:</b>																
Front (feet)	NR	NR	NR	10	10	NR	NR	30	60	10	20	5	25	10		
Side																
One (feet)	NR(a)	NR	NR(a)	(b)	NR(a)	NR(a)	NR(a)	30	50	20	(c)	5	20	10		
Total of 2 on interior lot (feet)	NR(a)	NR	NR(a)	(b)	NR(a)	NR(a)	NR(a)	60	100	40	(c)	10	40	20		
Rear (feet)	30	10	20	20	20	20	20	30	50	30	30	25	20	20		
<b>Maximum Height of Building:</b>																
In stories	2½	5	5	5	3	8 <sup>6</sup>	5 <sup>7</sup>	3	3	5	4	4	2	8		
In feet	35	60	60	60	45	90 <sup>6</sup>	60 <sup>7</sup>	45	45	60	50	50	40	70		
<b>Minimum Usable Open Space on Lot:</b>																
For each dwelling unit (square feet)	1,200	1,200	50 <sup>8</sup>	NR(d)	NR	50 <sup>8</sup>	50 <sup>8</sup>	NR	NR	100(d)	50 <sup>8</sup>	50 <sup>8</sup>	NR	NR	100	

NOTES:

(a) If provided at least ten (10) feet per yard.

(b) One-half (½) the height of the building to which the yard is related, but not greater than twenty (20) feet.

(c) Each twenty-five (25) feet or one-half (½) the height of the building, whichever is greater.

(d) Twenty (20) square feet for each patient bed in a sanatorium, convalescent home or nursing home.

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

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

<sup>2</sup> 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.

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

<sup>4</sup> 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.

<sup>5</sup> 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.

<sup>6</sup> A building height bonus of 2 stories (30 feet) is available in accordance with §345-16.

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

<sup>8</sup> See §345-7.E.

<sup>9</sup> A floor area bonus of 0.20 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.

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

<sup>11</sup> 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

**SEQRA DETERMINATION OF SIGNIFICANCE  
NEGATIVE DECLARATION  
RESOLUTION OF THE VILLAGE OF PORT CHESTER  
BOARD OF TRUSTEES**

**JULY 20, 2015**

**Establishment of a C1M Neighborhood Retail – Medical District with Associated  
Amendments to Off-Street Parking, the Official Zoning Map, and Special  
Exception Use Requirements**

**WHEREAS**, the Village Board of Trustees is in receipt of a zoning map and various text amendments submitted by Village Staff to better reflect existing and desired medical and dental uses along Westchester Avenue in the Central Business District; and

**WHEREAS**, the proposal includes the establishment of a new C1M Neighborhood Retail – Medical District under §345-47.1 of the Village Code in place of the existing C1 Neighborhood Retail District along Westchester Avenue and Irving Avenue between Poningo Street and Oak Street. The proposal also includes amendments to Village Code §345-61 Special Exception Use regulations and §345-14 Off-Street Parking, Truck Loading and Vehicular Access; and

**WHEREAS**, the proposal includes affecting the zoning designation of the following parcels in accordance with Town of Rye Tax Assessor records:

<b>Address</b>	<b>SBL</b>
200 Westchester Ave	142.22-1-1
204-210 Westchester Ave	142.22-1-2
216 Westchester Ave	142.22-1-5
220 Westchester Ave	142.22-1-6
232 Westchester Ave	142.22-1-7
238 Westchester Ave	142.22-1-8
235 Westchester Ave	142.22-1-22
Irving Ave	142.22-1-23
227 Westchester Ave	142.22-1-24
223-225 Westchester Ave	142.22-1-25
219 Westchester Ave	142.22-1-26
211-217 Westchester Ave	142.22-1-27
Westchester Ave	142.22-1-28
200 Irving Ave	142.22-1-29
204 Irving Ave	142.22-1-30
206 Irving Ave	142.22-1-31

214 Irving Ave	142.22-1-32
220 Irving Ave	142.22-1-33
227 Irving Ave	142.22-1-35
223 Irving Ave	142.22-1-36
211 Irving Ave	142.22-1-37
199 Irving Ave	142.22-1-38
26 Poningo St	142.22-1-39

**WHEREAS**, that pursuant to Part 617 of the SEQR Regulations, the Village of Port Chester Board of Trustees is Lead Agency for the SEQR Review of this Type 1 Action. Now therefore be it

**RESOLVED**, that pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law, the Lead Agency has determined that the proposed Type 1 Action will not have a significant effect on the environment for the reasons enumerated in the attached Negative Declaration Form.

---

Date

**PROPOSED LOCAL LAW TO UPDATE THE USE  
CLASSIFICATION AND AMEND EXISTING STANDARDS FOR  
THE GRANTING OF SPECIAL USE EXCEPTIONS FOR  
MEDICAL AND DENTAL OFFICES AND ESTABLISH OFF-  
STREET PARKING REQUIREMENTS FOR SUCH USES,  
CREATE A NEW C1M NEIGHBORHOOD RETAIL – MEDICAL  
ZONING DISTRICT WITH CHANGES TO THE SCHEDULE OF  
USE REGULATIONS, AND AMEND THE OFFICIAL ZONING  
MAP TO PROVIDE FOR THE ZONING DESIGNATION OF  
CERTAIN PROPERTIES CURRENTLY IN THE NEW C1M  
DISTRICT.**

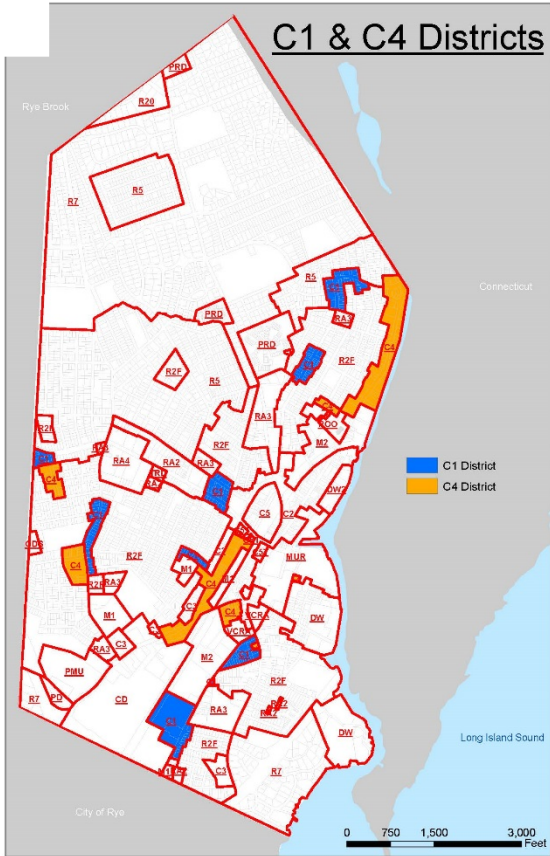
**PORT CHESTER, NY 10573  
WESTCHESTER COUNTY, NY**

**SEQRA DETERMINATION OF SIGNIFICANCE  
NEGATIVE DECLARATION**

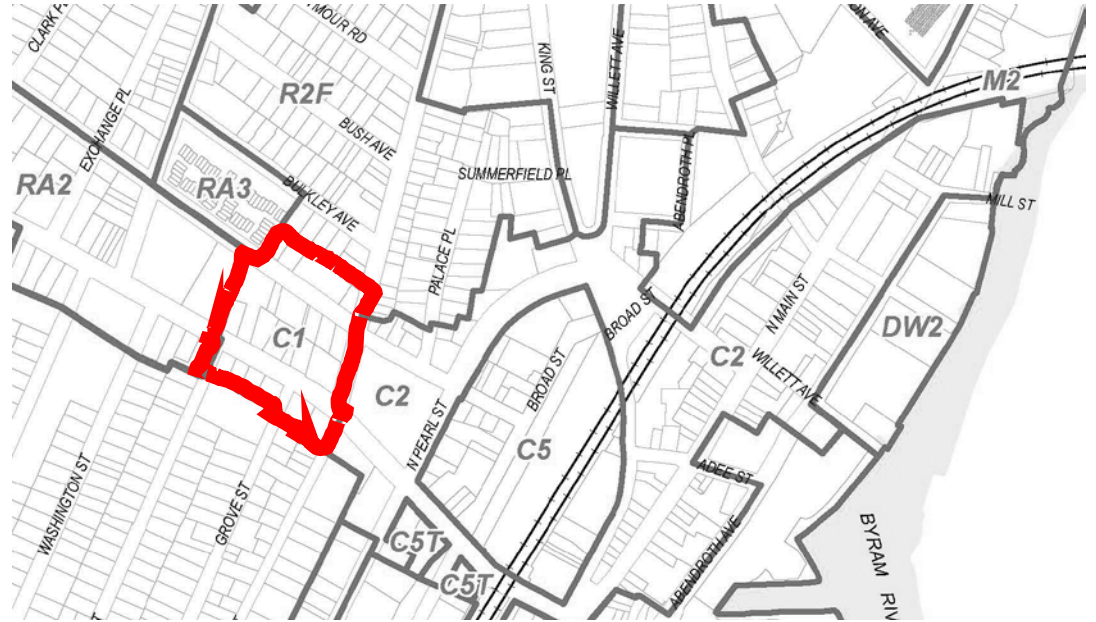
**VILLAGE BOARD OF TRUSTEES**

**PREPARED JULY 2015**

# **PROPOSED ACTION IDENTIFICATION MAP**



**Context Map: Affected C1 & C4 Zoning Districts  
Village of Port Chester, NY 10573**



**Proposed C1M District  
Village of Port Chester, NY 10573**

## **REASONS SUPPORTING THIS DETERMINATION**

The Proposed Action would permit medical and dental offices to be permitted by special exception in all commercial zoning districts in the Village of Port Chester and would create a new C1M Neighborhood Retail - Medical District in place of the existing C1 Neighborhood Retail District located from Oak Street to Poningo Street along Westchester Avenue and Irving Avenue. Specifically, the Proposed Action will update the use classification and amend existing standards for the granting of special use exceptions for medical and dental offices and establish off-street parking requirements for such uses as well as amend the official zoning map to provide for the zoning designation of certain properties currently in the new C1M District.

Potential impacts relating to the Proposed Action include the following:

- 1) The Proposed Action includes the creation of a new C1M Neighborhood Retail - Medical District, updating the use classification and amending existing standards for the granting of special use exceptions for medical and dental offices, establishing off-street parking requirements for such uses, and amending the official zoning map to provide for the zoning designation of certain properties currently in the new C1M District.

The Village's adopted Comprehensive Plan Municipal Services and Educational Resources Recommendation #2 specifically includes, "*encouraging medical facilities and services to locate in the Village to serve the Village's diverse population.*" The Proposed Action aligns with Comprehensive Plan Economic Development Recommendation #1 to, "*expand economic opportunity and the Village's tax base by focusing efforts on retaining and expanding existing businesses and attracting new businesses.*" Additionally, the proposed new zoning district is located within the downtown commercial area and within an area where infrastructure can accommodate growth while preserving outlying residential neighborhood character through development and absorption in designated Planning Intensity Zones as identified in the Comprehensive Plan (2012). The proposed C1M District will achieve these goals. For these reasons, the Proposed Action does not conflict with adopted Village plans.

- 2) The Proposed Action includes zoning amendments to existing commercial districts within the Village of Port Chester. Existing commercial districts contain active medical and dental offices, and the Proposed Action would provide for consistency with existing land use conditions and market trends. More specifically, the Proposed Action includes the creation of a new zoning district located within the Central Business District (CBD) and in close proximity to the Metro North Port Chester station and Westchester County Bee Line bus options. The proposed district is adjacent to an existing C2 Central Business District, which permits medical and dental offices by special exception. The Proposed Action would bring the majority of the CBD into alignment with other commercial zoning districts and existing conditions.

For the aforementioned reasons, the Proposed Action fully encompasses the goals and policies of both planning and economic development strategies identified by the Village and its Comprehensive Plan and poses no adverse impacts to the development patterns or neighborhood character. For these reasons, the Proposed Action does not pose a negative or significant adverse impact to the economic and development policies adopted.

- 3) The Proposed Action includes specific amendments to existing special exception criteria for existing commercial districts, where applicable. The Proposed Action includes both the removal and addition of criteria. The Proposed Action will remove the following requirements: 1) located within 500 feet of an M1 Zone and 2) located within 0.6 miles from a hospital. The Proposed Action will include three (3) new special exception criteria to serve as safeguards to the surrounding neighborhood character. Specifically, the Proposed Action requires: medical and dental offices shall not be hazardous to the surrounding neighborhood by reason of excessive traffic, assembly of persons or vehicles on the site, or congregations of children or pedestrians; and newly constructed medical or dental offices occupying the first floor must have 60% of the street adjacent façade transparent. The bottom of windows shall begin no higher than two (2) feet above grade level, and the top of all windows and doors shall be no lower than eight (8) feet above grade level. Taller windows are encouraged; and medical and dental offices and their associated parking lots shall be in compliance with the Americans with Disabilities Act. The inclusion of these specific special exception criteria act as safeguards to directly protect the nature and character of proximate residential land uses in order to reduce any potential impacts from a new medical or dental establishment. Therefore, it is anticipated that the Proposed Action will not create a significant, long-term or adverse impact to the environment.
- 4) No construction activity will result from the Proposed Action. No anticipated impacts resulting from noise, odor, light or air will result from the Proposed Action. Therefore, no long-term or significantly adverse site disturbance impacts are anticipated from the Proposed Action.
- 5) The Proposed Action does not include physical, ground disturbance and will not affect existing water or soil conditions. The Proposed Action is not located in a FEMA designated flood zone and will not have an impact on surface water. The Proposed Action will not affect wetlands or areas of environmental significance. For these aforementioned reasons, the Proposed Action will neither cause significant or adverse impacts to soil or surface water.
- 6) The Proposed Action will not create material waste in any capacity. The Proposed Action does not require recycling services. For these reasons, no long-term or significant adverse impacts will result from the Proposed Action.
- 7) The Proposed Action will not require water supply and will not impact water demand. The Proposed Action will not significantly or adversely create long-term negative impacts.
- 8) There are no significant habitat areas or areas of threatened or endangered species in the proximity to the Proposed Action. No significant or adverse impacts will result.

- 9) The Proposed Action will not affect any significant, natural communities containing a rare, threatened, or endangered species, or a species of special concern. The Proposed Action will not have significant, adverse impacts to habitat areas or areas of threatened or endangered species.
- 10) The Proposed Action includes zoning text amendments to require off-street parking for medical and dental office uses of 1 off-street parking space per 500 square feet of area devoted to patron use for all commercial districts denoting such uses as a special exception. The Proposed Action also provides a zoning text amendment to include the proposed C1M District as part of §345-14-A-4, which states that, “*off-street parking requirements for buildings and uses in a C1 District may be satisfied if the subject premises are adjacent to or within 600 feet of a municipal parking facility and upon a showing of the availability of parking within such facility.*” Located within 600 feet from the proposed C1M District are two village-owned municipal lots.

Further, the Proposed Action amends existing special exception criteria for commercial districts to require new medical and dental office uses do not create excessive traffic or assembly of persons or vehicles on-site. For these aforementioned reasons, the Proposed Action will not pose adverse, significant impacts to the transportation network.

- 11) The Proposed Action does not include a residential component; therefore, the Proposed Action will not negatively or adversely impact the Port Chester Rye Union Free School District.
- 12) The Proposed Action will not result in changes in two or more elements of the environment, which alone would not have a significant effect on the environment; and, when considered together, would not result in a substantial adverse impact on the environment.
- 13) The Proposed Action is not related to another action which would be funded or approved by an agency which, when considered cumulatively, would meet one or any of the aforementioned criteria.



**Full Environmental Assessment Form  
Part 1 - Project and Setting**

**Instructions for Completing Part 1**

**Part 1 is to be completed by the applicant or project sponsor.** Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification.

Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information; indicate whether missing information does not exist, or is not reasonably available to the sponsor; and, when possible, generally describe work or studies which would be necessary to update or fully develop that information.

Applicants/sponsors must complete all items in Sections A & B. In Sections C, D & E, most items contain an initial question that must be answered either “Yes” or “No”. If the answer to the initial question is “Yes”, complete the sub-questions that follow. If the answer to the initial question is “No”, proceed to the next question. Section F allows the project sponsor to identify and attach any additional information. Section G requires the name and signature of the project sponsor to verify that the information contained in Part 1 is accurate and complete.

**A. Project and Sponsor Information.**

Name of Action or Project:		
Project Location (describe, and attach a general location map):		
Brief Description of Proposed Action (include purpose or need):		
Name of Applicant/Sponsor:		Telephone:
		E-Mail:
Address:		
City/PO:	State:	Zip Code:
Project Contact (if not same as sponsor; give name and title/role):		Telephone:
		E-Mail:
Address:		
City/PO:	State:	Zip Code:
Property Owner (if not same as sponsor):		Telephone:
		E-Mail:
Address:		
City/PO:	State:	Zip Code:

**B. Government Approvals**

**B. Government Approvals, Funding, or Sponsorship.** (“Funding” includes grants, loans, tax relief, and any other forms of financial assistance.)

Government Entity	If Yes: Identify Agency and Approval(s) Required	Application Date (Actual or projected)
a. City Council, Town Board, or Village Board of Trustees <input type="checkbox"/> Yes <input type="checkbox"/> No		
b. City, Town or Village Planning Board or Commission <input type="checkbox"/> Yes <input type="checkbox"/> No		
c. City Council, Town or Village Zoning Board of Appeals <input type="checkbox"/> Yes <input type="checkbox"/> No		
d. Other local agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
e. County agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
f. Regional agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
g. State agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
h. Federal agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
i. Coastal Resources. <ul style="list-style-type: none"> <li data-bbox="121 829 1485 861">i. Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway? <input type="checkbox"/> Yes <input type="checkbox"/> No</li> <li data-bbox="121 892 1485 924">ii. Is the project site located in a community with an approved Local Waterfront Revitalization Program? <input type="checkbox"/> Yes <input type="checkbox"/> No</li> <li data-bbox="121 924 1485 955">iii. Is the project site within a Coastal Erosion Hazard Area? <input type="checkbox"/> Yes <input type="checkbox"/> No</li> </ul>		

**C. Planning and Zoning**

**C.1. Planning and zoning actions.**

Will administrative or legislative adoption, or amendment of a plan, local law, ordinance, rule or regulation be the only approval(s) which must be granted to enable the proposed action to proceed?  Yes  No

- **If Yes**, complete sections C, F and G.
- **If No**, proceed to question C.2 and complete all remaining sections and questions in Part 1

**C.2. Adopted land use plans.**

a. Do any municipally- adopted (city, town, village or county) comprehensive land use plan(s) include the site where the proposed action would be located?  Yes  No

If Yes, does the comprehensive plan include specific recommendations for the site where the proposed action would be located?  Yes  No

b. Is the site of the proposed action within any local or regional special planning district (for example: Greenway Brownfield Opportunity Area (BOA); designated State or Federal heritage area; watershed management plan; or other?)  Yes  No

If Yes, identify the plan(s):

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

c. Is the proposed action located wholly or partially within an area listed in an adopted municipal open space plan, or an adopted municipal farmland protection plan?  Yes  No

If Yes, identify the plan(s):

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**C.3. Zoning**

a. Is the site of the proposed action located in a municipality with an adopted zoning law or ordinance.  Yes  No  
If Yes, what is the zoning classification(s) including any applicable overlay district?

\_\_\_\_\_

\_\_\_\_\_

b. Is the use permitted or allowed by a special or conditional use permit?  Yes  No

c. Is a zoning change requested as part of the proposed action?  Yes  No

If Yes,

i. What is the proposed new zoning for the site? \_\_\_\_\_

**C.4. Existing community services.**

a. In what school district is the project site located? \_\_\_\_\_

b. What police or other public protection forces serve the project site?  
\_\_\_\_\_

c. Which fire protection and emergency medical services serve the project site?  
\_\_\_\_\_

d. What parks serve the project site?  
\_\_\_\_\_  
\_\_\_\_\_

**D. Project Details**

**D.1. Proposed and Potential Development**

a. What is the general nature of the proposed action (e.g., residential, industrial, commercial, recreational; if mixed, include all components)?  
\_\_\_\_\_

b. a. Total acreage of the site of the proposed action? \_\_\_\_\_ acres  
b. Total acreage to be physically disturbed? \_\_\_\_\_ acres  
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? \_\_\_\_\_ acres

c. Is the proposed action an expansion of an existing project or use?  Yes  No  
i. If Yes, what is the approximate percentage of the proposed expansion and identify the units (e.g., acres, miles, housing units, square feet)? % \_\_\_\_\_ Units: \_\_\_\_\_

d. Is the proposed action a subdivision, or does it include a subdivision?  Yes  No  
If Yes,

i. Purpose or type of subdivision? (e.g., residential, industrial, commercial; if mixed, specify types)  
\_\_\_\_\_

ii. Is a cluster/conservation layout proposed?  Yes  No

iii. Number of lots proposed? \_\_\_\_\_

iv. Minimum and maximum proposed lot sizes? Minimum \_\_\_\_\_ Maximum \_\_\_\_\_

e. Will proposed action be constructed in multiple phases?  Yes  No

i. If No, anticipated period of construction: \_\_\_\_\_ months

ii. If Yes:

- Total number of phases anticipated \_\_\_\_\_
- Anticipated commencement date of phase 1 (including demolition) \_\_\_\_\_ month \_\_\_\_\_ year
- Anticipated completion date of final phase \_\_\_\_\_ month \_\_\_\_\_ year

• Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

f. Does the project include new residential uses?  Yes  No  
 If Yes, show numbers of units proposed.

	<u>One Family</u>	<u>Two Family</u>	<u>Three Family</u>	<u>Multiple Family (four or more)</u>
Initial Phase	_____	_____	_____	_____
At completion	_____	_____	_____	_____
of all phases	_____	_____	_____	_____

g. Does the proposed action include new non-residential construction (including expansions)?  Yes  No  
 If Yes,

i. Total number of structures \_\_\_\_\_

ii. Dimensions (in feet) of largest proposed structure: \_\_\_\_\_ height; \_\_\_\_\_ width; and \_\_\_\_\_ length

iii. Approximate extent of building space to be heated or cooled: \_\_\_\_\_ square feet

h. Does the proposed action include construction or other activities that will result in the impoundment of any liquids, such as creation of a water supply, reservoir, pond, lake, waste lagoon or other storage?  Yes  No  
 If Yes,

i. Purpose of the impoundment: \_\_\_\_\_

ii. If a water impoundment, the principal source of the water:  Ground water  Surface water streams  Other specify: \_\_\_\_\_

iii. If other than water, identify the type of impounded/contained liquids and their source.  
 \_\_\_\_\_

iv. Approximate size of the proposed impoundment. Volume: \_\_\_\_\_ million gallons; surface area: \_\_\_\_\_ acres

v. Dimensions of the proposed dam or impounding structure: \_\_\_\_\_ height; \_\_\_\_\_ length

vi. Construction method/materials for the proposed dam or impounding structure (e.g., earth fill, rock, wood, concrete):  
 \_\_\_\_\_

**D.2. Project Operations**

a. Does the proposed action include any excavation, mining, or dredging, during construction, operations, or both?  Yes  No  
 (Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite)  
 If Yes:

i. What is the purpose of the excavation or dredging? \_\_\_\_\_

ii. How much material (including rock, earth, sediments, etc.) is proposed to be removed from the site?

