

**VILLAGE OF PORT CHESTER
BOARD OF TRUSTEES
Meeting, Monday, October 5, 2015**

**Regular Meeting: 7:00 P.M.
VILLAGE JUSTICE COURTROOM
350 North Main Street
Port Chester, New York
AGENDA**

TIME: 7:00 P.M.

I	AFFIDAVIT OF PUBLICATION AND NOTICE OF PUBLICATION RE:	ACTION
1	Public Hearing to consider the advisability of adopting a local law amending the Code of the Village of Port Chester with a new chapter, Chapter 21, to establish a Community Choice Aggregation (Energy) Program in conjunction with Sustainable Westchester in the Village of Port Chester.	
2	Joint Public Hearing to consider PC 406 BPR LLC and PC 999 High Street Corp.'s (Applicant) draft environmental impact statement (EIS) and the proposed zoning amendments related to the redevelopment of the former United Hospital with a focus on school impacts and fiscal considerations as described in the draft EIS.	
3	Public hearing for Community Development Block Grant (CDBG) proposals.	
II	PUBLIC COMMENTS	ACTION
III	PRESENTATION	ACTION
1	Swearing in/promotion of Port Chester Police Captain Christopher Rosabella.	
IV	RESOLUTIONS	ACTION
	Administration	
1	Appointing Robin Smith to the vacant position on the Board of Ethics.	
2	Establishing a Bulkhead Steering Committee.	
3	Accepting receipt of "Retail D" mixed use development amended petition.	
4	Authorizing the Manager to enter into contract for appraisal services at 350 N. Main St and 222 Grace Church St.	
V	REPORT OF THE VILLAGE MANAGER	ACTION
VI	DISCUSSIONS	ACTION
1	Abendroth Park Events.	

VII	CORRESPONDENCE	ACTION
1	From Corpus Christi-Our Lady of the Rosary Church regarding procession on October 18, 2015.	
2	From Luis Vizhco regarding procession for The Saint Virgin of Guadalupe of Banos-Cuenca on October 18, 2015.	
3	From the Park Commission regarding the use of Abendroth Park on September 6, 2015.	
4	From G+S Investors – “Retail D” Amended Petition for mixed use project.	
VIII	MINUTES	ACTION
1	Board of Trustees Meeting – August 27, 2015.	
IX	PUBLIC COMMENTS AND BOARD COMMENTS	ACTION
X	MOTION FOR EXECUTIVE SESSION	ACTION
1	Regarding the appointment of particular persons to the Bulkhead Steering Committee.	

TIME: _____

PUBLIC HEARING

1



VILLAGE OF
PORT CHESTER

222 Grace Church Street, Port Chester, New York 10573

AGENDA MEMO

Department: Office of the Village Attorney

BOT Meeting Date: 10/5/2015

Item Type: Public Hearing

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

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

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

PUBLIC HEARING TO CONSIDER THE ADVISABILITY OF ADOPTING A LOCAL LAW AMENDING THE CODE OF THE VILLAGE OF PORT CHESTER WITH A NEW CHAPTER, CHAPTER 21, TO ESTABLISH A COMMUNITY CHOICE AGGREGATION (ENERGY) PROGRAM IN CONJUNCTION WITH SUSTAINABLE WESTCHESTER IN THE VILLAGE OF PORT CHESTER

Summary

Background:

Sustainable Westchester proposes that the Village of Port Chester establishes a community choice aggregation program which would allow Sustainable Westchester and the Board of Trustees to decide what energy provider would be the default supplier to the Village of Port Chester. This program is designed to encourage sustainable energy choice and/or to find cheaper sources of energy for village residents and small businesses.

Having discussed this program at a previous board meeting, a Public Hearing was set to allow the Village to speak on the program. The deadline for adopting the local law and joining Sustainable Westchester's program is October 5th. It is recommended that the Public Hearing be extended to allow for additional time for residents to educate themselves and speak on the matter.

Proposed Action

Complete the Public Hearing, close the hearing, and if the Board so desires, vote on the adoption of the local law.

Attachments

Memo from the Village Attorney (Provided confidentially to the BOT in Executive Packets) Draft Local Law Sustainable Westchester Presentation 7-7-15 Public Mailing of Hearing Notification
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LOCAL LAW NO. – 2015

**A LOCAL LAW TO ESTABLISH A COMMUNITY CHOICE AGGREGATION
(ENERGY) PROGRAM IN THE VILLAGE OF RYE BROOK**

Be it enacted by the Village of Rye Brook of the County of Westchester as follows:

Section 1. The Code of the Village of Rye Brook is hereby amended by adding a new Chapter _____, entitled “COMMUNITY CHOICE AGGREGATION (ENERGY) PROGRAM,” to read as follows:

ARTICLE I

§1. Legislative Findings; Intent and Purpose; Authority.