- Volume (specify tons or cubic yards): \_\_\_\_\_
- Over what duration of time? \_\_\_\_\_

iii. Describe nature and characteristics of materials to be excavated or dredged, and plans to use, manage or dispose of them.  
 \_\_\_\_\_  
 \_\_\_\_\_

iv. Will there be onsite dewatering or processing of excavated materials?  Yes  No  
 If yes, describe. \_\_\_\_\_  
 \_\_\_\_\_

v. What is the total area to be dredged or excavated? \_\_\_\_\_ acres

vi. What is the maximum area to be worked at any one time? \_\_\_\_\_ acres

vii. What would be the maximum depth of excavation or dredging? \_\_\_\_\_ feet

viii. Will the excavation require blasting?  Yes  No

ix. Summarize site reclamation goals and plan: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

b. Would the proposed action cause or result in alteration of, increase or decrease in size of, or encroachment into any existing wetland, waterbody, shoreline, beach or adjacent area?  Yes  No  
 If Yes:

i. Identify the wetland or waterbody which would be affected (by name, water index number, wetland map number or geographic description): \_\_\_\_\_  
 \_\_\_\_\_

ii. Describe how the proposed action would affect that waterbody or wetland, e.g. excavation, fill, placement of structures, or alteration of channels, banks and shorelines. Indicate extent of activities, alterations and additions in square feet or acres:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

iii. Will proposed action cause or result in disturbance to bottom sediments?  Yes  No

If Yes, describe: \_\_\_\_\_

iv. Will proposed action cause or result in the destruction or removal of aquatic vegetation?  Yes  No

If Yes:

- acres of aquatic vegetation proposed to be removed: \_\_\_\_\_
- expected acreage of aquatic vegetation remaining after project completion: \_\_\_\_\_
- purpose of proposed removal (e.g. beach clearing, invasive species control, boat access): \_\_\_\_\_
- proposed method of plant removal: \_\_\_\_\_
- if chemical/herbicide treatment will be used, specify product(s): \_\_\_\_\_

v. Describe any proposed reclamation/mitigation following disturbance: \_\_\_\_\_

c. Will the proposed action use, or create a new demand for water?  Yes  No

If Yes:

i. Total anticipated water usage/demand per day: \_\_\_\_\_ gallons/day

ii. Will the proposed action obtain water from an existing public water supply?  Yes  No

If Yes:

- Name of district or service area: \_\_\_\_\_
- Does the existing public water supply have capacity to serve the proposal?  Yes  No
- Is the project site in the existing district?  Yes  No
- Is expansion of the district needed?  Yes  No
- Do existing lines serve the project site?  Yes  No

iii. Will line extension within an existing district be necessary to supply the project?  Yes  No

If Yes:

- Describe extensions or capacity expansions proposed to serve this project: \_\_\_\_\_
- Source(s) of supply for the district: \_\_\_\_\_

iv. Is a new water supply district or service area proposed to be formed to serve the project site?  Yes  No

If Yes:

- Applicant/sponsor for new district: \_\_\_\_\_
- Date application submitted or anticipated: \_\_\_\_\_
- Proposed source(s) of supply for new district: \_\_\_\_\_

v. If a public water supply will not be used, describe plans to provide water supply for the project: \_\_\_\_\_

vi. If water supply will be from wells (public or private), maximum pumping capacity: \_\_\_\_\_ gallons/minute.

d. Will the proposed action generate liquid wastes?  Yes  No

If Yes:

i. Total anticipated liquid waste generation per day: \_\_\_\_\_ gallons/day

ii. Nature of liquid wastes to be generated (e.g., sanitary wastewater, industrial; if combination, describe all components and approximate volumes or proportions of each): \_\_\_\_\_

iii. Will the proposed action use any existing public wastewater treatment facilities?  Yes  No

If Yes:

- Name of wastewater treatment plant to be used: \_\_\_\_\_
- Name of district: \_\_\_\_\_
- Does the existing wastewater treatment plant have capacity to serve the project?  Yes  No
- Is the project site in the existing district?  Yes  No
- Is expansion of the district needed?  Yes  No

• Do existing sewer lines serve the project site?  Yes  No  
 • Will line extension within an existing district be necessary to serve the project?  Yes  No  
 If Yes:  
 • Describe extensions or capacity expansions proposed to serve this project: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

iv. Will a new wastewater (sewage) treatment district be formed to serve the project site?  Yes  No  
 If Yes:  
 • Applicant/sponsor for new district: \_\_\_\_\_  
 • Date application submitted or anticipated: \_\_\_\_\_  
 • What is the receiving water for the wastewater discharge? \_\_\_\_\_

v. If public facilities will not be used, describe plans to provide wastewater treatment for the project, including specifying proposed receiving water (name and classification if surface discharge, or describe subsurface disposal plans):  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

vi. Describe any plans or designs to capture, recycle or reuse liquid waste: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

e. Will the proposed action disturb more than one acre and create stormwater runoff, either from new point sources (i.e. ditches, pipes, swales, curbs, gutters or other concentrated flows of stormwater) or non-point source (i.e. sheet flow) during construction or post construction?  Yes  No  
 If Yes:  
 i. How much impervious surface will the project create in relation to total size of project parcel?  
     \_\_\_\_\_ Square feet or \_\_\_\_\_ acres (impervious surface)  
     \_\_\_\_\_ Square feet or \_\_\_\_\_ acres (parcel size)  
 ii. Describe types of new point sources. \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

iii. Where will the stormwater runoff be directed (i.e. on-site stormwater management facility/structures, adjacent properties, groundwater, on-site surface water or off-site surface waters)?  
 \_\_\_\_\_  
 \_\_\_\_\_  
 • If to surface waters, identify receiving water bodies or wetlands: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

• Will stormwater runoff flow to adjacent properties?  Yes  No

iv. Does proposed plan minimize impervious surfaces, use pervious materials or collect and re-use stormwater?  Yes  No

f. Does the proposed action include, or will it use on-site, one or more sources of air emissions, including fuel combustion, waste incineration, or other processes or operations?  Yes  No  
 If Yes, identify:  
 i. Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles)  
 \_\_\_\_\_  
 ii. Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers)  
 \_\_\_\_\_  
 iii. Stationary sources during operations (e.g., process emissions, large boilers, electric generation)  
 \_\_\_\_\_  
 \_\_\_\_\_

g. Will any air emission sources named in D.2.f (above), require a NY State Air Registration, Air Facility Permit, or Federal Clean Air Act Title IV or Title V Permit?  Yes  No  
 If Yes:  
 i. Is the project site located in an Air quality non-attainment area? (Area routinely or periodically fails to meet ambient air quality standards for all or some parts of the year)  Yes  No  
 ii. In addition to emissions as calculated in the application, the project will generate:  
 • \_\_\_\_\_ Tons/year (short tons) of Carbon Dioxide (CO<sub>2</sub>)  
 • \_\_\_\_\_ Tons/year (short tons) of Nitrous Oxide (N<sub>2</sub>O)  
 • \_\_\_\_\_ Tons/year (short tons) of Perfluorocarbons (PFCs)  
 • \_\_\_\_\_ Tons/year (short tons) of Sulfur Hexafluoride (SF<sub>6</sub>)  
 • \_\_\_\_\_ Tons/year (short tons) of Carbon Dioxide equivalent of Hydroflouorocarbons (HFCs)  
 • \_\_\_\_\_ Tons/year (short tons) of Hazardous Air Pollutants (HAPs)

h. Will the proposed action generate or emit methane (including, but not limited to, sewage treatment plants, landfills, composting facilities)?  Yes  No

If Yes:

*i.* Estimate methane generation in tons/year (metric): \_\_\_\_\_

*ii.* Describe any methane capture, control or elimination measures included in project design (e.g., combustion to generate heat or electricity, flaring): \_\_\_\_\_

---

i. Will the proposed action result in the release of air pollutants from open-air operations or processes, such as quarry or landfill operations?  Yes  No

If Yes: Describe operations and nature of emissions (e.g., diesel exhaust, rock particulates/dust): \_\_\_\_\_

---

j. Will the proposed action result in a substantial increase in traffic above present levels or generate substantial new demand for transportation facilities or services?  Yes  No

If Yes:

*i.* When is the peak traffic expected (Check all that apply):  Morning  Evening  Weekend  
 Randomly between hours of \_\_\_\_\_ to \_\_\_\_\_.

*ii.* For commercial activities only, projected number of semi-trailer truck trips/day: \_\_\_\_\_

*iii.* Parking spaces: Existing \_\_\_\_\_ Proposed \_\_\_\_\_ Net increase/decrease \_\_\_\_\_

*iv.* Does the proposed action include any shared use parking?  Yes  No

*v.* If the proposed action includes any modification of existing roads, creation of new roads or change in existing access, describe: \_\_\_\_\_

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*vi.* Are public/private transportation service(s) or facilities available within 1/2 mile of the proposed site?  Yes  No

*vii.* Will the proposed action include access to public transportation or accommodations for use of hybrid, electric or other alternative fueled vehicles?  Yes  No

*viii.* Will the proposed action include plans for pedestrian or bicycle accommodations for connections to existing pedestrian or bicycle routes?  Yes  No

---

k. Will the proposed action (for commercial or industrial projects only) generate new or additional demand for energy?  Yes  No

If Yes:

*i.* Estimate annual electricity demand during operation of the proposed action: \_\_\_\_\_

*ii.* Anticipated sources/suppliers of electricity for the project (e.g., on-site combustion, on-site renewable, via grid/local utility, or other): \_\_\_\_\_

*iii.* Will the proposed action require a new, or an upgrade to, an existing substation?  Yes  No

---

l. Hours of operation. Answer all items which apply.

<p><i>i.</i> During Construction:</p> <ul style="list-style-type: none"> <li>• Monday - Friday: _____</li> <li>• Saturday: _____</li> <li>• Sunday: _____</li> <li>• Holidays: _____</li> </ul>	<p><i>ii.</i> During Operations:</p> <ul style="list-style-type: none"> <li>• Monday - Friday: _____</li> <li>• Saturday: _____</li> <li>• Sunday: _____</li> <li>• Holidays: _____</li> </ul>
---	--

m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both?  Yes  No  
 If yes:  
 i. Provide details including sources, time of day and duration:  
 \_\_\_\_\_  
 \_\_\_\_\_

ii. Will proposed action remove existing natural barriers that could act as a noise barrier or screen?  Yes  No  
 Describe: \_\_\_\_\_  
 \_\_\_\_\_

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n. Will the proposed action have outdoor lighting?  Yes  No  
 If yes:  
 i. Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures:  
 \_\_\_\_\_  
 \_\_\_\_\_

ii. Will proposed action remove existing natural barriers that could act as a light barrier or screen?  Yes  No  
 Describe: \_\_\_\_\_  
 \_\_\_\_\_

---

o. Does the proposed action have the potential to produce odors for more than one hour per day?  Yes  No  
 If Yes, describe possible sources, potential frequency and duration of odor emissions, and proximity to nearest occupied structures: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

---

p. Will the proposed action include any bulk storage of petroleum (combined capacity of over 1,100 gallons) or chemical products 185 gallons in above ground storage or any amount in underground storage?  Yes  No  
 If Yes:  
 i. Product(s) to be stored \_\_\_\_\_  
 ii. Volume(s) \_\_\_\_\_ per unit time \_\_\_\_\_ (e.g., month, year)  
 iii. Generally describe proposed storage facilities: \_\_\_\_\_  
 \_\_\_\_\_

---

q. Will the proposed action (commercial, industrial and recreational projects only) use pesticides (i.e., herbicides, insecticides) during construction or operation?  Yes  No  
 If Yes:  
 i. Describe proposed treatment(s):  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

ii. Will the proposed action use Integrated Pest Management Practices?  Yes  No

---

r. Will the proposed action (commercial or industrial projects only) involve or require the management or disposal of solid waste (excluding hazardous materials)?  Yes  No  
 If Yes:  
 i. Describe any solid waste(s) to be generated during construction or operation of the facility:  
 • Construction: \_\_\_\_\_ tons per \_\_\_\_\_ (unit of time)  
 • Operation : \_\_\_\_\_ tons per \_\_\_\_\_ (unit of time)  
 ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste:  
 • Construction: \_\_\_\_\_  
 \_\_\_\_\_  
 • Operation: \_\_\_\_\_  
 \_\_\_\_\_  
 iii. Proposed disposal methods/facilities for solid waste generated on-site:  
 • Construction: \_\_\_\_\_  
 \_\_\_\_\_  
 • Operation: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_



s. Does the proposed action include construction or modification of a solid waste management facility?  Yes  No  
 If Yes:  
 i. Type of management or handling of waste proposed for the site (e.g., recycling or transfer station, composting, landfill, or other disposal activities): \_\_\_\_\_  
 ii. Anticipated rate of disposal/processing:  
 • \_\_\_\_\_ Tons/month, if transfer or other non-combustion/thermal treatment, or  
 • \_\_\_\_\_ Tons/hour, if combustion or thermal treatment  
 iii. If landfill, anticipated site life: \_\_\_\_\_ years

t. Will proposed action at the site involve the commercial generation, treatment, storage, or disposal of hazardous waste?  Yes  No  
 If Yes:  
 i. Name(s) of all hazardous wastes or constituents to be generated, handled or managed at facility: \_\_\_\_\_  
 \_\_\_\_\_  
 ii. Generally describe processes or activities involving hazardous wastes or constituents: \_\_\_\_\_  
 \_\_\_\_\_  
 iii. Specify amount to be handled or generated \_\_\_\_\_ tons/month  
 iv. Describe any proposals for on-site minimization, recycling or reuse of hazardous constituents: \_\_\_\_\_  
 \_\_\_\_\_  
 v. Will any hazardous wastes be disposed at an existing offsite hazardous waste facility?  Yes  No  
 If Yes: provide name and location of facility: \_\_\_\_\_  
 \_\_\_\_\_  
 If No: describe proposed management of any hazardous wastes which will not be sent to a hazardous waste facility:  
 \_\_\_\_\_  
 \_\_\_\_\_

**E. Site and Setting of Proposed Action**

**E.1. Land uses on and surrounding the project site**

a. Existing land uses.  
 i. Check all uses that occur on, adjoining and near the project site.  
 Urban  Industrial  Commercial  Residential (suburban)  Rural (non-farm)  
 Forest  Agriculture  Aquatic  Other (specify): \_\_\_\_\_  
 ii. If mix of uses, generally describe:  
 \_\_\_\_\_  
 \_\_\_\_\_

b. Land uses and covertypes on the project site.

Land use or Covertypes	Current Acreage	Acreage After Project Completion	Change (Acres +/-)
• Roads, buildings, and other paved or impervious surfaces			
• Forested			
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)			
• Agricultural (includes active orchards, field, greenhouse etc.)			
• Surface water features (lakes, ponds, streams, rivers, etc.)			
• Wetlands (freshwater or tidal)			
• Non-vegetated (bare rock, earth or fill)			
• Other Describe: _____ _____			

c. Is the project site presently used by members of the community for public recreation?  Yes  No  
i. If Yes: explain: \_\_\_\_\_

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d. Are there any facilities serving children, the elderly, people with disabilities (e.g., schools, hospitals, licensed day care centers, or group homes) within 1500 feet of the project site?  Yes  No  
If Yes,  
i. Identify Facilities:  
\_\_\_\_\_

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e. Does the project site contain an existing dam?  Yes  No  
If Yes:  
i. Dimensions of the dam and impoundment:  

- Dam height: \_\_\_\_\_ feet
- Dam length: \_\_\_\_\_ feet
- Surface area: \_\_\_\_\_ acres
- Volume impounded: \_\_\_\_\_ gallons OR acre-feet

ii. Dam's existing hazard classification: \_\_\_\_\_  
iii. Provide date and summarize results of last inspection:  
\_\_\_\_\_

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f. Has the project site ever been used as a municipal, commercial or industrial solid waste management facility, or does the project site adjoin property which is now, or was at one time, used as a solid waste management facility?  Yes  No  
If Yes:  
i. Has the facility been formally closed?  Yes  No  

- If yes, cite sources/documentation: \_\_\_\_\_

ii. Describe the location of the project site relative to the boundaries of the solid waste management facility:  
\_\_\_\_\_

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g. Have hazardous wastes been generated, treated and/or disposed of at the site, or does the project site adjoin property which is now or was at one time used to commercially treat, store and/or dispose of hazardous waste?  Yes  No  
If Yes:  
i. Describe waste(s) handled and waste management activities, including approximate time when activities occurred:  
\_\_\_\_\_

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h. Potential contamination history. Has there been a reported spill at the proposed project site, or have any remedial actions been conducted at or adjacent to the proposed site?  Yes  No  
If Yes:  
i. Is any portion of the site listed on the NYSDEC Spills Incidents database or Environmental Site Remediation database? Check all that apply:  Yes  No  
 Yes – Spills Incidents database Provide DEC ID number(s): \_\_\_\_\_  
 Yes – Environmental Site Remediation database Provide DEC ID number(s): \_\_\_\_\_  
 Neither database  
ii. If site has been subject of RCRA corrective activities, describe control measures: \_\_\_\_\_  
\_\_\_\_\_

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iii. Is the project within 2000 feet of any site in the NYSDEC Environmental Site Remediation database?  Yes  No  
If yes, provide DEC ID number(s): \_\_\_\_\_  
iv. If yes to (i), (ii) or (iii) above, describe current status of site(s):  
\_\_\_\_\_

v. Is the project site subject to an institutional control limiting property uses?  Yes  No

- If yes, DEC site ID number: \_\_\_\_\_
- Describe the type of institutional control (e.g., deed restriction or easement): \_\_\_\_\_
- Describe any use limitations: \_\_\_\_\_
- Describe any engineering controls: \_\_\_\_\_
- Will the project affect the institutional or engineering controls in place?  Yes  No
- Explain: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

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**E.2. Natural Resources On or Near Project Site**

a. What is the average depth to bedrock on the project site? \_\_\_\_\_ feet

b. Are there bedrock outcroppings on the project site?  Yes  No  
 If Yes, what proportion of the site is comprised of bedrock outcroppings? \_\_\_\_\_%

c. Predominant soil type(s) present on project site: \_\_\_\_\_ %  
 \_\_\_\_\_ %  
 \_\_\_\_\_ %

d. What is the average depth to the water table on the project site? Average: \_\_\_\_\_ feet

e. Drainage status of project site soils:  Well Drained: \_\_\_\_\_ % of site  
 Moderately Well Drained: \_\_\_\_\_ % of site  
 Poorly Drained \_\_\_\_\_ % of site

f. Approximate proportion of proposed action site with slopes:  0-10%: \_\_\_\_\_ % of site  
 10-15%: \_\_\_\_\_ % of site  
 15% or greater: \_\_\_\_\_ % of site

g. Are there any unique geologic features on the project site?  Yes  No  
 If Yes, describe: \_\_\_\_\_  
 \_\_\_\_\_

h. Surface water features.

i. Does any portion of the project site contain wetlands or other waterbodies (including streams, rivers, ponds or lakes)?  Yes  No

ii. Do any wetlands or other waterbodies adjoin the project site?  Yes  No  
 If Yes to either *i* or *ii*, continue. If No, skip to E.2.i.

iii. Are any of the wetlands or waterbodies within or adjoining the project site regulated by any federal, state or local agency?  Yes  No

iv. For each identified regulated wetland and waterbody on the project site, provide the following information:

- Streams: Name \_\_\_\_\_ Classification \_\_\_\_\_
- Lakes or Ponds: Name \_\_\_\_\_ Classification \_\_\_\_\_
- Wetlands: Name \_\_\_\_\_ Approximate Size \_\_\_\_\_
- Wetland No. (if regulated by DEC) \_\_\_\_\_

v. Are any of the above water bodies listed in the most recent compilation of NYS water quality-impaired waterbodies?  Yes  No  
 If yes, name of impaired water body/bodies and basis for listing as impaired: \_\_\_\_\_  
 \_\_\_\_\_

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i. Is the project site in a designated Floodway?  Yes  No

j. Is the project site in the 100 year Floodplain?  Yes  No

k. Is the project site in the 500 year Floodplain?  Yes  No

l. Is the project site located over, or immediately adjoining, a primary, principal or sole source aquifer?  Yes  No  
 If Yes:  
 i. Name of aquifer: \_\_\_\_\_

<p>m. Identify the predominant wildlife species that occupy or use the project site: _____          _____          _____</p>	
<p>n. Does the project site contain a designated significant natural community? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span>          If Yes:  <i>i.</i> Describe the habitat/community (composition, function, and basis for designation): _____          _____  <i>ii.</i> Source(s) of description or evaluation: _____  <i>iii.</i> Extent of community/habitat:              • Currently: _____ acres              • Following completion of project as proposed: _____ acres              • Gain or loss (indicate + or -): _____ acres</p>	
<p>o. Does project site contain any species of plant or animal that is listed by the federal government or NYS as endangered or threatened, or does it contain any areas identified as habitat for an endangered or threatened species? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p>	
<p>p. Does the project site contain any species of plant or animal that is listed by NYS as rare, or as a species of special concern? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p>	
<p>q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span>          If yes, give a brief description of how the proposed action may affect that use: _____          _____</p>	
<b>E.3. Designated Public Resources On or Near Project Site</b>	
<p>a. Is the project site, or any portion of it, located in a designated agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span>          If Yes, provide county plus district name/number: _____</p>	
<p>b. Are agricultural lands consisting of highly productive soils present? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span>  <i>i.</i> If Yes: acreage(s) on project site? _____  <i>ii.</i> Source(s) of soil rating(s): _____</p>	
<p>c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span>          If Yes:  <i>i.</i> Nature of the natural landmark: <input type="checkbox"/> Biological Community <input type="checkbox"/> Geological Feature  <i>ii.</i> Provide brief description of landmark, including values behind designation and approximate size/extent: _____          _____          _____</p>	
<p>d. Is the project site located in or does it adjoin a state listed Critical Environmental Area? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span>          If Yes:  <i>i.</i> CEA name: _____  <i>ii.</i> Basis for designation: _____  <i>iii.</i> Designating agency and date: _____</p>	

e. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on, or has been nominated by the NYS Board of Historic Preservation for inclusion on, the State or National Register of Historic Places?	<input type="checkbox"/> Yes <input type="checkbox"/> No
If Yes:	
<i>i.</i> Nature of historic/archaeological resource: <input type="checkbox"/> Archaeological Site <input type="checkbox"/> Historic Building or District	
<i>ii.</i> Name: _____	
<i>iii.</i> Brief description of attributes on which listing is based: _____	
f. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	<input type="checkbox"/> Yes <input type="checkbox"/> No
g. Have additional archaeological or historic site(s) or resources been identified on the project site?	
If Yes:	
<i>i.</i> Describe possible resource(s): _____	
<i>ii.</i> Basis for identification: _____	
h. Is the project site within five miles of any officially designated and publicly accessible federal, state, or local scenic or aesthetic resource?	<input type="checkbox"/> Yes <input type="checkbox"/> No
If Yes:	
<i>i.</i> Identify resource: _____	
<i>ii.</i> Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.): _____	
<i>iii.</i> Distance between project and resource: _____ miles.	
i. Is the project site located within a designated river corridor under the Wild, Scenic and Recreational Rivers Program 6 NYCRR 666?	<input type="checkbox"/> Yes <input type="checkbox"/> No
If Yes:	
<i>i.</i> Identify the name of the river and its designation: _____	
<i>ii.</i> Is the activity consistent with development restrictions contained in 6NYCRR Part 666?	
	<input type="checkbox"/> Yes <input type="checkbox"/> No

**F. Additional Information**

Attach any additional information which may be needed to clarify your project.

If you have identified any adverse impacts which could be associated with your proposal, please describe those impacts plus any measures which you propose to avoid or minimize them.

**G. Verification**

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

Applicant/Sponsor Name \_\_\_\_\_ Date \_\_\_\_\_

Signature \_\_\_\_\_ Title \_\_\_\_\_



Robert P. Astorino  
County Executive

County Planning Board

June 9, 2015

Jessica Youngblood, Department of Planning & Development  
Village of Port Chester  
222 Grace Church Street  
Port Chester, NY 10573

**Subject: Referral File No: PCH 15-003 — Zoning Amendments, C1M District**

Dear Ms. Youngblood:

The Westchester County Planning Board has received a proposed local law to amend the Village Zoning Code. The amendments would create a new C1M Neighborhood Retail-Medical Zoning District and rezone the area along Westchester and Irving Avenues between Ponongo and Oak Streets to C1M from its current zoning, which is C1 Neighborhood Retail District. The proposed new zoning will update the regulations for the granting of special use exceptions for medical and dental offices and establish off-street parking requirements for these uses, which are not currently permitted under C1 zoning.

We have reviewed this matter under the provisions of Section 239 L, M and N of the General Municipal Law and Section 277.61 of the County Administrative Code and find that there are no County or intermunicipal planning issues of concern to the County Planning Board. This action is a matter for local determination in accordance with your community's planning and zoning policies.

Thank you for calling this matter to our attention.

Respectfully,  
WESTCHESTER COUNTY PLANNING BOARD

For:  
By:

Edward Buroughs, AICP  
Commissioner

EEB/KE

## PUBLIC NOTICE

PUBLIC NOTICE is hereby given that the Board of Trustees hereby schedules a public hearing on Monday, July 20, 2015 at 7:00 P.M., or as soon thereafter at the Port Chester Justice Courtroom, 2nd Floor, 350 North Main Street, Port Chester, New York, to consider the advisability of adopting a local law to amend the Code of the Village of Port Chester, Chapter 345 “Zoning” that would: update the use classification and amend existing standards for the granting of special use exceptions for medical and dental offices and establish off-street parking requirements for such uses, create a new C1M Neighborhood Retail – Medical Zoning District (C1M District) with changes to the Schedule of Use Regulations, and amend the Official Zoning Map to provide for the zoning designation of certain properties currently in the C1 Neighborhood Retail District to be changed to the new C1M District, as follows:

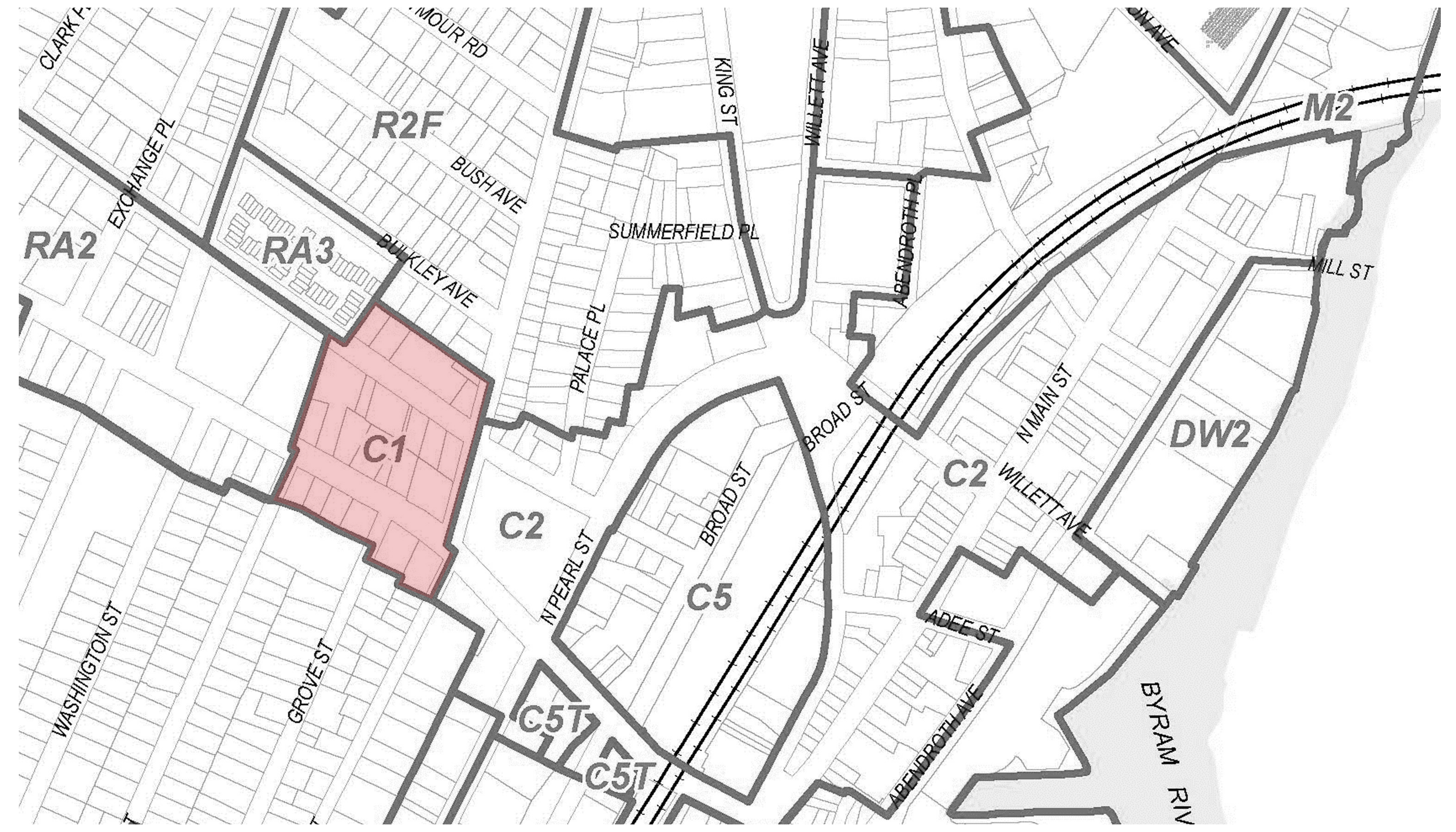
<u>Address</u>	<u>Section/Block/Lot</u>
200 Westchester Avenue	142.22-1-1
204-210 Westchester Avenue	142.22-1-2
216 Westchester Avenue	142.22-1-5
220 Westchester Avenue	142.22-1-6
232 Westchester Avenue	142.22-1-7
238 Westchester Avenue	142.22-1-8
235 Westchester Avenue	142.22-1-22
Irving Avenue	142.22-1-23
227 Westchester Avenue	142.22-1-24
223-225 Westchester Avenue	142.22-1-25
219 Westchester Avenue	142.22-1-26
211-217 Westchester Avenue	142.22-1-27
Westchester Avenue	142.22-1-28
200 Irving Avenue	142.22-1-29
204 Irving Avenue	142.22-1-30
206 Irving Avenue	142.22-1-31
214 Irving Avenue	142.22-1-32
220 Irving Avenue	142.22-1-33
227 Irving Avenue	142.22-1-35
233 Irving Avenue	142.22-1-36
211 Irving Avenue	142.22-1-37
199 Irving Avenue	142.22-1-38
26 Poningo Street	142.22-1-39

Interested persons are invited to attend and will be afforded the opportunity to be heard at this time. The copy of the proposed local law is available at the Village Clerk’s office or online at the Village website [www.portchesterny.com](http://www.portchesterny.com).

Date: July , 2015

/s/ JANUSZ R. RICHARDS  
JANUSZ R. RICHARDS  
Village Clerk  
Village of Port Chester, New York





RA2

R2F

RA3

C1

C2

C5

C2

DW2

M2

CLARK PL

EXCHANGE PL

MOUR RD

BUSH AVE

KING ST

WILLETT AVE

SUMMERFIELD PL

ABENDROTH PL

BULKLEY AVE

PALACE PL

MILL ST

WASHINGTON ST

GROVE ST

N PEARL ST

BROAD ST

BROAD ST

N MAIN ST

WILLETT AVE

ADEE ST

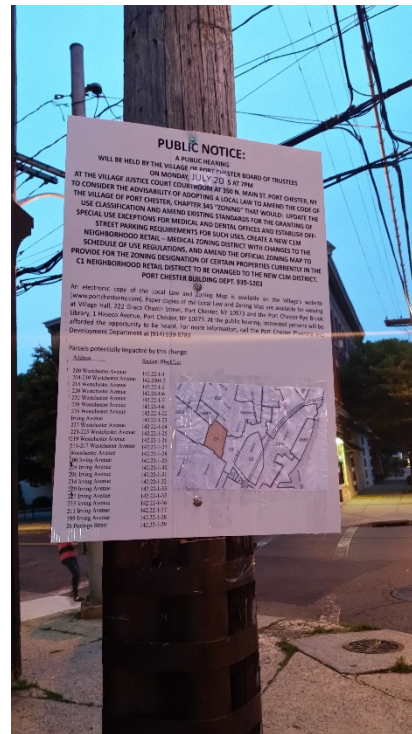
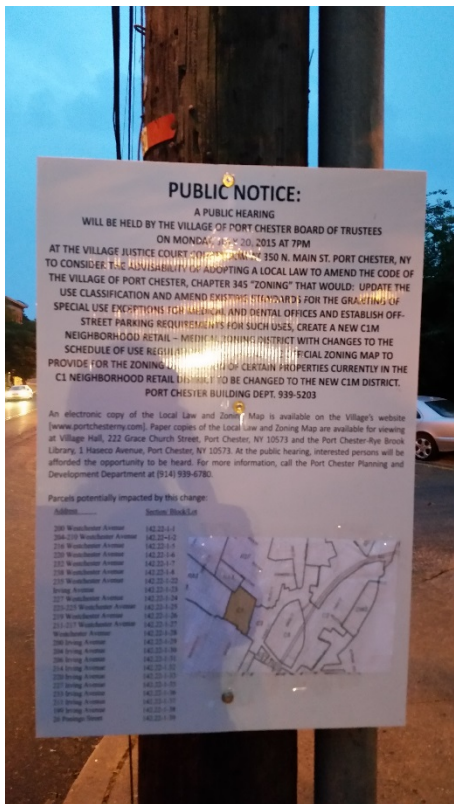
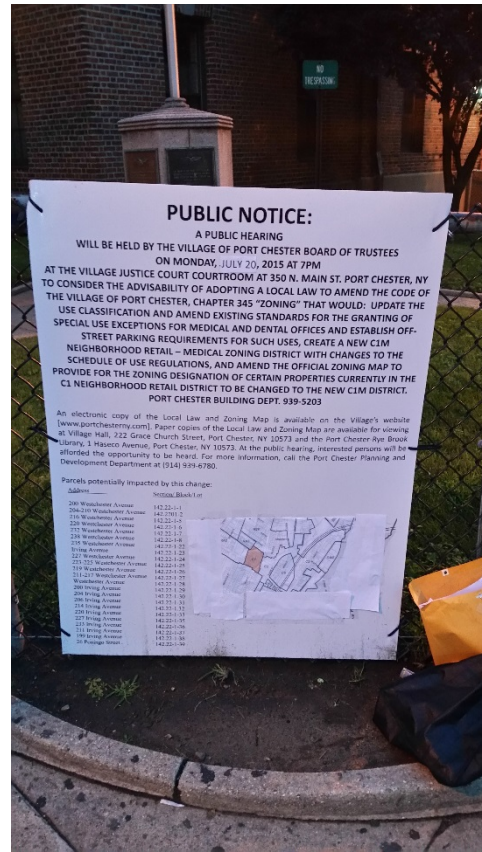
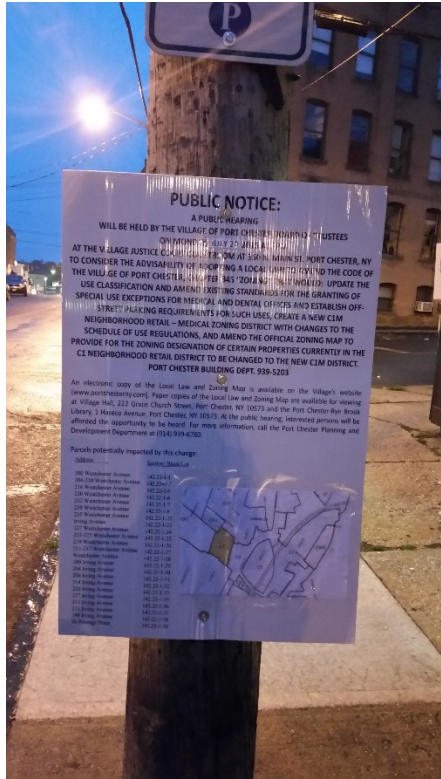
ABENDROTH AVE

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C5T

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**PUBLIC NOTICE:**  
A PUBLIC HEARING  
WILL BE HELD BY THE VILLAGE OF PORT CHESTER BOARD OF TRUSTEES  
ON MONDAY, JULY 20, 2015 AT 7PM  
AT THE VILLAGE JUSTICE COURT COURTROOM AT 350 N. MAIN ST. PORT CHESTER, NY  
TO CONSIDER THE ADVISABILITY OF ADOPTING A LOCAL LAW TO AMEND THE CODE OF  
THE VILLAGE OF PORT CHESTER, CHAPTER 345 "ZONING" THAT WOULD: UPDATE THE  
USE CLASSIFICATION AND AMEND EXISTING STANDARDS FOR THE GRANTING OF  
SPECIAL USE EXCEPTIONS FOR MEDICAL AND DENTAL OFFICES AND ESTABLISH OFF-  
STREET PARKING REQUIREMENTS FOR SUCH USES, CREATE A NEW C1M  
NEIGHBORHOOD RETAIL - MEDICAL ZONING DISTRICT WITH CHANGES TO THE  
SCHEDULE OF USE REGULATIONS, AND AMEND THE OFFICIAL ZONING MAP TO  
PROVIDE FOR THE ZONING DESIGNATION OF CERTAIN PROPERTIES CURRENTLY IN THE  
C1 NEIGHBORHOOD RETAIL DISTRICT TO BE CHANGED TO THE NEW C1M DISTRICT.  
PORT CHESTER BUILDING DEPT. 939-5203

An electronic copy of the Local Law and Zoning Map is available on the Village's website  
[www.portchester.com]. Paper copies of the Local Law and Zoning Map are available for viewing  
at Village Hall, 222 Grace Church Street, Port Chester, NY 10573 and the Port Chester-Rye Brook  
Library, 1 Hasoco Avenue, Port Chester, NY 10573. At the public hearing, interested persons will be  
afforded the opportunity to be heard. For more information, call the Port Chester Planning and  
Development Department at (914) 939-6780.

Parcels potentially impacted by this change:

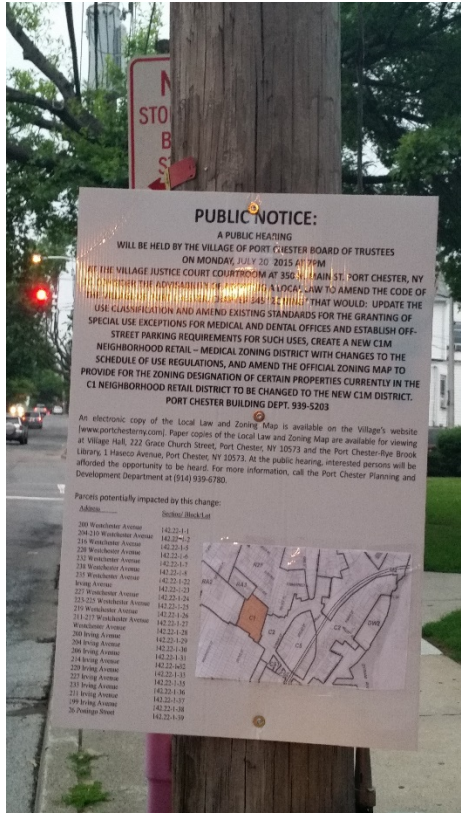
Address	Section Block
380 Washburn Avenue	442-22-1-1
384-378 Washburn Avenue	442-22-1-2
378 Washburn Avenue	442-22-1-3
372 Washburn Avenue	442-22-1-4
366 Washburn Avenue	442-22-1-5
360 Washburn Avenue	442-22-1-6
354 Washburn Avenue	442-22-1-7
348 Washburn Avenue	442-22-1-8
342 Washburn Avenue	442-22-1-9
336 Washburn Avenue	442-22-1-10
330 Washburn Avenue	442-22-1-11
324 Washburn Avenue	442-22-1-12
318 Washburn Avenue	442-22-1-13
312 Washburn Avenue	442-22-1-14
306 Washburn Avenue	442-22-1-15
300 Washburn Avenue	442-22-1-16
294 Washburn Avenue	442-22-1-17
288 Washburn Avenue	442-22-1-18
282 Washburn Avenue	442-22-1-19
276 Washburn Avenue	442-22-1-20
270 Washburn Avenue	442-22-1-21
264 Washburn Avenue	442-22-1-22
258 Washburn Avenue	442-22-1-23
252 Washburn Avenue	442-22-1-24
246 Washburn Avenue	442-22-1-25
240 Washburn Avenue	442-22-1-26
234 Washburn Avenue	442-22-1-27
228 Washburn Avenue	442-22-1-28
222 Washburn Avenue	442-22-1-29
216 Washburn Avenue	442-22-1-30
210 Washburn Avenue	442-22-1-31
204 Washburn Avenue	442-22-1-32
198 Washburn Avenue	442-22-1-33
192 Washburn Avenue	442-22-1-34
186 Washburn Avenue	442-22-1-35
180 Washburn Avenue	442-22-1-36
174 Washburn Avenue	442-22-1-37
168 Washburn Avenue	442-22-1-38
162 Washburn Avenue	442-22-1-39
156 Washburn Avenue	442-22-1-40
150 Washburn Avenue	442-22-1-41
144 Washburn Avenue	442-22-1-42
138 Washburn Avenue	442-22-1-43
132 Washburn Avenue	442-22-1-44
126 Washburn Avenue	442-22-1-45
120 Washburn Avenue	442-22-1-46
114 Washburn Avenue	442-22-1-47
108 Washburn Avenue	442-22-1-48
102 Washburn Avenue	442-22-1-49
96 Washburn Avenue	442-22-1-50
90 Washburn Avenue	442-22-1-51
84 Washburn Avenue	442-22-1-52
78 Washburn Avenue	442-22-1-53
72 Washburn Avenue	442-22-1-54
66 Washburn Avenue	442-22-1-55
60 Washburn Avenue	442-22-1-56
54 Washburn Avenue	442-22-1-57
48 Washburn Avenue	442-22-1-58
42 Washburn Avenue	442-22-1-59
36 Washburn Avenue	442-22-1-60
30 Washburn Avenue	442-22-1-61
24 Washburn Avenue	442-22-1-62
18 Washburn Avenue	442-22-1-63
12 Washburn Avenue	442-22-1-64
6 Washburn Avenue	442-22-1-65
1000 Hasoco Avenue	442-22-1-66
990 Hasoco Avenue	442-22-1-67
980 Hasoco Avenue	442-22-1-68
970 Hasoco Avenue	442-22-1-69
960 Hasoco Avenue	442-22-1-70
950 Hasoco Avenue	442-22-1-71
940 Hasoco Avenue	442-22-1-72
930 Hasoco Avenue	442-22-1-73
920 Hasoco Avenue	442-22-1-74
910 Hasoco Avenue	442-22-1-75
900 Hasoco Avenue	442-22-1-76
890 Hasoco Avenue	442-22-1-77
880 Hasoco Avenue	442-22-1-78
870 Hasoco Avenue	442-22-1-79
860 Hasoco Avenue	442-22-1-80
850 Hasoco Avenue	442-22-1-81
840 Hasoco Avenue	442-22-1-82
830 Hasoco Avenue	442-22-1-83
820 Hasoco Avenue	442-22-1-84
810 Hasoco Avenue	442-22-1-85
800 Hasoco Avenue	442-22-1-86
790 Hasoco Avenue	442-22-1-87
780 Hasoco Avenue	442-22-1-88
770 Hasoco Avenue	442-22-1-89
760 Hasoco Avenue	442-22-1-90
750 Hasoco Avenue	442-22-1-91
740 Hasoco Avenue	442-22-1-92
730 Hasoco Avenue	442-22-1-93
720 Hasoco Avenue	442-22-1-94
710 Hasoco Avenue	442-22-1-95
700 Hasoco Avenue	442-22-1-96
690 Hasoco Avenue	442-22-1-97
680 Hasoco Avenue	442-22-1-98
670 Hasoco Avenue	442-22-1-99
660 Hasoco Avenue	442-22-1-100

**PUBLIC NOTICE:**  
A PUBLIC HEARING  
WILL BE HELD BY THE VILLAGE OF PORT CHESTER BOARD OF TRUSTEES  
ON MONDAY, JULY 20, 2015 AT 7PM  
AT THE VILLAGE JUSTICE COURT COURTROOM AT 350 N. MAIN ST. PORT CHESTER, NY  
TO CONSIDER THE ADVISABILITY OF ADOPTING A LOCAL LAW TO AMEND THE CODE OF  
THE VILLAGE OF PORT CHESTER, CHAPTER 345 "ZONING" THAT WOULD: UPDATE THE  
USE CLASSIFICATION AND AMEND EXISTING STANDARDS FOR THE GRANTING OF  
SPECIAL USE EXCEPTIONS FOR MEDICAL AND DENTAL OFFICES AND ESTABLISH OFF-  
STREET PARKING REQUIREMENTS FOR SUCH USES, CREATE A NEW C1M  
NEIGHBORHOOD RETAIL - MEDICAL ZONING DISTRICT WITH CHANGES TO THE  
SCHEDULE OF USE REGULATIONS, AND AMEND THE OFFICIAL ZONING MAP TO  
PROVIDE FOR THE ZONING DESIGNATION OF CERTAIN PROPERTIES CURRENTLY IN THE  
C1 NEIGHBORHOOD RETAIL DISTRICT TO BE CHANGED TO THE NEW C1M DISTRICT.  
PORT CHESTER BUILDING DEPT. 939-5203

An electronic copy of the Local Law and Zoning Map is available on the Village's website  
[www.portchester.com]. Paper copies of the Local Law and Zoning Map are available for viewing  
at Village Hall, 222 Grace Church Street, Port Chester, NY 10573 and the Port Chester-Rye Brook  
Library, 1 Hasoco Avenue, Port Chester, NY 10573. At the public hearing, interested persons will be  
afforded the opportunity to be heard. For more information, call the Port Chester Planning and  
Development Department at (914) 939-6780.

Parcels potentially impacted by this change:

Address	Section Block
380 Washburn Avenue	442-22-1-1
384-378 Washburn Avenue	442-22-1-2
378 Washburn Avenue	442-22-1-3
372 Washburn Avenue	442-22-1-4
366 Washburn Avenue	442-22-1-5
360 Washburn Avenue	442-22-1-6
354 Washburn Avenue	442-22-1-7
348 Washburn Avenue	442-22-1-8
342 Washburn Avenue	442-22-1-9
336 Washburn Avenue	442-22-1-10
330 Washburn Avenue	442-22-1-11
324 Washburn Avenue	442-22-1-12
318 Washburn Avenue	442-22-1-13
312 Washburn Avenue	442-22-1-14
306 Washburn Avenue	442-22-1-15
300 Washburn Avenue	442-22-1-16
294 Washburn Avenue	442-22-1-17
288 Washburn Avenue	442-22-1-18
282 Washburn Avenue	442-22-1-19
276 Washburn Avenue	442-22-1-20
270 Washburn Avenue	442-22-1-21
264 Washburn Avenue	442-22-1-22
258 Washburn Avenue	442-22-1-23
252 Washburn Avenue	442-22-1-24
246 Washburn Avenue	442-22-1-25
240 Washburn Avenue	442-22-1-26
234 Washburn Avenue	442-22-1-27
228 Washburn Avenue	442-22-1-28
222 Washburn Avenue	442-22-1-29
216 Washburn Avenue	442-22-1-30
210 Washburn Avenue	442-22-1-31
204 Washburn Avenue	442-22-1-32
198 Washburn Avenue	442-22-1-33
192 Washburn Avenue	442-22-1-34
186 Washburn Avenue	442-22-1-35
180 Washburn Avenue	442-22-1-36
174 Washburn Avenue	442-22-1-37
168 Washburn Avenue	442-22-1-38
162 Washburn Avenue	442-22-1-39
156 Washburn Avenue	442-22-1-40
150 Washburn Avenue	442-22-1-41
144 Washburn Avenue	442-22-1-42
138 Washburn Avenue	442-22-1-43
132 Washburn Avenue	442-22-1-44
126 Washburn Avenue	442-22-1-45
120 Washburn Avenue	442-22-1-46
114 Washburn Avenue	442-22-1-47
108 Washburn Avenue	442-22-1-48
102 Washburn Avenue	442-22-1-49
96 Washburn Avenue	442-22-1-50
90 Washburn Avenue	442-22-1-51
84 Washburn Avenue	442-22-1-52
78 Washburn Avenue	442-22-1-53
72 Washburn Avenue	442-22-1-54
66 Washburn Avenue	442-22-1-55
60 Washburn Avenue	442-22-1-56
54 Washburn Avenue	442-22-1-57
48 Washburn Avenue	442-22-1-58
42 Washburn Avenue	442-22-1-59
36 Washburn Avenue	442-22-1-60
30 Washburn Avenue	442-22-1-61
24 Washburn Avenue	442-22-1-62
18 Washburn Avenue	442-22-1-63
12 Washburn Avenue	442-22-1-64
6 Washburn Avenue	442-22-1-65
1000 Hasoco Avenue	442-22-1-66
990 Hasoco Avenue	442-22-1-67
980 Hasoco Avenue	442-22-1-68
970 Hasoco Avenue	442-22-1-69
960 Hasoco Avenue	442-22-1-70
950 Hasoco Avenue	442-22-1-71
940 Hasoco Avenue	442-22-1-72
930 Hasoco Avenue	442-22-1-73
920 Hasoco Avenue	442-22-1-74
910 Hasoco Avenue	442-22-1-75
900 Hasoco Avenue	442-22-1-76
890 Hasoco Avenue	442-22-1-77
880 Hasoco Avenue	442-22-1-78
870 Hasoco Avenue	442-22-1-79
860 Hasoco Avenue	442-22-1-80
850 Hasoco Avenue	442-22-1-81
840 Hasoco Avenue	442-22-1-82
830 Hasoco Avenue	442-22-1-83
820 Hasoco Avenue	442-22-1-84
810 Hasoco Avenue	442-22-1-85
800 Hasoco Avenue	442-22-1-86
790 Hasoco Avenue	442-22-1-87
780 Hasoco Avenue	442-22-1-88
770 Hasoco Avenue	442-22-1-89
760 Hasoco Avenue	442-22-1-90
750 Hasoco Avenue	442-22-1-91
740 Hasoco Avenue	442-22-1-92
730 Hasoco Avenue	442-22-1-93
720 Hasoco Avenue	442-22-1-94
710 Hasoco Avenue	442-22-1-95
700 Hasoco Avenue	442-22-1-96
690 Hasoco Avenue	442-22-1-97
680 Hasoco Avenue	442-22-1-98
670 Hasoco Avenue	442-22-1-99
660 Hasoco Avenue	442-22-1-100







Zoning Board of Appeals  
William Villanova, Chair

Planning Commission  
Gregg Gregory, Chair

222 Grace Church Street  
Port Chester, NY 10573

**AFFIDAVIT OF MAILING**

In the matter of the application C1M District, zoning proposal  
# n/a Case # Address Address

before the Village of Port Chester

- PLANNING COMMISSION
- ZONING BOARD OF APPEALS
- BOARD OF TRUSTEES

On July 10, 2015

Notice of Hearing letters were mailed via

Day, Month, Year letters were mailed

USPS First Class Mail

USPS Certified Return Receipt Mail

neighbors within a 500 radius of the above mentioned property.  
Distance (feet)

Signed [Signature] Assistant Director of Planning & Development  
Name Title

**Please have this document notarized and return within 24 hours of the hearing to:**

*Constance R. Phillips (Connie)*  
222 Grace Church Street, Room 202  
Port Chester, New York 10573  
Phone: 914-481-8036 Fax:914-939-2733  
[cphillips@portchesterny.com](mailto:cphillips@portchesterny.com)



A LOCAL LAW AMENDING THE CODE OF THE VILLAGE OF PORT CHESTER,  
CHAPTER 283, STREETS AND SIDEWALKS, CLARIFYING AND CODIFYING THE  
OBLIGATIONS OF PROPERTY OWNERS AND OTHER RESPONSIBLE PARTIES WITH  
REGARD TO THE ADJOINING OR CONTIGUOUS PUBLIC SIDEWALK

SECTION 1: The purpose and intent of this local law is to clarify the responsibility of property owners and other responsible parties with regard to the adjoining or contiguous public sidewalks. Historically, it has been understood that sidewalks to not only include the physical sidewalk, but also the maintenance of the area between the sidewalk and the curb. The local law will confirm and codify such long-standing administrative interpretation so as to eliminate any potential issue of enforcement

SECTION 2: The Code of the Village of Port Chester, Chapter 283- “Streets and Sidewalks”, Article V, Section 283-30, is hereby amended as follows:

Section 283-30. Duty of making repairs

- A. It shall be the duty of the owner to keep the public sidewalk in front of or adjoining the premises, which shall be deemed to include that area between the established curblines and the private property property line, at all times in good repair and in a safe condition and free from all obstructions and encumbrances.

...

SECTION 2: The Code of the Village of Port Chester, Chapter 283, “Streets and Sidewalks”, Article VI, Section 283-32, is hereby amended as follows:

Section 283-32 Cleaning and maintaining sidewalks.

- A. The owner, lessee or occupant of any premises shall keep the contiguous public sidewalks free from dirt, filth, weeds and other obstructions or encumbrances, maintain and cut grass in the area between the established curblines and the private property line to a height of no more than ten inches and shall cause such sidewalks to be cleared of snow and ice within 24 hours after such snowfall has ceased or ice has formed. If the owner, lessee or occupancy shall so fail to clear the said sidewalks after due notice is given, the Village Manager or his designee may direct village forces or an independent contractor to do so and the cost and the expense of same, if not paid within 30 days of receipt of the bill therefor, shall become a lien upon the property. .

SECTION 3: This local law shall become effective immediately upon filing with the Secretary of State

## PUBLIC NOTICE

PUBLIC NOTICE is hereby given that the Board of Trustees of the Village of Port Chester, New York, will hold a PUBLIC HEARING on July 20, 2015 at 7:00 p.m., or as soon thereafter, at the Police Headquarters/Justice Court Courtroom, 350 North Main Street, Port Chester, to consider the advisability of adopting a local law to amend the Code of the Village of Port Chester, Chapter 283, Streets and Sidewalks, clarifying and codifying the obligations of property owners and other responsible parties with regard to the adjoining or contiguous public sidewalk.

Interested persons are invited to attend and will be afforded the opportunity to be heard at this time. The copy of the proposed local law is available at the Village Clerk's office or online at the Village website [www.portchesterny.com](http://www.portchesterny.com).

Date: June 19, 2015

/s/ JANUSZ R. RICHARDS  
JANUSZ R. RICHARDS  
Village Clerk  
Village of Port Chester, New York

# **PUBLIC COMMENTS**



# RESOLUTIONS



VILLAGE OF  
**PORT CHESTER**

222 Grace Church Street, Port Chester, New York 10573

**AGENDA MEMO**

**Department:** Choose a Department

**BOT Meeting Date:** 7/20/2015

**Item Type:** Resolution Setting Public Hearing

<b>Sponsor's Name:</b>	Christopher D. Steers, Village Manager
<b>Sponsor's Name:</b>	Anthony (Tony) Cerreto, Village Attorney
<b>Sponsor's Name:</b>	Jesica Youngblood, Assistant Director of Planning & Development

Description	Yes	No	Description	Yes	No
Fiscal Impact	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Public Hearing Required	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Funding Source:			BID #		
Account #:			<b>Strategic Plan Priority Area</b>		
	<b>Yes</b>	<b>No</b>	Redeveloping United Hospital Site		
Agreement	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Manager Priorities</b>		
Strategic Plan Related	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Planning & Zoning		

**Agenda Heading Title**  
*(Will appear on the Agenda as indicated below)*

Adoption of Comment and Determination of Completion on the Draft Environmental Impact Statement with Regard to the Proposed Action of PC 406 BPR, LLC and PC 999 High Street Corp.

**Summary**

**Background:**

Based upon the reports from the Village's independent consultants, the Board of Trustees has been advised that it is in the position to make the determination that the Applicant's final revised Draft Environmental Impact Statement (DEIS) is complete thereby affording public review and comment under the State Environmental Quality Review Act (SEQRA).

The resolution makes such determination of completeness as well as:

- Determining and setting a combined public hearing on the DEIS and Proposed Zoning Amendments
- Providing for a period of public comment on the DEIS
- Directing the Village Clerk to undertake certain filings, referrals and notices to comply with applicable legal requirements

The Village's special counsel, Mark Chertok, Sive, Paget & Riesel ("SPR Law") and AKRF Inc. will be present on July 20, 2015 to discuss this matter.

The resolution contains certain blanks which would be completed by a successful motion to amend that would insert the appropriate dates for Board actions.

<b>Proposed Action</b>
------------------------

That the Board of Trustees adopt the Resolution Setting a Public Hearing

<b>Attachments</b>
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- |  |
|--|
| <ul style="list-style-type: none"><li>• SEQRA Completeness determination resolution</li><li>• SPR Law and AKRF Completeness determination memo</li></ul> |
|--|



**AKRF, Inc.**  
**Environmental Planning Consultants**  
34 South Broadway  
Suite 401  
White Plains, NY 10601  
tel: 914 949-7336  
fax: 914 949-7559  
[www.akrf.com](http://www.akrf.com)

## Memorandum

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**To:** Jessica Youngblood; Tony Cerreto; Chris Steers  
**From:** Peter Feroe, AICP; Mark Chertok  
**Date:** July 16, 2015  
**Re:** Starwood pDEIS Completeness Review  
**cc:** Michael O'Rourke; Dolph Rotfeld

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### RECOMMENDATION

As you know, AKRF, Inc. and Sive, Paget & Riesel, P.C. (SPR) reviewed the July 1, 2015 version of the pDEIS and provided the Village with a Completeness Memorandum on July 8, 2015. The Applicant provided the Village's consultant team with a revised version of the pDEIS on July 9 and July 10, on which the consultants provided limited and editorial comments. The comments remaining were from AKRF and SPR, as the chapters relating to Stormwater Management, Utilities and Transportation and Traffic had been the subject of prior reviews by Rotfeld Engineering and Adler Consulting and there were no further comments on those chapters with respect to completeness. On July 14, 2015, the Applicant submitted a revised pDEIS to the Village, which includes those modifications. It is the Village consulting team's professional opinion that the July 14, 2015 pDEIS submitted to the Village is 'complete' pursuant to SEQRA. We therefore recommend that the Village Board accept the pDEIS as complete, direct the Applicant to distribute the DEIS as required by law, schedule a combined public hearing on the DEIS and the Applicant's proposed zoning, and direct the Applicant and Village clerk to take required additional steps pursuant to SEQRA and the Village Zoning Code.

### BACKGROUND

The purpose of a 'completeness' review pursuant to SEQRA is to determine whether the pDEIS generally addresses those items identified in the Scoping Outline adopted by the Village Board on August 19, 2014 and whether the pDEIS is adequate with respect to its content for the purpose of commencing public review. To determine that the DEIS is complete, the Village Board must find that the facts in the DEIS are accurate and clearly described, and that appropriate methodologies are used to conduct the relevant technical analyses. A determination of completeness does not mean that the Board necessarily concurs with the analyses presented in the DEIS. Areas of disagreement, or differences in interpretation of technical issues, will be addressed in the public comment period on the DEIS and will be addressed in the FEIS. The public comment period starts upon a determination by the Village Board that the DEIS is complete.

As you know, the Village consulting team has reviewed several versions of the pDEIS submitted by the Applicant for completeness, beginning with the December 31, 2014 submission. Each version of the pDEIS was reviewed by subject matter experts. In addition to AKRF's review, two other technical consultants for the Village (Adler Consulting and Rotfeld Engineering) reviewed portions of the pDEIS and provided their comments to AKRF. Finally, the Village's Special Counsel, Sive, Paget & Riesel has reviewed each version of the pDEIS and has provided comments. It is the professional judgement of the Village's consultants that the pDEIS is complete with respect to the requirements of SEQRA.

It should be noted that accepting the pDEIS as complete does not commit the Village Board to any action nor is it a reflection of the Village Board's position on the proposed project or proposed zoning. Instead, accepting the pDEIS as complete begins the public review process. The Village Board continues to retain all of its options to accept, reject, or modify the Proposed Action, including the zoning, which was submitted by the Applicant and is the subject of the DEIS. Indeed, the Village Board cannot take action to adopt the submitted zoning, or any amendments thereto, until the SEQRA process concludes. Therefore, we recommend that the Village Board adopt the pDEIS submitted to the Village on July 14, 2015 as complete for the purpose of commencing public review.

**ADOPTION OF COMMENT AND DETERMINATION OF COMPLETION ON THE  
DRAFT ENVIRONMENTAL IMPACT STATEMENT WITH REGARD TO THE  
PROPOSED ACTION OF PC406 BPR, LLC and PC 999 HIGH STREET CORP.**

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

**WHEREAS**, on April 21, 2014, the Board of Trustees (herein referred to as “Village Board”) adopted a resolution accepting the petition of PC406 BPR, LLC and PC 999 High Street Corp. (together, the “Applicant”) for consideration of proposed zoning text and map amendments to the Village Code, Chapter 345 relating to a proposed Southern Gateway Mixed Use Overlay District or, in the alternative, to a text amendment modifying Article XI of the existing Zoning Regulation, Section 345-62 (the “Proposed Zoning Amendments”); and

**WHEREAS**, the Applicant seeks to develop 406-408 Boston Post Road and 999 High Street for a mixed multi-family residential and commercial use development, consisting of 500 dwelling units designed to appeal to the “Millennial” demographic age group, together with 230 age-restricted dwelling units, as well as 90,000 square feet of retail space, an approximately 138-room hotel and between 100,000 and 200,000 square feet of market-based office space geared towards accommodating wellness and out-patient medical uses (the “Proposed Action”); and

**WHEREAS**, the Village Board is the designated Lead Agency under the State Environmental Quality Review (SEQR) Act of the State of New York; and

**WHEREAS**, the Village Board determined that the Proposed Action is a Type I Action pursuant to the SEQR and the regulations at 6 NYCRR Part 617 and issued a Positive Declaration that the Proposed Action may have a significant impact on the environmental, and required the Applicant to prepare an Environmental Impact Statement (EIS); and

**WHEREAS**, the Applicant had submitted a proposed Scoping Outline for the Draft EIS (DEIS), which was circulated for public review and comment and was the subject of a public scoping session; and

**WHEREAS**, the Village Board adopted a Final Draft EIS Scoping Outline on August 18, 2014; and

**WHEREAS**, the Applicant submitted a preliminary DEIS (pDEIS) on December 31, 2014 to the Village Clerk; and

**WHEREAS**, the Village Board, after considering the Completeness Memorandum, dated January 28 2015, prepared by the Village Board's independent consultants retained, inter alia, to review the revised pDEIS, determined by Resolution adopted on February 17, 2015, that such pDEIS was not adequate with respect to its scope and content for the purpose of commencing public review; and

**WHEREAS**, the Applicant submitted a revised pDEIS on April 21, 2015 to the Village Clerk;

**WHEREAS**, the Village Board, after considering the Completeness Memorandum of the pDEIS by its independent consultants, dated June 10, 2015, determined by Resolution adopted on June 15, 2015, that such pDEIS was not adequate with respect to its scope and content for the purpose of commencing public review; and

**WHEREAS**, the Applicant submitted a revised pDEIS to the Village Board's independent consultants between June 23 and June 25, 2015; and

**WHEREAS**, the Village Board's independent consultants provided a draft completeness memorandum, dated June 28, 2015 to the Applicant; and

**WHEREAS**, the Applicant submitted a revised pDEIS to the Village and its consultants and to the Village Clerk on July 1, 2015; and

**WHEREAS**, the Village Board's independent consultants provided the Village Board with a Completeness Memorandum, dated July 8, 2015; and

**WHEREAS**, the Applicant submitted a revised pDEIS to the Village and its consultants and to the Village Clerk on July 14, 2015; and

**WHEREAS**, the Village Board's independent consultants provided the Village Board with a Completeness Memorandum, dated July 16, 2015, and annexed hereto as Exhibit A, which recommended that the DEIS be accepted as adequate with respect to its scope and content for the purpose of commencing public review; and

**WHEREAS**, the Village Board has carefully considered the revised pDEIS submitted on July 14, 2015 and the Completeness Memorandum dated July 16, 2015.

**NOW THEREFORE BE IT RESOLVED THAT,**

1. The Village Board hereby adopts the July 16, 2015, Completeness Memorandum annexed hereto as Exhibit A.
2. The Village Board hereby finds that the DEIS submitted on July 14, 2015 is adequate with respect to its scope and content for the

purpose of commencing public review, and is therefore accepted for aforesaid purpose.

3. The Village Board hereby determines that it will hold a combined public hearing on the DEIS and the Proposed Zoning Amendments (the proposed zoning text and map amendments to the Village Code, Chapter 345 relating to a proposed Southern Gateway Mixed Use Overlay District, and on the alternative text amendment modifying Article XI of the existing Zoning Regulation, Section 345-62) (the “Combined Public Hearing”), on August XX, 2015, which hearing will be held at XXXX.
4. The period for public comment on the DEIS and the proposed zoning amendment for the Proposed Action shall terminate on XXXX XX, 2015, unless extended by the Village Board.
5. The Village Clerk is hereby directed to undertake or have undertaken, as appropriate, the following:
  - a. Prepare and file all notices required by 6 NYCRR 617.12, including a notice of completion of the DEIS;
  - b. Circulate the DEIS to all involved and interested agencies and individual for review and comment in accordance with 6 NYCRR 617.12;
  - c. Prepare and file a notice of the Combined Public Hearing in accordance with 6 NYCRR 617.12 and Sections 345-34 and 345-110 of the Village Zoning Code (including notice to the Westchester County Planning Board), which notice shall be published at least 14 days in advance of the public hearing in the Westmore News newspaper;
  - d. File and distribute the DEIS in accordance with 6 NYCRR 617.12(b), including distribution of two copies of the DEIS to the Port Chester-Rye Brook Library and one copy of the DEIS in the Village Clerk’s Office, 222 Grace Church Street, Port Chester, NY;
  - e. Add the DEIS to the Village website; and
  - f. Refer the Applicant’s Proposed Zoning Amendments to the Village of Port Chester Planning Commission for a report thereon, pursuant to Section 345-34.D of the Village of Port Chester Zoning Code.
  - g. Refer to Applicant’s Proposed Zoning Amendments to the Westchester County Planning Department for a report thereon, pursuant to Section 345-34.H of the Village of Port Chester Zoning Code.
  - h. Take any other steps required by SEQR and the Village Zoning Code to effectuate acceptance and circulation of the DEIS and



notice for the Combined Public Hearing and for public review and comment on the DEIS and the proposed zoning amendments for the Proposed Action.

Approved as to form:

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Anthony M. Cerreto, Village Attorney

REQUESTING THAT THE NEW YORK DEPARTMENT OF TRANSPORTATION  
STUDY THE POTENTIAL INSTALLATION OF A TRAFFIC SIGNAL AT BETSY  
BROWN ROAD AND KING STREET

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

WHEREAS, King Street above Putnam Avenue is a state highway (Route 120);  
and

WHEREAS, the intersection of King Street and Betsy Brown Road has been a source of concern; and

WHEREAS, the Village of Rye Brook has recently requested that the State Department of Transportation study the potential installation of a traffic signal at the intersection of Comly Avenue and King Street; and

WHEREAS, it would appear an opportune time for the State to study both the Betsy Brown Road and Comly Avenue intersections with King Street . Now, therefore, be it

RESOLVED, that the Board of Trustees hereby requests that the New York Department of Transportation study the potential installation of a traffic signal at the intersection of Betsy Brown Road and King Street.

Approved as to Form:

---

Anthony M. Cerreto, Village Attorney



VILLAGE OF  
**PORT CHESTER**

222 Grace Church Street, Port Chester, New York 10573

**AGENDA MEMO**

**Department:** Office of the Village Manager

**BOT Meeting Date:** 7/20/2015

**Item Type:** Resolution

**Sponsor's Name:** Anthony (Tony) Cerreto, Village Attorney

	Yes	No	Description	Yes	No
Fiscal Impact	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Public Hearing Required	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Funding Source:			BID #		
Account #:			<b>Strategic Plan Priority Area</b>		
	Yes	No	N/A		
Agreement	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Manager Priorities</b>		
Strategic Plan Related	<input type="checkbox"/>	<input checked="" type="checkbox"/>	N/A		

**Agenda Heading Title**  
*(Will appear on the Agenda as indicated below)*

AUTHORIZING PAYMENT FOR TAXES OVERPAID FOLLOWING AN  
 ADMINISTRATIVE CORRECTION OF ERRORS PROCESS UNDER STATE REAL  
 PROPERTY TAX LAW

**Summary**

**Background:**

The property owner of property located at 134 Fairview Avenue, Section 135.77, Block 4, Lot 8 on the Tax Map of the Town made application under State law to correct an error made by the Town of Rye with regard to the correct veterans disability rating.

The Real Property Tax Law (RPTL) provides for an administrative process through the County Tax Commission to make corrections to the tax roll and support the appropriate payment for taxes overpaid.

The County recommended that application be approved for the 2012, 2103 and 2014 Tax Years which requires Board action.

AM-V20140930

The Village Treasurer has computed the appropriate payment due the property owner.

<b>Proposed Action</b>
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That the Board of Trustees adopt the Resolution

<b>Attachments</b>
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Submission from the Town of Ryet
----------------------------------

AUTHORIZING PAYMENT FOR TAXES OVERPAID FOLLOWING AN  
ADMINISTRATIVE CORRECTION OF ERRORS PROCESS UNDER STATE REAL  
PROPERTY TAX LAW

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

WHEREAS, pursuant to the State Real Property Tax Law (RPTL), Robert Riehl, owner of property located at 134 Fairview Avenue, Section 135.76-, Block 3, Lot 8 on the Tax Map of the Town of Rye, made application for refund and credit for the 2012, 2103 and 2014 Tax Years; on the ground that the disability rating made by the Town was not correct; and

WHEREAS, in correspondence dated October 23, 2014 from Mary Beth Murphy, Executive Director of the Westchester County Tax Commission, the County found that a clerical error was made and that the application should be approved pursuant RPTL Section 550.2(b); and

WHEREAS, the Board accepts the County Commission's findings so as to properly rectify this matter. Now, therefore, be it

RESOLVED, that the Village Treasurer be and is hereby authorized to make payment to Robert Reihl, owner of 134 Fairview Avenue, Port Chester, Section 135.76, Block 3, Lot 8 on the Tax Map of the Town of Rye, in the amount of \$899.05, for taxes overpaid following an administrative correction of errors process through the Westchester County Tax Commission, payment to be made from FY 2014-15 General Fund budget line as follows

1.1.1001	Real Property Taxes	\$283.86
1.190.480	Refunds of Real Property Tax.	\$615.19

Approved as to Form:

---

Anthony M. Cerreto, Village Attorney

**VILLAGE OF PORT CHESTER  
TAX CERTIORARI REFUND CALCULATION  
July 20, 2015**

**ROBERT REIHL VS. VILLAGE OF PORT CHESTER, SECTION 135.76-3-8, 134 FAIRVIEW AVENUE  
SETTLED TAX GRIEVANCE FOR DISABLED VETERAN  
HOMESTEAD**

TOWN ROLL ASSESSMENT <u>YEAR</u>	VILLAGE TAX/FISCAL <u>YEAR</u>	DISABLE EXEMPT CALCULATION <u>SHOULD BE</u>	DISABLE EXEMPT CALCULATION <u>WAS</u>	AMOUNT <u>REDUCED</u>	TAX <u>RATE</u>	TAX <u>REFUND</u>
2011	2012/2013	\$ 61,845	\$ 20,615	\$ 41,230	\$7.692493	\$ 317.16
2012	2013/2014	\$ 52,290	\$ 17,430	\$ 34,860	\$8.549127	\$ 298.02
2013	2014/2015	\$ 49,335	\$ 16,445	\$ 32,890	\$8.630732	\$ 283.86
		<b>TOTAL TAX REFUND DUE:</b>				<b>\$ 899.05</b>
		G/L CODE		<b>001-0001-1001</b>		\$283.86
		G/L CODE		<b>001-1960-0480</b>		\$615.19



**RESOLUTION**

**APPOINTMENT OF MEMBER TO IDA - LDC**

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

RESOLVED, that TRUSTEE SAVERIO TERENCE, residing in Port Chester New York, be and hereby is appointed as a member of the Port Chester Industrial Development Agency (PCIDA) to fill the seat previously held by former Mayor Neil Pagano; and

BE IT FURTHER RESOLVED, that TRUSTEE SAVERIO TERENCE, residing in Port Chester New York, be and hereby is appointed as a member of the Port Chester Local Development Corporation (LDC) to fill the seat previously held by former Mayor Neil Pagano.

APPROVED AS TO FORM:

\_\_\_\_\_  
Anthony M. Cerreto, Village Attorney



**RESOLUTION  
REAPPOINTMENT OF MEMBER OF THE  
RECREATION COMMISSION**

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

RESOLVED, that FRANK ERRIGO, residing at 85 Birch Street, Port Chester, New York, be and he hereby is reappointed a member of the Port Chester COMMISSION ON RECREATION, effective immediately, and to expire July 9, 2018.

**ROLL CALL**

**AYES:**

**NOES:**

**ABSENT:**

**DATE:**

RESOLUTION  
REAPPOINTMENT OF MEMBER OF THE  
RECREATION COMMISSION

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

RESOLVED, that JANICE KUNICKI, residing at 99 Birch Street, Port Chester, New York, be and she hereby is reappointed a member of the Port Chester COMMISSION ON RECREATION, effective immediately, and to expire July 9, 2018.

**ROLL CALL**

**AYES:**

**NOES:**

**ABSENT:**

**DATE:**

RESOLUTION  
REAPPOINTMENT OF MEMBER OF THE  
RECREATION COMMISSION

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

RESOLVED, that KIM MORABITO, residing at 14 W. Glen Avenue, Port Chester, New York, be and she hereby is reappointed a member of the Port Chester COMMISSION ON RECREATION, effective immediately, and to expire July 9, 2018.

**ROLL CALL**

**AYES:**

**NOES:**

**ABSENT:**

**DATE:**



VILLAGE OF  
**PORT CHESTER**

222 Grace Church Street, Port Chester, New York 10573

**AGENDA MEMO**

**Senior Community Center**

**Village BOT Meeting Date:** 7/20/2015

**Item Type:** Resolution

Description	Yes	No	Description	Yes	No
Fiscal Impact	x		Public Hearing Required		x
Funding Source: Westchester County Grants Account :IIIC1,IIIC2, WIN, IIIB			BID #		
			<b>Strategic Plan Priority Area</b> Enhance Organization		
Agreement	x		<b>Manager Priorities</b>		
Strategic Plan Related		x	N/A		

**Sponsor's Name:** Carol Nielsen, Director of Senior Programs & Services

**Agenda Heading Title**  
*(Will appear as indicated below on Agenda)*

Resolution by the Board authorizing the Village Manager to sign the New York State Office for the Aging Certification stating the Village has provided 2% salary and related fringe benefits to direct care staff and direct support professionals, full or part time in 2014-2015.

**Summary**

**Background:**

The New York State Office for the Aging has funding available for Port Chester to provide up to 2% salary and related fringe benefit increases to direct care staff and direct support professionals, full time or part time. Salary increases that took effect on or after 1/1/2014, are eligible to use as a basis for claiming this reimbursement. It requires a board resolution attached to the certification form for PC to be considered. If this is not done it will decrease the funding received for 2015.

**Proposed Action**

That the Board of Trustees adopt the Resolution

**Attachments**

**Resolution and contracts**

RESOLUTION  
SENIOR NUTRITION PROGRAM

On motion of TRUSTEE \_\_\_\_\_, seconded by TRUSTEE \_\_\_\_\_, the following motion was adopted by the Board of Trustees of the Village of Port Chester, New York:

RESOLVED, that the Village Manager is authorized to sign the New York State Office for the Aging Certification Pursuant to Part I of Chapter 60 of the Laws of 2014. The funding provided to the above named organization pursuant to Part I of Chapter 60 for the period beginning January 1, 2015 will be or was used solely to provide salary increases and salary-related fringe benefit increases for direct care staff and direct support professionals.

APPROVED AS TO FORM:

\_\_\_\_\_  
Anthony M. Cerreto  
Village Attorney

**New York State Office for the Aging**  
**CERTIFICATION PURSUANT TO PART I OF CHAPTER 60 OF**  
**THE LAWS OF 2014**

Name of Organization: Village of Port Chester  
\_\_\_\_\_

Organization's Address: 222 Grace Church Street, Port Chester, New York 10573

Name of Responsible Official: Christopher D. Steers

Title of Responsible Official: Village Manager

Contact Phone Number/Email Address: 914-939-2200 csteers@portchesterny.com

The undersigned hereby certifies and attests to the following pursuant to Part I of Chapter 60 of the Laws of 2014 ("Part I of Chapter 60"):

- The undersigned is the above named official for the above named organization and duly authorized by the organization to provide this attestation and certification on its behalf.
- The funding provided to the above named organization pursuant to Part I of Chapter 60 for the period beginning January 1, 2015 will be or was used solely to provide salary increases and salary-related fringe benefit increases for direct care staff and direct support professionals as defined by the Director of the NYS Office for the Aging (Director) and in accordance with standards prescribed by the Director.
- The funding provided to the above named organization pursuant to Part I of Chapter 60 for the period beginning April 1, 2015 will be or was used solely to provide salary increases and salary-related fringe benefit increases for direct care staff, direct support professional and clinical staff as defined by the Commissioner and in accordance with standards prescribed by the Commissioner.
- Such funding will not be and was not used for any other purpose or expense.
- The County Legislature, Board of Supervisors, Board of Directors or otherwise named Governing Body of the above named organization have approved a resolution attesting that the funding received will be used solely to support salary and salary-related fringe benefit increases for the staff described above.

I understand that my signature represents that I am signing and responding to all certifications and attestations listed above.

Officer's Signature: \_\_\_\_\_  
*Signature of Official Named above*

Date: \_\_\_\_\_



VILLAGE OF  
**PORT CHESTER**

222 Grace Church Street, Port Chester, New York 10573

**AGENDA MEMO**

**Department:** Village Engineer

**BOT Meeting Date:** 7/7/2015

**Item Type:** Resolution

**Sponsor's Name:** Dolph Rotfeld, Village Engineer

Description	Yes	No	Description	Yes	No
Fiscal Impact	<input type="checkbox"/>	<input type="checkbox"/>	Public Hearing Required	<input type="checkbox"/>	<input type="checkbox"/>
Funding Source:			BID # 15-06		
Account #:			<b>Strategic Plan Priority Area</b>		
	<b>Yes</b>	<b>No</b>	Choose a Strategic Plan Area		
Agreement	<input type="checkbox"/>	<input type="checkbox"/>	<b>Manager Priorities</b>		
Strategic Plan Related	<input type="checkbox"/>	<input type="checkbox"/>	Choose a Manager Priority		

**Agenda Heading Title**  
*(Will appear on the Agenda as indicated below)*

Awarding BID 2015-06 – Mortimer Street Drainage Improvements

**Summary**

**Background:**

This contract will be used remove two storm drain catch basins currently connected from the Village sanitary sewer system.

**Proposed Action**

That the Board of Trustees adopt the Resolution

<b>Attachments</b>
Analysis Sheet Award Recommendation

AWARDING BID FOR MORTIMER STREET DRAINAGE/SEWER  
IMPROVEMENTS

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

WHEREAS, the Village of Port Chester has advertised for bids for the Mortimer Street Drainage/Sewer Improvements Project (Bid No. 2015-06); and

WHEREAS, the Village received seven bids for this work; and

WHEREAS, the Village's consulting engineer, Dolph Rotfeld Engineering, P.C., recommends that the Board accept the low bid of Legacy Supply LLC, Valhalla, New York in the amount of \$127,425.00 which meets all the specifications as set forth in the bid documents. Now, therefore, be it

RESOLVED, that the Board of Trustees hereby awards the bid for the Mortimer Street Drainage/Sewer Improvements Project to Legacy Supply LLC, 14 Railroad Avenue, Valhalla, New York 10595; and be it

FURTHER RESOLVED, that the Village Manager is hereby authorized to enter into an agreement with the contractor, and be it

FURTHER RESOLVED, that the Board of Trustees authorizes the Village Treasurer to make payment from the Sewer Improvement project 5.8120.400.2013.135 in the Capital Fund.

Approved as to Form:

\_\_\_\_\_  
Anthony M. Cerreto, Village Attorney



# **Dolph Rotfeld Engineering, P.C.**

CONSULTANTS & DESIGNERS

200 White Plains Road, Tarrytown, NY 10591 • (914) 631-8600

July 8, 2015

Mr. Christopher Steers  
Village Manager  
222 Grace Church Street  
Port Chester, N.Y. 10573

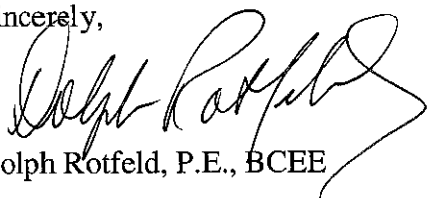
RE: Mortimer Street Drainage Improvements  
Bid No. 15-06  
Port Chester, New York

Dear Mr. Steers:

On June 30, 2015, seven bids were received for the above referenced project. The bidder with the apparent lowest bid was Legacy Supply LLC of Valhalla NY with a bid price of \$127,425.00.

This office has worked with Legacy Supply LLC on previous projects of similar scope and has found that their work is satisfactory. This office hereby recommends immediate award of the above referenced contract to Legacy Supply LLC. so that the work can commence as soon as possible.

Sincerely,



Dolph Rotfeld, P.E., BCEE

C: A. Cerreto, Village Attorney  
J. Richards, Village Clerk  
L. Douglas, Village Treasurer  
R. Morabito, Village DPW General Foreman  
C. Summa, Village DPW Assistant General Foreman

VILLAGE OF PORT CHESTER

BID RESULT SHEET

# BID #2015-06

<b>BID FOR:</b>	MORTIMER STREET DRAINAGE IMPROVEMENTS		
<b>BID OPENING DATE:</b>	June 30, 2015	<b>TIME:</b>	10:00 a.m.
<b>BID PUBLICATION DATE:</b>	June 12, 2015		
<b>SPECIFICATIONS AVAILABLE:</b>	June 15, 2015 10:00 a.m.		

Please Print Name and Address

<b>BIDDER:</b>	Legacy Supply LLC (Lisa Lyons-Cassidy)				
<b>ADDRESS:</b>	14 Railroad Avenue				
<b>ADDRESS:</b>					
<b>CITY:</b>	Valhalla	<b>STATE:</b>	NY	<b>ZIP CODE:</b>	10595
<b>E-MAIL:</b>	<a href="mailto:lisa@legacysupplyllc.com">lisa@legacysupplyllc.com</a>				
<b>PHONE #:</b>	914-262-2048	<b>FAX #:</b>	914-946-2355		
<b>AMOUNT:</b>	\$127,425.00				

Please Print Name and Address

<b>BIDDER:</b>	JoKen Development Corp				
<b>ADDRESS:</b>	9 Belway Place				
<b>ADDRESS:</b>					
<b>CITY:</b>	White Plains	<b>STATE:</b>	NY	<b>ZIP CODE:</b>	10601
<b>E-MAIL:</b>	<a href="mailto:Kenny@JoKenDev.com">Kenny@JoKenDev.com</a>				
<b>PHONE #:</b>	914-946-2469	<b>FAX #:</b>	914-946-8288		
<b>AMOUNT:</b>	\$141,660.00				

Please Print Name and Address

<b>BIDDER:</b>	Con-Tech Construction Technology				
<b>ADDRESS:</b>	28 Lakeview Drive				
<b>ADDRESS:</b>					
<b>CITY:</b>	Yorktown Hts	<b>STATE:</b>	NY	<b>ZIP CODE:</b>	10598
<b>E-MAIL:</b>	<a href="mailto:Contech03@gmail.com">Contech03@gmail.com</a>				
<b>PHONE #:</b>	914-455-3100	<b>FAX #:</b>	None		
<b>AMOUNT:</b>	\$154,990.00				

**VILLAGE OF PORT CHESTER**

**BID RESULT SHEET**

Please Print Name and Address	
BIDDER: <i>Coppola Paving &amp; Landscaping Corp</i>	
ADDRESS: <i>3830 Boston Road</i>	
ADDRESS:	
CITY: <i>Bronx</i>	STATE: <i>NY</i> ZIP CODE: <i>10475</i>
E-MAIL: <a href="mailto:Michael@coppolacorp.com">Michael@coppolacorp.com</a>	
PHONE #: <i>718-325-8815</i>	FAX #: <i>718-325-9305</i>
AMOUNT:	<i>\$ 228,000.00</i>

Please Print Name and Address	
BIDDER: <i>ELQ Industries</i>	
ADDRESS: <i>567 Fifth Avenue</i>	
ADDRESS:	
CITY: <i>New Rochelle</i>	STATE: <i>NY</i> 10801
E-MAIL: <a href="mailto:amgrdlitchian@elqindustries.com">amgrdlitchian@elqindustries.com</a>	
PHONE #: <i>914-654-1060 x 114</i>	FAX #: <i>914-6541307</i>
AMOUNT:	<i>\$ 147,000.00</i>

Please Print Name and Address	
BIDDER: <i>Paladino Concrete Creations</i>	
ADDRESS: <i>315 N. MacQuesten Pkwy</i>	
ADDRESS:	
CITY: <i>Mount Vernon</i>	STATE: <i>NY</i> ZIP CODE: <i>1055-</i>
E-MAIL: <a href="mailto:jose@aconcretecreations.com">jose@aconcretecreations.com</a>	
PHONE #: <i>914-699-0907</i>	FAX #: <i>914-699-0470</i>
AMOUNT:	<i>\$ 132,999.00</i>



VILLAGE OF PORT CHESTER

BID RESULT SHEET

Please Print Name and Address	
BIDDER: TWI Constructiion Corp	
ADDRESS: 2800 Bruckner Blvd, Suite 301	
ADDRESS:	
CITY: Bronx	STATE: NY ZIP CODE: 10465
E-MAIL: Mcioffi@twiconstruction.net	
PHONE #: 718-931-5900 x101	FAX #: 718-931-5901
AMOUNT:	\$ 217,875.00

Please Print Name and Address	
BIDDER:	
ADDRESS:	
ADDRESS:	
CITY:	STATE: ZIP CODE:
E-MAIL:	
PHONE #:	FAX #:
AMOUNT:	

The following were present at the opening of the bids (☑):

Village Clerk:	<input checked="" type="checkbox"/>	Janusz Richards
Deputy Village Clerk:	<input type="checkbox"/>	Vita Sileo
Village Attorney	<input type="checkbox"/>	Anthony (Tony) Cerreto
Department Head:	<input type="checkbox"/>	
Village Engineer:	<input type="checkbox"/>	Dolph Rotfeld
Project Engineer:	<input type="checkbox"/>	Dan Peluso
Other:	<input type="checkbox"/>	<i>Senia Green</i>
Other:	<input type="checkbox"/>	<i>Don Muser</i>
Other:	<input type="checkbox"/>	<i>JOSE PAVONE</i>

*Paul Aft.*  
*Michael*



VILLAGE OF  
**PORT CHESTER**

222 Grace Church Street, Port Chester, New York 10573

**AGENDA MEMO**

**Department:** Office of the Village Manager

**BOT Meeting Date:** 7/20/2015

**Item Type:** Resolution

**Sponsor's Name:** Christopher D. Steers, Village Manager

	Yes	No	Description	Yes	No
Fiscal Impact	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Public Hearing Required	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Funding Source:			BID #		
Account #:			<b>Strategic Plan Priority Area</b>		
	Yes	No	N/A		
Agreement	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<b>Manager Priorities</b>		
Strategic Plan Related	<input type="checkbox"/>	<input checked="" type="checkbox"/>	N/A		

**Agenda Heading Title**  
*(Will appear on the Agenda as indicated below)*

AWARDING BID FOR FENCING FOR DOG RUN IN ABENDROTH PARK

**Summary**

**Background:**

Pursuant to the Board's resolution adopted on June 1, 2015, the Village Manager was directed to, among other items, to go out to bid for fencing for the proposed dog run in Abendroth Park with the expectation that the proposed dog run be opened as soon as possible.

The Village Manager has let this matter out for bids. With the release of an addendum to the bid package, the date for the opening of bids has been extended to July 27, 2015.

Given the Board's desire to begin work for the fencing as soon as possible, the Manager proposes that the Board authorize him to award the bid to the lowest responsible bidder.

For its information, the Board would be provided a copy of all supports prior to such determination.

<b>Proposed Action</b>
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That the Board of Trustees adopt the Resolution

<b>Attachments</b>
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AWARDING BID FOR FENCING FOR DOG RUN IN ABENDROTH PARK

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

WHEREAS, the Board has previously acknowledged a \$25,000 gift from the Port Chester Dog Park Group and an additional \$25,0000 gift from the Port Chester Dog Park Group and PetSafe subject to the terms of the PetSafe contest rules to defray the cost of the dog run; and

WHEREAS, Dog Park Capital Project 5.7110.400.2015.159 has been established for this project; and

WHEREAS, the Village of Port Chester has advertised for bids for fencing for the proposed dog run in Abendroth Park (Bid No. 2015-09); and

WHEREAS, with the release of an addendum to the bid package, the Village has commensurately extended the date for the opening of bids to July 27, 2015 and

WHEREAS, the Board desires that this matter be expedited so that construction can begin without delay. Now, therefore, be it

RESOLVED, that the Village Manager is hereby authorized to consider and make an award to the lowest responsible bidder with regard to the fencing for the dog run at Abendroth Park within the budgeted allocation for this project.

Approved as to Form:

\_\_\_\_\_  
Anthony M. Cerreto, Village Attorney

# DISCUSSION



*Village of Pelham, NY  
Thursday, July 16, 2015*

## Chapter 44. FILMING OF MOVIES

### § 44-4. Restrictions and regulations.

- A. Filming, recording, videotaping, etc., for which a permit is required under § 44-1 above shall in no event be conducted at the same location (i.e., in the same building or at the same street address) more than any portion of three (3) calendar days within any twelve-month period without additional approval from the village.
- B. Unless the Village Board provides otherwise by resolution or when the necessities of time do not permit review by the Village Board at one of its regularly scheduled meetings, unless approved by the Mayor or Village Administrator, no applicant shall permit any filming, recording, videotaping, etc., for which a permit has been issued to be conducted prior to 8:00 a.m. or after 7:00 p.m. or to disrupt any village services.
- C. Except as provided in § 44-4B above, no applicant shall permit equipment used in connection with such filming (including but not limited to lights and generators, etc.) to be operated at the filming location prior to 8:00 a.m. or after 7:00 p.m. No applicant shall permit equipment to be used in connection with the filming, videotaping, etc., to be set up outdoors at the filming location prior to 8:00 a.m., and all such equipment shall be removed from outdoors by 7:00 p.m.
- D. The applicant must reimburse the village for any additional expense incurred by the village and any loss of revenues such as parking meter income, street barrier expense and law enforcement expense.

REPORT  
OF  
THE VILLAGE MANAGER




# Village of Port Chester

## Office of the Village Manager

### MEMORANDUM

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TO: Mayor and the Board of Trustees



FROM: Christopher D. Steers, Village Manager

DATE: July 20<sup>th</sup>, 2015

RE: Updates

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#### **INITIATIVES/PRIORITIES:**

❖ **Strategic Planning: Strategic Actions** (Opportunity Areas #1 Downtown TOD, #2 Downtown: Municipal Center, #3 Waterfront Redevelopment/Revitalization, #4 Fox Island, #5 United Hospital Site Redevelopment). We continue to move forward with various strategic planning initiatives (see Planning and development activities report).

#### **1) Opportunity Area #1:**

- **C1 Neighborhood Retail Zoning Analysis:** medical, dental office use Preliminary analysis regarding a potential zoning text change to permit medical in the C1 Neighborhood Retail District either as-of-right or by special exception permit subject to existing special exception criteria as defined in §345-61U.

Presentation to BOT completed March 2015. Planning Commission supports concept. Public hearing and option for adopting prepared local law July 20, 2015.

- **Retail D (Background & Status):** Applicant, G&S Port Chester LLC, has submitted a formal zoning petition pursuant to §345-34 to the Board of Trustees regarding former "Coney's lot" (aka "Retail D"/"Unit 2B"), Section 142.031, Block 1 Lots 3,4,5,6,20,21,22,23 and 24 of the Town of Rye Official Tax Map and interstitial Liberty Street Right-of-Way, for amendments to the Urban Renewal Plan for the Modified Marina Redevelopment Project, regulations to the MUR Marina Redevelopment Project Renewal District, and Concept Development Plan of the Modified Marina Redevelopment to permit multi-family development.

Specifically, the applicant seeks a zoning amendment in order to construct a 5-story, 90,000 square foot mixed use building (“Waterfront Place”) consisting of four floors of 79 rental dwelling units (7 studios, 56 one- bedroom, and 16 two-bedroom) over 12,00 square feet of ground floor retail. The subject parcels were approved for three (3) stories and approximately 40,000 square feet of retail development as part of the overall project approval in 1999.

The petition proposes the following dimensional and bulk requirements for a newly mapped “MUR Mixed-Use District):

- Maximum Height: 5 stories or 70 feet
- Minimum Lot Area per Dwelling Unit: 250 Square Feet
- Minimum Lot Depth/Width: None
- Front/Side/Rear Setback: None
- Usable Open Space per Unit: None

Further, applicant is requesting an amendment to both the MMRP Urban Renewal Plan and MUR District regulations to add a multifamily dwelling parking regulation to the required parking table.

**Note** that the Board of Trustees retains discretionary approval authority over all requested amendments as well as site plan approval for the project by virtue of its location within the MUR Marina Urban Redevelopment District.

**Planning Commission Comments**, May 28 2015: (all comments paraphrased from PC meeting).

- Parking: will residential units need tags in the specified and already pre-determined parking spaces? What impact will this have in overall downtown parking scheme.
- Traffic: Site’s location should require an analysis for access/circulation/level of service, etc. Carried out through site plan approval by BOT.
- Density/Bulk Requirements: Applicant’s zoning seems to ‘pick’ the best of the amended C2 and new C5/C5T Districts’ dimensional regulations.
  - FAR: possibly too dense, as applicant seeks 3.2 as-of-right with possibility to 4.0. highest density reserved for C5 district as discussed during comprehensive plan/rezoning
  - LAPDU: C2 lot area per dwelling unit (LAPDU) is 750sqft bonusable to 575sqft and C5 District is 575 sqft as-of-right with bonus down to 250 sqft. Applicant requests 250 as-of-right, another ‘picked’
  - Yard Dimensions: setbacks
    - Setback - building to lot lines doesn’t always leave a desirable landscape. Planning Commission expressed concern with The Mariner’s footprint.
    - Height - no real issue; seems to be in concert with surrounding districts.

- Overall, density proposed in Retail D “picks” the best of other districts and may not be synonymous to proposal site’s geography in relation to other adjacent zoning districts.
  - Dolph Comment: FEMA flood zone regulations amended since 1999, possibly requiring new analysis to encompass rising water levels. Further, reconstruction of Bulkley Drain.
  - Overall, commission in support of a true, mixed use landscape at Retail D but reasons enumerated below requested passed onto BOT
- 2) **Opportunity Area #2:** As you are aware NDC has been engaged by the BOT to study the feasibility of developing a municipal center.

**Municipal Center Subcommittee**

As you are aware the BOT established a municipal center subcommittee to reevaluate current direction. NDC was asked to develop a proposal to do same and submit it to the BOT for consideration looking at the feasibility of 350 N. Main Street as an alternate site. The BOT has authorized the additional analysis.

**Scope of Work:**

At the direction of the Village Board the NDC P3 team will explore the following two police and court facility building options.

- a. The rehabilitation of the current police and court building with new construction additions, and
- b. The construction of a new purpose built police and court building on the adjacent parcel located northeast of the existing facility.

The NDC team proposes to assist the Village in determining the scope and cost of a new police and court facility. This work will be conducted in phases leading up to an indicative Guaranteed Maximum Price for the rehabilitation/construction of the building at the conclusion of Phase III. Each phase will be funded separately and the NDC Team will not proceed to the next phase without authorization from the Village Board.

Phase I

Order of magnitude pricing of the two alternatives outlined above. This pricing would not include either the cost of acquisition and demolition, or the cost of temporary police and court space. Therefore, it would be a true comparison of rehabilitation/new construction cost to just new construction cost.

This work would be completed within three weeks of being authorized to proceed. The NDC team would also attend whatever meetings are required to discuss our findings and present to the general public.

Included in the Scope:

- Program verification and update
- New site- blocking study of new building on adjacent site for a fully program compliant operation (Option b)
- Existing Site (Option a)
  - Recommendations for potential areas of building expansion
  - Recommendations for replacement of existing one-story elements with multi-floor additions to expand the building area
  - Recommendations for potential program functions to move to alternate locations
  - Recommendations for use/reuse of the existing building to expand police operations in a global view (not detailed space planning)

This cost of rehabilitation estimate will not include a detailed building investigation to determine the extent of repairs required to maintain/repair operations (order of magnitude estimates will be prepared based upon observed building conditions with industry appropriate allowances included). We will also not be preparing as-built or background drawings for the existing building. We will prepare a block plan indicating square feet and general uses (room by room comparison of existing program to proposed program will not be undertaken). No investigation of building conditions to determine the existence of hazardous materials will be undertaken at this stage of pricing. Because of the age of the building, we will assume the presence of asbestos, lead and PCBs unless the Village has documentation of previous remediation. Coordinate submission of a schematic design to the New York State Office of Courts Administration will be undertaken as part of Phase II. Staff (Police department, Courts, Manager's office) met with STV and began the re-vetting of the preliminary programming analysis for a Police and Court Structure. Each program item (area square footages) was reviewed and the building was toured. It is anticipated that there will be similar follow up meetings with the Justice Court personnel and Town Court including our presiding Judges.

- 3) Opportunity Area #3:** Bulkhead: Boswell Engineering has been selected as the design consultant for the bulkhead replacement design. On Tuesday July 14<sup>th</sup> staff met with Boswell to negotiate final fees and contract terms. The negotiated fee to include the entire Vinyl area now including the cove is \$305,000.00 (negotiated down from \$390,000.00). Staff is working with Boswell to draft a final contract that will be reviewed by the Department of State. Thereafter the agreement will be brought back to the BOT for approval. Concurrently staff will submit a resolution authorizing a budget modification for the capital project line to include the grant funds an addition to the Village's portion of the match.

- 4) **Opportunity Area #5:** Redevelopment of the former United Hospital Site (Starwood). The Mixed-use redevelopment proposal for the former United Hospital site located within the Village's PMU Planned Mixed Use District to permit: 500 "Millennial" housing units, 240 age-restricted housing units, an approx. 138-key limited service hotel, 100,000-200,000 square feet of medical office, approx. 90,000 square feet of retail, ample public and green space, and improved access to Abendroth Park.

The Preliminary DEIS as previously submitted with updated comments is on this agenda to determine completeness.

**SEQRA PROCESS:**

- Thus far, applicant has submitted 6 revised DEIS documents for review to village consultants and staff in order to determine completeness per the adopted scope the BOT adopted Aug 14, 2014.
- Consultants have provided extensive and response completeness memos to applicant throughout above process per SEQRA law (section 617.9-a-2-i). The Lead Agency (BOT) must determine whether to accept the resubmitted DEIS within 30 days of receipt (meaning 30 days from July 14).

*NEXT STEPS:*

- The next step is for village BOT to deem DEIS complete per adopted scope. Adopting the DEIS as complete begins the public review and does not binds the BOT to any course of action.
- Public review, per Chertok memo, engages the extensive public interest shown for the project. Public review, per his suggestion, will be via the public hearing set *after* completeness is determined and will publically discuss the DEIS and the stated environmental impacts *plus* the applicant's petitioned action. The petitioned action includes the Overlay District and the alternative amendments for the PMU, e.g. Public hearings combining a DEIS and petitioned zoning is standard under SEQRA, and is specifically provide by the NYSDEC regulations effectuating SEQRA (Section 617.9(a)(4)(ii)).
- Just as accepting the document as complete commences public review, similarly, holding the hearing on the proposed zoning amendments does not commit the BOT to approve the applicant's zoning. BOT retains full discretion to approve, disapprove or approve with modifications the proposed development (including zoning).
- Once we get to public comment stage, Mark has suggested that the Village consulting team and applicant begin discussions related to structure of PILOT and density program. This is where rubber meets the road.

**NEXT-NEXT STEPS: LARGE LAND USE DECISIONS:** Both Mark & AKRF has suggested/recommended that the Village discuss the PILOT and proposed density bonus program financial feasibility *after* DEIS accepted and public hearing and comment period are closed. This avoids implication that BOT is negotiating with applicant before public input window runs out. As Mark has said, this concept seemed acceptable to part of Applicant's team. These two issues are not completeness issues as stated by both SPR Law & AKRF.

**ACTIONS:**

- **Consolidated Funding Application Summary:** BOT provided support to further economic development opportunities described by the Regional Economic Development Council through 2015 CFA funding portal. As such the Village is currently applying for CFA funding totaling approximately \$5 million dollars.
  - The IDA is providing additional support for the CFA application towards comprehensive, multi-modal transportation plan as related to reducing impediments to downtown economic development opportunities in furtherance of adopted village Economic Development strategies.
  - The Empire State Development (ESD) agency is highly enthused by our application and efforts to market/brand Port Chester's 150<sup>th</sup> anniversary and our overall objectives. Specifically due to effort to integrate each of our applications including transportation & bulkhead design - through the Market NY program. ESD stated that the Village can make a stronger application through Market NY versus an application to the Homes & Community Renewal (HCR) program, i.e. Main St. Program.
  - Further, we were informed by Homes and Community Renewal (HCR) Main St Program Director, The Village did not fully close out the previously awarded grant. This currently renders us ineligible for 2015 CFA funding. Staff is working with the State for the proper close out and has been told that the state is providing support for a future application next year.
- **MTA:** Staff continues to discuss a possible settlement to the property maintenance violations issued to the MTA. The context is in the realm of better routine maintenance and possible beautification utilizing existing and potential funds in a collaborative manner between the Village and the MTA.
- **Grant Writing RFP:** The RFP was re issued with a response date of Friday July 17<sup>th</sup>, 2015. Responses to be analyzed and ranked this week.



## **DEPARTMENT UPDATES:**

### **➤ Justice Court**

- Assist the Judge on the Bench during court sessions on Mondays, Thursdays and Fridays
- Processed Criminal Disposition Reports (CDRs) after court
- Completed court paperwork after court sessions
- Update excel spreadsheets with Bail disbursements from court
- Electronically transmitted 462 Criminal Dispositions Reports (CDRs) to New York State Division of Criminal Justices Services since May 12, 2015
- Reconciled Judge Troy Justice Account. Ending Bank Balance as of 05/31/15 - \$90,068.58. Ending Bank Balance as of 06/30/15 - \$51,049.53
- Prepared May 2015 Monthly Report to the N.Y. State Comptroller's Office- Justice Court Fund for Judge Troy - \$91,667.55 to be reviewed and electronically submitted by Judge Troy
- Prepared June 2015 Monthly Report to the N.Y. State Comptroller's Office- Justice Court Fund for Judge Troy - \$52,190.50 to be reviewed and electronically submitted by Judge Troy
- Reconciled Judge Castaneda Account. Ending Bank Balance as of 6/30/15 - 45,628.50
- Prepared June 2015 Monthly Report to the N.Y. State Comptroller's Office- Justice Court Fund for Judge Castaneda - \$45,395.05 to be reviewed and electronically submitted by Judge Castaneda
- Reconciled Judge Sisca Justice Account. Ending Bank Balance as of 05/31/15-\$129,208.66. Ending Bank Balance as of 6/30/15 - \$106,053.56
- Prepared May 2015 Monthly Report to the N.Y. State Comptroller's Office- Justice Court Fund for Judge Sisca - \$128,339.10 to be reviewed and electronically submitted by Judge Sisca
- Prepared June 2015 Monthly Report to the N.Y. State Comptroller's Office- Justice Court Fund for Judge Sisca - \$248,581.75 to be reviewed and electronically submitted by Judge Sisca
- Reconciled Tow Account. Ending Bank Balance as of 05/31/15 - \$340.00. Ending Bank Balance as of 6/30/15 - \$150.00
- Prepared vouchers and Payroll to be sent to the Finance Department
- Staff Meeting held on June 17, 2015

### **➤ Police Department:**

- **Training:**
  - On June 10th, Detective Walter Alcivar and Police Officers Mike Sprague and Arthur Dusenbury successfully completed a 3-day course of study in advanced tactical entry held at the New York City Police Departments Rodman's Neck training facility. This instructional block covers high risk entries utilizing minimal armament combined with advanced body armor and is designed for densely populated urban environments and is at the core of our Emergency Service Unit curriculum.

- On July 12th, Lieutenant Mark Braccio and Police Officer Sal Baldo successfully completed certification as patrol rifle instructors. This 40 hour course of study held at the Westchester County Police academy prepared Lt. Braccio and POO Baldo to begin instructing selected members of the Department to be patrol rifle operators.
- On June 5th, Police Officer Chris Bivona completed High Intensity Drug Trafficking Area, (HIDTA) training. This 40 hour course of study was held at the New York City Police Departments Rodman's Neck facility in the Bronx. Police Officer Bivona received both classroom and hands on training in area such as; search warrants, surveillance, undercover operations and tactical street encounters.

▪ **Case Highlights:**

Just before midnight on Friday, June 5 Detective Tony Rivera, was off-duty and on his way to the station house for a late night tour. On Pearl Street between Irving and King he observed two individuals acting suspiciously. Knowing that the Village has been plagued for months by parking meter thefts, Detective Rivera continued to observe the subjects and subsequently observed them break into and steal coins from a parking meter. As the perpetrators tried to escape in their vehicle, Detective Rivera called for backup, then blocked them in and effected an arrest with the aid of responding officers. The suspects, both of whom had extensive criminal records were booked on numerous larceny related charges. This brought to a close a pattern of meter break-ins that took place over the past year depriving the Village of tens of thousands of dollars in parking revenue.

▪ **Public Affairs:**

The objective of our public affairs initiative is to keep abreast of the public safety concerns of our residents, and to keep them in turn informed on law enforcement issues. The Department has taken part in several public events during the month of June. Among them:

1. Port Chester Fest-Lyons Park
2. KTI Summer School Public Safety Day
3. One World United/Carver Center-Youth Leadership Project
4. Port Chester NAACP-Columbus SC Memorial Ceremony, Lyons Park

▪ **Detective Bureau:**

- For the month of June the Bureau closed out 15 cases, five of them by arrest. There have been 300 new cases assigned. Detectives have conducted 30 arrests, among them the following:
  1. 9-felony arrests
  2. 13-misdemeanor arrests
  3. 15-warrant arrests
  
- Evidence: 34 prior cases were reviewed in conjunction with the Westchester County District Attorneys Office resulting in property being returned to owners or evidence slated for disposal.

<b>Statistics</b>								
<b>FBI Part 1 Crimes</b>	<b>Jan. 1/14</b>	<b>Feb. 2/14</b>	<b>Mar. 3/14</b>	<b>Apr 4/14</b>	<b>May 5/14</b>	<b>June</b>		
<b>Assault</b>	4	4	4	5	5	8	7	
	2	3	6	7				
<b>Burglary</b>	4	1	4	2	1	5	1	
	1	4	2	1				
<b>Larceny</b>	28	31	31	40	41	39	41	
	34	26	37	43				
<b>Murder</b>	0	0	0	0	0	0	0	
	0	0	0	0				
<b>Motor Veh. Theft</b>	0	0	0	1	2	0	0	
	1	1	0	1				
<b>Rape</b>	0	0	0	1	0	0	0	
	1	0	0	0				
<b>Robbery</b>	1	2	1	1	1	5	3	
	4	0	2	1				

<b>Arrests/Tickets</b>	<b>January</b>	<b>February</b>	<b>March</b>	<b>April</b>	<b>May</b>	<b>June</b>
<b>Parking Tickets</b>	5312	3661	4240	4393	4093	3575 <sup>1</sup>
<b>Traffic Tickets</b>	559	433	555	643	582	425 <sup>2</sup>
<b>Arrests</b>	161	130	157	140	172	133 <sup>3</sup>
<b>Common Calls for Service</b>	<b>January</b>	<b>February</b>	<b>March</b>	<b>April</b>	<b>May</b>	<b>June</b>
<b>Aided, Medical</b>	192	150	154	144	157	142
<b>Accidents</b>	108	108	116	102	115	122
<b>Alarms</b>	106	96	80	86	83	86
<b>Directed Patrols</b>	166	116	101	109	87	51
<b>Domestic</b>	12	30	22	24	21	10
<b>School Crossings</b>	45	32	17	19	25	55
<b>Total Calls for Service</b>	1637	1401	1556	1525	1611	1551

<sup>1</sup> Average monthly total for 2014=4627

<sup>2</sup> Average monthly total for 201 =390

<sup>3</sup> Average monthly total for 2014= 112

- **Senior Center / Nutrition:** 5,053 Meals served to date: (JUNE, 2015-May, 2016 ); 39 Home Bound Seniors received their meals at home, per day Monday-Friday; 60 seniors attend the Saturday Program.

- **Senior Center Calendar:**

June 1st—Music with Lou Del Bianco—1 p.m.

June 2nd—Hot Dog BBQ at Abendroth Park 10 a.m.

June 6th—Day trip to Sands Casino, Bethlehem, Pa.

June 13th—Father’s Day Brunch 10 a.m. George Lattimer & Steve Otis, coffee hour

June 17th—Westchester Broadway Dinner Theater—Westside Story

June 30th—Trip to Cross County Shopping center in Yonkers—Lunch at Olive Garden or Longhorn Steak House

Every Monday—Zumba 1 p.m. Every other Tuesday Tai Chi—10:30 a.m. Art Class every Friday morning at 10-12, Bingo Wed and Thurs afternoons. Mah Jong played every Friday afternoon at 1 p.m.

May, June & July---100 Grocery Bags with fresh produce have been given out on the second Thursday of each month to PC seniors. Bags are prepared by the Food Bank of Westchester.

- **Community Center Calendar:**

PORT CHESTER RECREATION SPECIAL CITIZEN’S DAY CAMP STARTS AT THE SENIOR CENTER JUNE 29-July 29th

June 2—9-4 p.m. Police training

June 2—7-9 pm Dave Thomas PCHS project

June 3— 9-3 p.m. Nick Mecca—Voter Training

June 4—8:30-4 p.m. Police training

June 6—8-6 p.m. Day trip to Sands Casino, Pa.

June 10---7-9 p.m Beautification Comm, Park Comm, Recreation Commission, Park Committee.

- **Treasurer’s Office:**

- The Finance Department is in the process of closing out its books in preparation for the Village’s Preliminary audit which is scheduled for the week of July 20, 2015. The Village’s annual audit is scheduled for August 24, 2015 through September 4, 2015.

- The Village Treasurer and Village Manager met with our Financial Advisor, of Capital Market to seek out a more profitable and meaningful way of investing Village funds. We also met with our major banks regarding compensating balances (an excess balance that is left in a bank to provide services such as bank transaction charges) and are utilizing all available means necessary to reducing said cost. The Village will invest approximately \$1,500,000 in Certificate of Deposits and or Tax/Revenue Anticipation Notes in the month of July.
  - The Sewer Rent IMA between Rye Brook and the Village has been executed and the Finance Department is in the process of preparing vouchers for the return of Sewer Rent paid by Rye Brook residents for FY 2014-15.
  - FY 2015-16 capital projects budgets are being created and established in our accounting system as adopted and modified by our Board of Trustees.
  - We will be submitting the New Payroll/Time Clock System contracts to the Board for approval in August. The Finance and Human Resource Departments are currently working with the various departments within the Village to create procedure manuals for our new payroll and time clock system.
- 
- **Building / Code Enforcement Department:** See Building Inspector/ Code Enforcement Director's report attached.
  - **Public Works:** see DPW report attached.
  - **Planning and Development:** See Planning and Development Director's reports attached.

#### Attachments

CC: Senior / Executive Staff  
Maryanne Veltri, Office Assistant  
File



**VILLAGE OF PORT CHESTER**  
**DEPARTMENT OF PLANNING & DEVELOPMENT**

222 Grace Church Street, Rm. 202  
 Port Chester, NY 10573  
 (P) 914.937.6780  
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Jesica Youngblood, Assistant Director of  
 Planning and Development  
 Constance Phillips, Planning Commission  
 Secretary

**ACTIVE PLANNING AND DEVELOPMENT INITIATIVES**

**PLANNING**

INITIATIVE	SUMMARY	STATUS
Redevelopment of the former United Hospital Site (Starwood)	Mixed-use redevelopment proposal for the former United Hospital site located within the Village’s PMU Planned Mixed Use District to permit: 500 “Millennial” housing units, 240 age-restricted housing units, an approx. 138-key limited service hotel, 100,000-200,000 square feet of medical office, approx. 90,000 square feet of retail, ample public and green space, and improved access to Abendroth Park.	Preliminary DEIS provided by Applicant December 30, 2014. Applicant submitted revised DEIS documentation May, June and July 2015 for consultant and staff review for completeness per SEQRA law. Anticipated BOT action to accept Applicant’s DEIS as complete July/August 2015.
School Children Generation Mitigation Formula (Funded, initiated by the Village IDA)	Development of mitigation formula applicable to multi-family residential development seeking to provide monetary contribution to any additional impact to the school district as a result of the project.	Presentation to BOT, December 2014. Consultant revised final document to include additional multi-family development examples.
Planning Workshops	Workshop meetings with the Planning Commission to discuss various topics regarding the implementation of Comprehensive Plan recommendations and zoning amendments for BOT review.	Ongoing.
Project Proposal Forms	Intake and processing of proposals which may require review by the Planning Commission, Zoning Board, and Waterfront Commission.	Ongoing. Allow for tracking market trends relative to existing zoning provisions.

**ZONING AMENDMENTS**

<b>INITIATIVE</b>	<b>SUMMARY</b>	<b>STATUS</b>
C1 Neighborhood Retail Zoning Analysis: medical, dental office use	Analysis of a potential zoning text change to permit medical in the C1 Neighborhood Retail District by special exception permit subject to existing special exception criteria as defined in §345-61U.	Presentation to BOT completed March 2015. Planning Commission supports concept. Public hearing and option for adopting prepared local law July 20, 2015.
Lot Line Adjustment	Land subdivision law amendment to allow for administrative approval of minor lot line adjustments or apportionments that will not create additional buildable lots or alter zoning districts.	Local law adopted July 6, 2015.
Minor Change of Use	Amendment to streamline approval process for minor change of use in C2, C5, and C5T Districts. Would enable administrative approval of change of occupancy to another approved use of equal or lesser impact rather than full site plan approval by Planning Commission. Targeted to facilitate the re-occupancy of vacant second and third story office spaces downtown.	Presentation to BOT anticipated May 2015. Planning Commission supports concept. Staff has prepared draft local law for BOT review and adoption.

**ADMINISTRATION**

<b>INITIATIVE</b>	<b>SUMMARY</b>	<b>STATUS</b>
Records Management	Maintains and records all planning, zoning files including escrow accounting for active applications	Ongoing
Board/Commission Management	Staff, professional development; professional certification	Ongoing
IDA Management	Records and maintains all IDA files; liaise between Village and IDA.	Ongoing
Web Management	Maintains Planning, Zoning IDA, LDC webpages.	Ongoing



**GRANTS**

<b>INITIATIVE</b>	<b>SUMMARY</b>	<b>STATUS</b>
New York State Regional Economic Development Council Grant Funding	Application, management and oversight of awarded 2013 Department of State Local Waterfront Revitalization Program grant for the repair of the collapsed bulkhead with new public activity platform: implementation of for final design and construction documentations plus all applicable permits for the collapsed bulkhead. Application, management and oversight of other applicable local, state and federal grant opportunities.	<p>DOS-LWRP FY2013-2014: awarded \$225,420 for design and construction plans + permits. Contract executed October 2014. RFP solicited February 2015, closed March 16, 2015. Interviews currently underway.</p> <p>2015 CFA Process opened May 1, 2015 and closes July 31, 2015. Village submitting applications for one or more or a combination thereof for waterfront enhancements, downtown revitalization, and transit oriented development. Village IDA providing grant assistance. Staff attended June 9, 2015 CFA workshop.</p>

**ENVIRONMENTAL PLANNING**

<b>INITIATIVE</b>	<b>SUMMARY</b>	<b>STATUS</b>
Hazard Mitigation Planning (County-wide Plan)	Westchester County preparation county-wide hazard mitigation planning, i.e. hurricanes, blizzards, flooding, etc. Completion ensures eligibility for emergency management funding.	Final draft report distributed to municipalities April 2015. Staff presented report at the May 18, 2015 meeting. Draft report under review by FEMA and Westchester County, with anticipated adoption Fall 2015.
MS4 Permit Management	Municipal separate storm sewer system (MS4) permit required by Federal Government under the Environmental Protection Agency (EPA) National Pollutant Discharge Elimination System (NPDES) program to prevent harmful pollutants from being washed or discharged into a waterbody.	Annually. NYSDEC Audit completed June 2 for compliance review. Village Staff provides structure and assistance for future audits.
Local Waterfront Revitalization Program (LWRP)	Update to adopted 1992 village waterfront policy and vision plan. Guidelines for Waterfront Commission project consistency review.	Finalizing Draft LWRP document for NY Department of State (DOS) official 60 Day

		Document Review. Formal BOT adoption 2015.
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**VISIONING, BRANDING, AND ECONOMIC DEVELOPMENT STRATEGIES**

Economic Development Promotional Material	Economic development promotional materials citing Comprehensive Plan, Strategic Plan, LWRP vision. Coordination with IDA Strategic Planning efforts.	Ongoing
150 <sup>th</sup> Anniversary	Proposed formation of a steering committee to complete specific beautification projects in anticipation of the Village's 150 <sup>th</sup> anniversary in 2018. Possible projects include: <ul style="list-style-type: none"> <li>• Streetscape improvements</li> <li>• Area branding</li> <li>• Placemaking Charette</li> <li>• Historic preservation designation</li> <li>• New/improved greenspace and/or bike and pedestrian amenities</li> <li>• Area-wide programs/events/initiatives</li> </ul>	2015-2018

# Planning Commission, Zoning Board of Appeals, and IDA Applications

The Office of Planning & Development oversees activities for the Planning Commission, Zoning Board of Appeals, Waterfront Commission, Industrial Development Agency and Board of Trustees. Below are two tables of both active and recently approved applications managed by the Office of Planning & Development. Additional information is available through the Office's website ([http://www.portchesterny.com/Pages/PortChesterNY\\_Planning/index](http://www.portchesterny.com/Pages/PortChesterNY_Planning/index)).

## ACTIVE PLANNING APPLICATIONS

Address	Project Description	Status of Project
400 N Main Street	Accessory storage structure.	Public meeting schedule July 2015.
509 Boston Post Road	New boutique health club facility.	Anticipated approval July 2015.
314-316 Boston Post Road	New retail and office building.	Public meeting schedule July 2015.
14 University Place	New property structures (site enhancements) and tenant storage units.	Anticipated approval July 2015.
501 Willett Ave	New limited car rental facility with accessory office.	Public meeting adjourned, August 2015.
70 Grove Street	Legalization for expansion of existing auto-body repair with accessory office.	ZBA Public hearing June 2015.
141 Abendroth Ave	Site plan conditions amendments.	Public Hearing continued to June 2015.

## APPROVED APPLICATIONS

Address	Project Description
110 Westchester Ave	New dental office.
74, 98 Fox Island Road	Relocation of existing laundry facility at 98 Fox Island Road to 74 Fox Island Road with expansion of existing warehouse at 98 Fox Island Road.
110 Westchester Ave	New dental office.
10 Pearl Street	Demolition of existing building for new restaurant and four floors of office.
29, 37-39 N Main Street	Expansion of existing restaurant into outdoor patio space.
10 Bulkley Ave	Site plan approval for woodworking shop.
141 Willett Ave	New health club.
21 Abendroth Ave	Shared parking approval.
141 Willett Ave	New health club.
120 N Pearl	New multi-family building (50 units) with high-end amenities + parking.
163 N. Main	Tarry Market Alley way.
8 Slater	Warehouse expansion for vehicle storage.
25 Willett Ave	Creation of American Bar & Restaurant.
242 King St	Expansion of existing office building.
264 Boston Post Road	Legalization of freezer at existing drive-thru restaurant.
411 Westchester Ave	Modification of existing base station and renew existing special exception use permit for wireless telecomm facility (Verizon).

411 Westchester Ave	Modification of existing base station and renew existing special exception use permit for wireless telecomm facility (Sprint).
135 S Main Street	Site plan approval for construction of two new two-family residences.
117 N Main Street	Open a family oriented Papa John's pizza restaurant.
999 High Street	Renewal for special exception use permit for wireless telecomm facility (AT&T).
167-169 Terrace Ave	Modification of existing base station and renew existing special exception use permit for wireless telecomm facility (Sprint).
999 High Street	Modification of existing base station and renew existing special exception use permit for wireless telecomm facility (Sprint).
222 Grace Church St	Modification of existing base station and renew existing special exception use permit for wireless telecomm facility (Sprint).
45 Townsend	Remove an existing two family dwelling and use the parcel for open storage of materials.
126 North Main St	Gastropub styled restaurant featuring weekend acoustic performances.
33 New Broad St	Open micro distillery as part of larger sustainable/farming operation.
152 King Street	Proposed interior renovations to a 1-story building to convert existing repair bays to a convenience store.
96 Perry Ave	Two-lot subdivision
145 Westchester Ave	Expansion of use and operation of the space by annexing it into the adjacent existing overall operations of The Capitol Theatre.
149-151 Westchester Ave	Capitol Theatre expansion of capacity use/increase occupancy from 1,835 to 2,205; add exterior walk in cooler, use of sidewalk hydraulic material lift and addition of mobile stand up bars.
36 Midland Avenue	Installation of sectional overhead doors & relocation of 3 parking spaces.
104 North Main Street	Reconfigure existing takeout restaurant & expand kitchen & dining room into existing adjacent tenant spaces, renovate existing basement for auxiliary use to restaurant on 1st floor, install new NFPA Sprinkler System throughout entire building.
110 Midland Avenue	Installation of a self-contained cosmetic spray booth within open warehouse space in accordance with Westchester County emission permit.
110 North Main Street	Raise existing roof structure to provide habitable space. Existing 2nd floor to be used as an office, storage, private dining and a service kitchen for private dining.
400 Westchester Ave	Construct a rear handicap-accessible rear facility entrance with canopy and fence; Replace playground equipment
275 Boston Post Road	Renovate existing vacant food service establishment into a Popeye's franchise restaurant with drive-thru.
110 Westchester Ave	Provide pedestrian access from Village owned muni parking lot to rear of common property line, install new exit door, walkway with lighting new fencing and new lawn.
26 Putnam Ave	Site Plan approval for continued use of an existing Sign/Graphic Design Shop (2nd fl.) and approval for a change of use (1st fl.) for current non-conforming use as a laundromat.
21 Abendroth	Shared parking approval
411 Westchester Ave	Modification of existing wireless facilities.
500 N. Main Street	Health club approval
110 Midland	Amendment to approved site plan; special exception use.
3 West Street	New two-family home with on-site parking.
528 Willett Ave	Site plan approval for new underground storage tank, site improvements and convenience store.



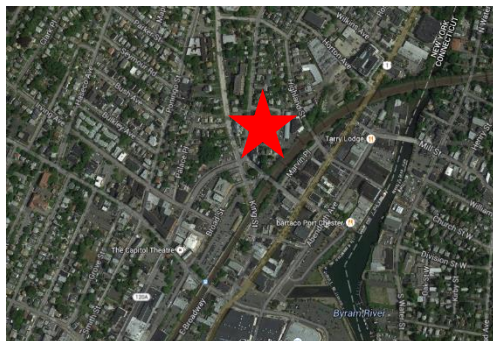
**VILLAGE OF PORT CHESTER**  
**DEPARTMENT OF PLANNING &**  
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Jesica Youngblood, Village Planner  
Constance Phillips, Planning  
Commission Secretary

To: Chairman Gregory and Planning Commissioners  
From: Jesica Youngblood, Village Planner  
Re: June 29, 2015 Planning Commission Meeting Comment Memorandum  
CC: C. Steers, T. Cerreto, P. Miley, D. Rotfeld, C. Phillips  
Date: June 25, 2015

**2. 141 Abendroth Avenue/21 Willett Avenue (Case #2015-0118)**  
**Formerly #679(F113) & 408E(F113)**



Section, Block, Lot: 142.23-2-47 (formerly 142.23-2-13, 142.23-2-14, 142.23-2-15)  
Zoning District: C2 Main Street Business District  
Lot size: 60,559 sqft,  
Owner: Mariner Port Chester LLC  
Applicant: Anthony Gioffre, Esq. of Cuddy & Feder, LLP o/b/o The Mariner Port Chester, LLC

**Project Overview:**

The Applicant seeks relief from conditions numbers 16, 22, and 31 of the adopted Site Plan Resolution (dated January 25, 2010):

- **Condition #16:** *“The applicant shall place all overhead utilities underground, shall reconstruct all sidewalks and curbs and shall install street landscaping and associated facilities immediately surrounding the site in accordance with Village standards and specifications, prior to the issuance of a Certificate of Occupancy.”*
- **Condition # 31:** *“All on-site utilities shall be installed underground.”*

- **Condition # 22:** *“The Applicant shall fund an escrow account of sufficient amount to provide monitoring of the Abendroth Avenue/Willett Avenue intersection at 6 month intervals for a period of two years after 75% of the units in the building are occupied. Said monitoring shall be supplied to the Planning Commission in a timely manner. If, in the sole opinion of the Planning Commission, the Levels of Service or overall traffic conditions at the intersection deteriorate appreciably, the applicant shall install a traffic light at this intersection, at its sole expense, to mitigate this situation.”*

**SEORA Classification:**

The project is classified as a Type II Action under the State Environmental Quality Review Act and requires no further action.

**Required Approvals:**

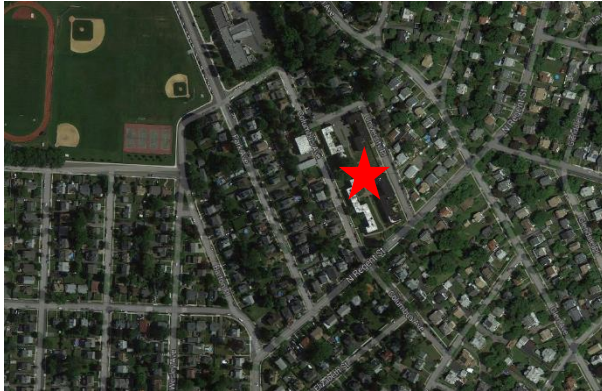
- Site Plan amendment approval (Planning Commission)

**Next Steps:**

As requested from the Commission, ConEdison representatives Paul Cherion, construction manager, and Jane Solnick, Director of Public Affairs, attended the March 30 meeting to discuss options and alternatives to burying the existing power lines. As a result of the meeting, additional discussion among ConEdison, The Mariner and the Village occurred on May 4, 2015. ConEdison is to provide The Mariner with various cost estimates for two design configurations for power line re-wiring feasibility. Applicant has submitted a second letter of adjournment until the issue is resolved. It is recommended that the Commission adjourn the meeting until July 27.

***Continue to Next Page***

### 3. 14 University Place (Case #2014-0116)



Section, Block, Lot: 136.61-1-27

Zoning District: R5 One Family Residence District

Lot size: 2.74 acres

Owner: UCF Regent Park, LLC

Applicant: UCF Regent Park, LLC /Paul Berte, P.E., Fusion Engineering, Inc.

#### **Project Overview:**

Applicant to legalize exterior site improvements and existing 73-unit residential development with tenant-only basement storage located off of N Regent Street between Columbus Avenue and University Place (also known as Regent Gardens Apartments). Site improvements are cosmetic in nature and include the already-constructed 36" high post and rail fence along the property boundary, the addition of a ±12'X16.5' wood frame gazebo at the corner of Columbus Avenue and North Regent Street, a wood frame 13.5'X13.5' pergola situated over an existing sidewalk/courtyard area in the center of the facility, and an 11'X11' pergola at the building situated at 14 University Place. The application also includes the legalization of two (2) stone signs at the southwestern and southeastern corners of the property.

The exterior site improvements are considered structures per Village Code and therefore require site plan approval per Chapter 345 Zoning of the Village Code.

The application also includes tenant-only storage located in the basement of buildings. No impacts to traffic, infrastructure or to the environment are anticipated from the application.

#### **Project Proposal From:**

As indicated by the Applicant in the Project Proposal Form and subsequent discussions with the Planning Office, the following information was presented:

- No additional staff required;
- No additional units added; and

- Site work is exterior and cosmetic in nature only

**Zoning Compliance Review:**

The previously provided Zoning Compliance Form completed and certified by the Village Building Inspector indicated that the proposed ‘multi-family residential’ use is permitted in the R5 Residential District based on previous zoning determinations. However, the gazebo, the two stone signs, and one of the two pergolas require area variances. Additionally, the perimeter fence is located within the public right of way. As a result, the Applicant must enter into a license agreement, signed by the Village Manager, to place the fence within the property lines.

**SEQRA Classification:**

The Proposal is considered a Type II Action under SEQRA and does not require further environmental review.

**Required Approvals:**

- Site plan approval (Planning Commission)
- Area variances (Zoning Board of Appeals)
- Lease Agreement for fence in Village right-of-way (Board of Trustees)

**Next Steps:**

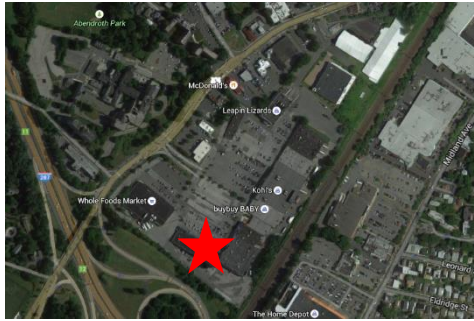
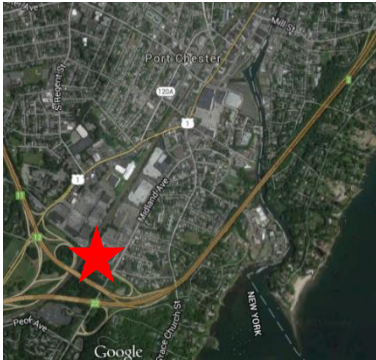
The Planning Commission referred the Applicant to the ZBA at the November 24<sup>th</sup> meeting for the required area variances. On March 19, 2015 the ZBA granted approval for area variances for signage but denied the area variance for the existing gazebo. Applicant will relocate the gazebo to conform to district setback requirements per ZBA hearing. Applicant will enter into agreement with the Village via a license for the location of the existing 3-foot fence located along the perimeter of the property.

As a result of the May 28 meeting, the Village Engineer will approve revised drainage plans supplied by the Applicant.

The Planning Commission may consider closing the Public Hearing and asking staff to prepare draft site plan approval provided no significant, outstanding planning or engineering comments remain.



## 4. 509 Boston Post Road (Case #2015-0126)



Section, Block, Lot: 142.53-1-1  
Zoning District: CD Design Shopping Center District  
Lot size: 30 acres (entire 'Kohl's Shopping Center')  
Owner: AVR Port Chester, LLC  
Applicant: JJJ Fitness, MUD Architects

### **Project Overview:**

Applicant seeks a change of use from an existing retail establishment to a health club facility in the Kohl's Shopping Center. The specific tenant space is the existing Dress Barn establishment located in the southeast corner of the site. The Proposal is in the CD Design Shopping Center and comprises 3,016 square feet of the existing thirty-acre site (< 1% of entire site).

The Proposal is strictly an interior fit out and includes providing 1,082 sqft of new studio space, 610 sqft of reception space, 140 sqft of office, and the balance comprising locker rooms and toilet facilities. The Proposal's new bathrooms require new piping facilities.

Per the Village Zoning Code, the proposed use as a health club is less intense than the existing retail establishment in terms of parking, loading, circulation and operational considerations. Specifically, the Proposal seeks to maximize operation during the early morning hours to reduce circulation and parking demands. A retail space of 3,000 sqft requires twelve (12) parking spaces where a health club requires four (4). Because the entire Kohl's site considers retail services as the primary uses, the proposed use's parking requirement is already met. This reduction of parking demonstrates a reduction of overall site intensity.

### **Comprehensive Plan Consistency:**

The proposed use satisfies Economic Development recommendation #1, 'Strengthen and expand economic opportunity...by focusing efforts on retaining and expanding existing businesses.' The Proposal demonstrates both local and national trends demanding new, lifestyle-focused health club facilities.

**Zoning Compliance Review:**

The Zoning Compliance Form completed and certified by the Village Building Inspector indicates that the proposed “health club” is a permitted use in the C2 Main Street Business District.

No off-street loading is required for the Proposal. Draining and lighting facilities previously approved per original site plan.

**SEQRA Classification:**

The project is classified as a Type II Action under the State Environmental Quality Review Act and requires no further action.

**Required Approvals:**

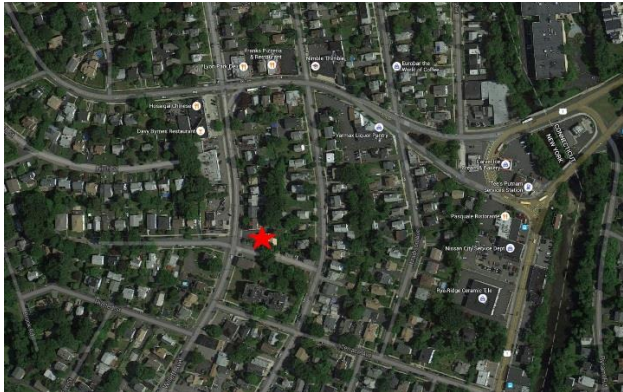
- Site Plan amendment approval (Planning Commission)

**Next Steps:**

The Planning Commission may consider closing the public hearing provided there are no outstanding public comments or planning/engineering concerns and request staff draft approvals for the July meeting.

***Continue To Next Page***

## 5. 501 Willett Ave (Case #2015-0125)



Section, Block, Lot: 136.63-2-24  
Zoning District: C1 Neighborhood Retail  
Lot size: .117 acres  
Owner: Manuel Nieto and Lois Nieto  
Applicant: Neito Commercial Building

### **Project Overview:**

The Applicant seeks to renovate the existing office and convert the space to a car rental agency at 501 Willett Ave. (Section 136.63, Block 2, and Lot 24). The Proposal is located in the C1 Neighborhood Retail District. The parcel contains a split level building on a steep grade with eight (8) proposed parking spaces in the rear of the property and one (1) proposed parking space in the front of the property. A shared driveway provides access for both 501 Willett Ave and 517 Willett Ave. The lot is 5,077 square feet and, the first and second floor of the building are 948 square feet each.

Proposal includes on-site pick up and drop off with no after-hours drop off of vehicles. The cars will be stored on-site and transported to another site for car washing and maintenance. Note that neither car washing nor repair work is permitted in the C1 District. Proposed are three (3) on-site employees with hours of operation from approximately 7:30am to 6:00pm Monday through Friday and 9am-12noon on Saturday. Provided are eight (8) off-street parking spaces for employees plus car rental (retail) use.

### **Comprehensive Plan Consistency:**

The proposed use satisfies Economic Development recommendation #1, 'Strengthen and expand economic opportunity...by focusing efforts on retaining and expanding existing businesses.'

### **Zoning Compliance Review:**

The Zoning Compliance Form completed and certified by the Village Building Inspector indicates that the proposed car rental agency is wholly classified as 'retail.'

Eight (8) off-street parking spaces are required per Village Code §345-14 for the proposed car rental use with eight provided. Per Village Code §345-14, the proposal requires one (1) off-street truck loading spaces.

Applicant must obtain off-street truck loading variance from the Zoning Board of Appeals prior to the Planning Commission taking formal action.

**SEORA Classification:**

The project is classified as a Type II Action under the State Environmental Quality Review Act and requires no further action.

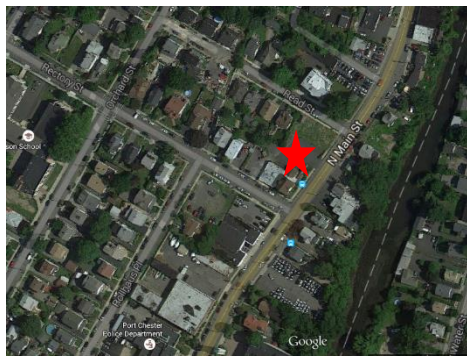
**Required Approvals:**

- Site plan approval (Planning Commission)
- Off-street loading variance (Zoning Board of Appeals)
- Notification to Westchester County Planning Board (Village Staff)

**Next Steps:**

Applicant provided letter of adjournment to the Planning Commission for June. Applicant must prepare and provide all requested information per May 28 meeting requests in advance of subsequent Planning Commission appearances.

**6. 400 N Main Street (Case #2015-0127)**



Section, Block, Lot: 136.72-1-1  
Zoning District: C4 General Commercial District  
Lot size: 19,103 sq ft., 0.117 acres  
Owner: 400 North Main Street LLC  
Applicant: 400 N Main Street, LLC, Edgewater Architects

**Project Overview:**

The Applicant seeks legalization of an accessory structure (shed) located on the northwestern property line at 400 N Main Street, known specifically as Section 136.72, Block 1, Lot 1 (aka Alba’s Restaurant), located in the C4 General Commercial District. The accessory structure is

500 square feet in size and purposed to store temporary/moveable restaurant equipment and dumpsters. The Project does not seek to amend or expand the previously approved restaurant use.

Applicant proposes new drainage shed roof gutter/leader to connect to nearby existing catch basin and system.

**Zoning Compliance Review:**

The Zoning Compliance Form completed and certified by the Village Building Inspector indicates that the accessory structure is permitted in the C4 District; however, Applicant must obtain a 6.3ft variance from the Zoning Board of Appeals prior to formal Planning Commission Action. If the ZBA denies the variances request, the Applicant must convert the property to the specifications of prior site plan approval.

**SEORA Classification:**

The project is classified as a Type II Action under the State Environmental Quality Review Act and requires no further action.

**Required Approvals:**

- Site plan approval (Planning Commission)
- Rear yard variance (Zoning Board of Appeals)
- Notification to Westchester County Planning Board (Village Staff)
- Notification to the Town of Greenwich, Connecticut (Village Staff)

**Next Steps:**

The Planning Commission should refer the Applicant to the Zoning Board of Appeals for the required rear yard variance prior to taking formal action.



Monthly  
Report

July 1

2015

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Building Department & Code Enforcement

Monthly Report  
Performance  
Update July  
2015

## MONTHLY REPORT

### BUILDING DEPARTMENT

#### **Board Request**

#### **Information below was provided in the June Monthly Report**

The information that was requested included the percentage of Permits & CO's issued for Residential vs. Commercial Properties.

The numbers below are based on a sample from January 2014 through December 2014

Residential:	409	(70%)
Commercial:	147	(24%)
Mixed Occupancy:	39	(6%)

#### **Update**

**A full data analysis of all permits/CO's issued starting 2011 thru May 2015-attached.**



**Permit Analysis 2011 through 2014 & 1/2 of 2015**

	<b>2011</b>	<b>2012</b>	<b>2013</b>	<b>2014</b>	<b>1/2 year 2015</b>	<b>Totals</b>
<b>Permits Issued (BP only)</b>	213	436	644	601	222	2,116
<b>Total Value of Permits/improvements</b>	20,161,753.94	17,109,443.24	49,820,528.26	18,603,398.75	11,123,571.74	116,818,696
<b>Average Value of Permit Issued</b>	94,656	39241.84229	77361.06873	30954.07446	50106.17901	
<b>Permits Over 1 Million</b>	3	3	6	2	1	
<b>Total Value of Permits over 1m</b>	13,692,500	4,082,000	35,163,500	4,310,000	6,000,000	
<b>Total BP Values w/o outliers</b>	6,469,254	13,027,443	14,657,028.26	14,293,398.75	5,123,571.74	
<b>Average Value of BP's Less Outliers</b>	30,806	30,086	22973.39853	23862.10142	23079.15198	
<b>Residential Permits/CO's</b>	127	280	451	412	143	1413
<b>Commercial Permits/CO's</b>	65	129	146	150	63	553
<b>Mixed Occupancy</b>	21	27	47	39	16	150
<b>Percentage of Residential Permits/CO's</b>	59.62%	64.22%	0.700310559	0.685524126	0.644144144	0.667769376
<b>Percentage of Commercial Permits/CO's</b>	30.52%	29.59%	0.226708075	0.249584027	0.283783784	0.261342155
<b>Percentage of Mixed Occupancy BP/CO</b>	10%	6.19%	0.072981366	0.064891847	0.072072072	0.070888469

## Current Building Department Projects in Process Continued

- Analyzing all building permits issued since 2011 and comparing the prior use to its current permitted use. Corresponding with tax assessor to identify discrepancies in tax code(s) and # of permitted units in multiple dwellings.

**Update: Project completed 8 discrepancies have been identified and the tax assessor has been given the updated information to make the necessary changes.**

- Going back to 2011 and identifying all permits that were issued and haven't been closed out or renewed; letters will start to go out in June.

**Update: all reminder letters have been mailed and a number of permits have already been renewed.**

- Post Scanning/ indexing-review files for accuracy, update information as needed to ensure accuracy in municipality.

**Update: project continues**

- Analyzing amnesty applications (continues) for time compliance, drafting reminders, consultations are 76% complete.

**Update: project continues**

## Amnesty Update Through July 13, 2015

Total Amnesty Applications Submitted:	763
Amnesty Reports Completed:	744
Percentage of Amnesty Reports Complete:	98%
Amnesty Consultations Completed:	500 (67%)
Total number of Illegal Dwellings Found through municipal searches:	<b>288</b>
Number of Illegal Dwellings Found through Amnesty searches:	<b>84</b>

**Code Enforcement Stats Fiscal Starting June 2015**

<b>June 2015</b>	
<b>Code Enforcement Program</b>	
Complaints Received	159
Inspections Conducted (as a result of complaints)	397
Right of Entry Requests	10
Notice of Violations Issued	47
Illegal Dwelling, Overcrowding Complaints (IDW & OC)	11
Notice of Violations Issued re: (IDW & OC)	4
Appearance Tickets Issued	7
Stop Work Orders	3
Compliance Case Closed	38
Unfounded	11
Referred to Building Department	2
Referred to Police Department	1
Fire Safety Referral (from PCCE to FS)	1
Referred to DPW	6
Referred to Westchester County Department of Health	0
Referred to HUD	0
Referred to PCHA	1
<b>June 2015</b>	
<b>Court Cases</b>	
Number of Current Court Cases	209

**Fire Safety Stats Fiscal Starting June 2015**

<b>June 2015</b>	
<b>Fire Safety Program</b>	
Scheduled Fire Inspections Conducted	77
Fire Inspections Failed - NOV issued	32
Re-inspections Conducted	58
Certificates of Compliance Issued	55
Fees Collected	\$9,275
Request to Conduct Fire Inspection Notices Sent Out	31
NOV's For Failure To Respond to Fire Safety Renewal Notice	4
Appearance Tickets Issued	6
<b>Additional Inspections</b>	
Sprinkler/Flow Inspections	1
Sprinklers - Hydrostatic Inspections	0
Fire Alarm Inspections	2
Kitchen Fire Suppression System Inspections	2
Court Inspections	9
Stop Work Order Issued	1
Fire/Police Referral Inspections	17
Unsafe/Unfit Structure Inspections	0
Knox Box Inspections	1
Fire Inspections	77
Re-inspections	58
<b>Total Fire Inspections</b>	<b>135</b>
Add'l inspections	33
<b>Total</b>	<b>168</b>

Update 1 Betsy Brown.

- 4/26/2015: Structure Fire
- 4/27/2015: Home Posted Unsafe, Contracting Company secured and boarded premises
- 4/29/2015: Received correspondence from Police Chief and Insurance Co. indicating that the property is under investigation
- 4/30/2015: Scheduled a structural engineer to evaluate property condition.
- 5/1/2015: Notice of Violation issued for unsafe structure
- 5/1/2015: Insurance Company requested that we postpone an engineering inspection until the investigation/ inspection has been concluded.
- 5/1/2015: Arranged for Initial inspection/ investigation with insurance company and arson investigators.
- 5/4/2015: Building Department accompanied insurance for an inspection
- 5/8/2015: Building Department accompanied insurance for an inspection
- 5/11/2015: Email received from ins. co. indicating (2) additional consultants have been assigned to investigate
- 5/18/2015: Building Department accompanied insurance for an inspection
- 5/19/2015: Building Department accompanied insurance for an inspection
- 5/26/2015: Correspondence with attorney representing 1 Betsy Brown
- 5/27/2015: Code Enforcement Inspection, NOV pending
- 6/3/2015: 2<sup>nd</sup> Notice of Violation issued for multiple property maintenance violations  
Correspondence with attorney representing 1 Betsy Brown on 6/1/2015.
- 6/10/2015: Follow up email sent to attorney
- 6/10/2015: Call & email to insurance company
- 6/11/2015: Received email from ins. co. "I have been away." Will proceed with fencing in home.
- 6/11/2015: Attorney representing the homeowner answered on 6/11/2015 indicating that the insurance company "has not" concluded their investigation.
- 6/12/2015: Structural Engineer is scheduled for Friday at 10am.
- 6/12/2015: Structural Assessment completed
- 6/12/2015: Hired Private Investigator to locate property owner
- 6/17/2015: Received Structural Analysis Report
- 6/22/2015: Report from PI, Private Investigator located whereabouts of homeowner's son, unable to locate homeowner. Spoke to son would not disclose whereabouts of son however he indicated that he plans on moving to 42 Grant St. in the very near future.
- 6/22/2015: Called and followed up with emailed Insurance Company and Attorney to review structural analysis (provided a copy of report) and to request a plan of action regarding protection and removal and/or repair.
- 6/22/2015: Sent an email and received email correspondence from attorney representing owner of 1 Betsy Brown. Response: "The ins. co is still investigating. The sale contract was cancelled and I have not heard from the client. I am not authorized to accept service."
- 6/22/2015: Property confirmed-insurance Company fenced in to secure.
- 6/23/2015: Called (2<sup>nd</sup> time) and sent another email to insurance company: "Dear Mr. Demarco, I called you yesterday and today regarding 1 Betsy Brown Rd., I have not heard back from you. At your earliest convenience, please return my call or respond back to me by email. If I don't hear back from you by the end of the day (5pm) Wednesday June 24, 2015, I will assume that the investigation has concluded and there are no plans to mitigate the present hazards. On Thursday June 25, 2015 I will instruct the Village Attorney to proceed with whatever means necessary in order to protect the public."

- 6/29/2015: Substitute service of NOV was rendered and accepted by homeowner's son. NOV contained 30 plus violations. NOV expires on 7/29/2015.
- 6/30/2015: Title ordered, requested expedited. Additional attempt called to insurance company-left message.
- 7/1/2015: Private investigator update, information obtained as to where owner is relocating to in mid July.
- 7/08/2015: Insurance Company "Chubb" reimbursed the Village for the board up.
- 7/13/2015: Spoke with insurance rep, insurance company has concluded there inspection, and investigation. The insurance company indicated: "Since we do not own of have a legal interest in the house, we cannot take responsibility for the maintenance or demolition of the home."
- 7/29/2015: Court Appearance Ticket to be served, Village shall continue to proceed with obtaining a court order to demo home.

# CORRESPONDENCE



# Mellor Engine & Hose Co. No 3, Inc.

P.O. BOX 575  
PORT CHESTER, NEW YORK 10573

Received

JUL 9 2015

Village Clerk  
VILLAGE OF PORT CHESTER

Gregg Gregory, *President*  
Daniel Romanello, *Vice President*  
John Colucci, *Treasurer*  
Donna Gordiski, *Secretary*

Luis Marino, *Captain*  
Leslie Murphy, *1<sup>st</sup> Lieutenant*  
Scott Sprague, *2<sup>nd</sup> Lieutenant*  
Frank Gordiski, *Sergeant*  
Peter Mutz, *Chief Driver*

July 7, 2015

Village of Port Chester  
Village Clerk  
222 Grace Church St.  
Port Chester, New York 10573

To whom it may concern:

The members of Mellor Engine & Hose Company #3, Inc. have elected Mr. Alessandro Calvera to active membership in our Company. This action took place during our regular monthly meeting on July 6, 2015.

Mr. Calvera resides at 21 Gilbert Place, Port Chester, NY 10573. We believe that Mr. Calvera will be an asset to the Port Chester Fire Department. Upon completion of the necessary physical exam requirements, Mr. Calvera will present a copy of this letter to your office.

We hope the Village Trustees approve Mr. Calvera for membership in the Port Chester Fire Department.

Sincerely,

Donna C. Gordiski  
Secretary of Mellor E&H Co. #3



Emailed mayor 7-14-15  
BOT

**Port Chester Yacht Club**  
**84 Fox Island Road, Port Chester New York 10573**

July 13, 2015

VILLAGE OF PORT CHESTER

JUL 14 2015

RECEIVED

M

Mayor Pilla and BOT members,

We have noted the public comments made during the July 6, 2015 Village Board of Trustee meeting regarding a letter sent by a former Port Chester Yacht Club member indicating potential Village code issues with the clubs facility. Please be assured the Port Chester Yacht Club Board and membership recognizes the importance of properly maintaining our facility, grounds and docks and have acted both in a responsible and consistent manner to insure village code compliance year in and year out.

The PCYC Board, who's Officers are voted in annually by membership, take our lease with the Village of Port Chester very seriously. We certainly understand all lease covenants and act in a positive, constructive way to insure we are fully compliant with our lease requirements. In addition, and as you know, our annual budget includes a significant appropriation and investment for maintenance as well as grounds improvements and upgrades.

Through the past years we have invested tens of thousands of dollars into the Port Chester Yacht Club's infrastructure. These include bulk head improvements, new docking fixtures, plumbing, electrical and security systems upgrades. All improvements are made with the Village of Port Chester's knowledge and support.

We welcome Port Chester Village Manager Chris Steers and the appropriate code enforcement department's personnel visit to the Port Chester Yacht Club facilities to inspect, review and confirm that our buildings and policies meet all village requirements.

In conclusion, we are very proud to be an integral partner with the Port Chester community and village government. As you know, our lease with the Village of Port Chester runs through 2022 and as such, our Board and membership look forward in continuing to work hand and glove with the village to insure a safe facility and positive relationship with both our community and village government.

Sincerely,



Salvatore Muto  
Commodore  
Port Chester Yacht Club  
[Salvy1068@yahoo.com](mailto:Salvy1068@yahoo.com)  
(914)351-0110

**From:** [Pilla, Dennis \(Mayor\)](#)  
**To:** [Robert Roth](#)  
**Cc:** [Steers, Christopher](#); [Veltri, Maryanne](#); [Richards, Janusz R](#)  
**Subject:** Re: Route Permit Request, AUTISM SCIENCE FOUNDATION  
**Date:** Tuesday, July 14, 2015 6:26:02 PM

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Hi. I will put this on the agenda for our upcoming Monday night meeting. Are you able to attend? If not, we can arrange a separate discussion with staff offline to the meeting.

Sent from my iPhone - please excuse any typos...

On Jul 14, 2015, at 3:25 PM, Robert Roth <[rroth@globalimpactpro.com](mailto:rroth@globalimpactpro.com)> wrote:

Dear Mr. Steers and Mayor Pilla,

Thank you for getting back to me so quickly. We are excited about this event benefiting the Autism Science Foundation. Attached to this e-mail is the formal request package with all of the details regarding the route, timing etc. We are only essentially in Port Chester on 3 roads – Quintard Drive for less than a block and then we pass through on Upland Street and Betsy Brown Road (via King Street, where we would place a motosafety volunteer). We then enter Rye Brook. We estimate less than 75 riders on this route.

We are the same group that also produces the BRAKING AIDS® Ride that passes through Port Chester each year. The Wall Street Rides FAR (“For Autism Research”) event is in October, so there is time for review - if it can’t make this Monday’s agenda (also I would not be able to make Monday’s meeting).

After reviewing the route and the request, please let me know how you would like to proceed.

Thank you,

Bob

Bob Roth  
Logistics Coordinator  
Global Impact Productions  
127 West 26th Street, Suite 402  
New York, NY 10001  
212-989-1111 – office  
212-807-1853 – fax  
[rroth@globalimpactpro.com](mailto:rroth@globalimpactpro.com)

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**From:** "Steers, Christopher" <[CSteers@PortChesterNY.com](mailto:CSteers@PortChesterNY.com)>

**Date:** Tuesday, July 14, 2015 at 1:50 PM

**To:** Jim Dreher <[rroth@globalimpactpro.com](mailto:rroth@globalimpactpro.com)>

**Cc:** "Veltri, Maryanne" <[mveltri@PortChesterNY.com](mailto:mveltri@PortChesterNY.com)>, "Pilla, Dennis (Mayor)" <[DPilla@PortChesterNY.com](mailto:DPilla@PortChesterNY.com)>

**Subject:** Re: Route Permit Request, AUTISM SCIENCE FOUNDATION

Mr. Roth thanks for reaching out. Seems like a great event.

What you will need to do is make your request to the Mayor and Board of Trustees as they are the approving authority.

If you send me your request I could have it on the next board agenda (this coming Monday) but only if you would be able to attend. In the alternative it may be better to perhaps meet before with the Mayor.

I have copied him herein.

Sent from my iPhone

On Jul 14, 2015, at 1:00 PM, Robert Roth <[rroth@globalimpactpro.com](mailto:rroth@globalimpactpro.com)> wrote:

Dear Mr. Steers,

I am writing to request a permit and/or approval to utilize the town roads of Port Chester for a one day Charity Bike Ride event benefiting the Autism Science Foundation to happen on October 10, 2015. The event is called Wall Street Ride FAR ("For Autism Research") and will raise money to increase Autism awareness in our community. It starts and ends at Manhattanville College in Purchase, NY.

I have attached a file with a Cover Letter, Event Notice and Approval Forms as well as Route Cues and Maps. Only one of the three routes, the shortest 15 mile route, briefly passes through Port Chester as you will see on the attached Route Cues and Maps. This is a charity bike ride, not a race and all riders follow the vehicular rules of the road. No police assistance is requested at this point and the route is fully supported with volunteers along the way to ensure the bikers safety and comfort. Please review and send back the approval form if there are no additional questions or forms needed for submission. If there is any additional information needed, I am at your disposal.

If there is someone else that should be handling this, please let me know and I will be happy to contact them.

We sincerely appreciate your participation and are looking forward to a successful event this year. I look forward to hearing from you.

Best Regards,

Bob Roth

**Bob Roth**  
Logistics Coordinator  
Global Impact Productions  
127 West 26th Street, Suite 402  
New York, NY 10001  
212-989-1111 – office  
212-807-1853 – fax  
[rroth@globalimpactpro.com](mailto:rroth@globalimpactpro.com)

<PortChesterJurMasterFAR2015.pdf>

<PortChesterJurMasterFAR2015.pdf>

**PUBLIC COMMENTS  
AND  
BOARD COMMENTS**