- A. It is the policy of both the Village of Rye Brook and the State of New York to reduce costs and provide cost certainty for the purpose of economic development, to promote deeper penetration of energy efficiency and renewable energy resources such as wind and solar, and wider deployment of distributed energy resources as well as to examine the retail energy markets and increase participation of and benefits for residential and Small Commercial customers in those markets. Among the policies and models that may offer benefits in New York is community choice aggregation, which allows local governments to determine the default supplier of electricity and natural gas on behalf of its residential and Small Commercial customers.
- B. The purpose of this CCA Program is to allow participating local governments including the Village of Rye Brook to procure energy supply service for their residential and Small Commercial customers, who will have the opportunity to opt out of the procurement, while maintaining transmission and distribution service from the existing Distribution Utility. This Chapter establishes a program that will allow the Village of Rye Brook to put out for bid the total amount of natural gas and/or electricity being purchased by local residential and Small Commercial customers. Bundled Customers will have the opportunity to have more control to lower their overall energy costs, to spur clean energy innovation and investment, to improve customer choice and value, and to protect the environment; thereby, fulfilling the purposes of this Chapter and fulfilling an important public purpose.
- C. The Village of Rye Brook is authorized to implement this COMMUNITY CHOICE AGGREGATION (ENERGY) PROGRAM pursuant to Section 10(1)(ii)(a)(12) of the New York Municipal Home Rule Law; and State of New York Public Service Commission Case No. 14-M-0564, Petition of Sustainable Westchester for Expedited Approval for the Implementation of a Pilot Community Choice Aggregation Program within the County of Westchester, Order Granting Petition in Part (issued February 26, 2015) as may be amended, including subsequent orders of the Public Service Commission issued in connection with or related to Case No. 14-M-0564 (collectively, the “Order”). Order shall also mean orders of the Public Service Commission related to State of New York Public Service Commission Case No. 14-M-0224, Proceeding on Motion of the Commission to Enable Community Choice Aggregation Programs (issued December 15, 2104) to the extent that orders related to Case No. 14-M-0224 enable actions by the Village of Rye Brook not otherwise permitted pursuant to orders related to Case 14-M-

0564; provided, however, that in the event of any conflict between orders from Case No. 14-M-0564 and orders from Case No 14-M-0224, orders from Case No 14-M-0564 shall govern the CCA Program.

- D. This Chapter shall be known and may be cited as the “COMMUNITY CHOICE AGGREGATION (ENERGY) PROGRAM Law of the Village of Rye Brook”.

§2. Definitions.

For purposes of this Chapter, and unless otherwise expressly stated or unless the context otherwise requires, the terms in this Chapter shall have the meanings employed in the State of New York Public Service Commission’s Uniform Business Practices or, if not so defined there, as indicated below:

Bundled Customers – Residential and Small Commercial customers of electricity or natural gas (“fuels”) who are purchasing the fuels from the Distribution Utility.

Small Commercial - Non-residential customers as permitted by the Order.

Community Choice Aggregation Program or CCA Program– A municipal energy procurement program, which replaces the incumbent utility as the default Supplier for all Bundled Customers within the Village of Rye Brook.

Distribution Utility – Owner or controller of the means of distribution of the natural gas or electricity that is regulated by the Public Service Commission.

Public Service Commission – New York State Public Service Commission.

Suppliers – Energy service companies (ESCOs) that procure electric power and natural gas for Bundled Customers in connection with this Chapter or, alternatively, generators of electricity and natural gas or other entities who procure and resell electricity or natural gas.

Sustainable Westchester – A not-for-profit organization comprised of member municipalities in Westchester County, New York.

§3. Establishment of a COMMUNITY CHOICE AGGREGATION (ENERGY) Program.

- A. A COMMUNITY CHOICE AGGREGATION (ENERGY) PROGRAM is hereby established by the Village of Rye Brook, whereby the Village of Rye Brook shall work together with Sustainable Westchester to implement the CCA Program to the full extent permitted by the Order, as set forth more fully herein. The Village of Rye Brook’s role under the CCA Program involves the aggregating of the energy and/or gas supply of its residents and the entering into a contract with one or more Suppliers for supply and services. Under the CCA Program, the operation and ownership of the utility service shall remain with the Distribution Utility.
- B. The Village of Rye Brook’s purchase of energy supply through a CCA Program constitutes neither the purchase of a public utility system, nor the furnishing of utility service. The Village of Rye Brook will not take over any part of the electric or gas transmission or distribution system and will not furnish any type of utility service, but will

instead negotiate with Suppliers on behalf of participating residential and Small Commercial customers.

- C. The Public Service Commission supervises retail markets and participants in these markets through legislative and regulatory authority and the Uniform Business Practices, which includes rules relating to the eligibility of participating ESCOs, the operation by which ESCOs provide energy services, and the terms on which customers may be enrolled with ESCOs.

§4. Procedures for Eligibility; Customer Data Sharing.

- A. As permitted by the Order, the Village of Rye Brook may request from the Distribution Utilities aggregated customer information by fuel type and service classification on a rolling basis.
- B. Sustainable Westchester, on behalf of the Village of Rye Brook, shall issue one or more requests for proposals to Suppliers to provide energy to participants and may then award a contract in accordance with the CCA Program.
- C. Sustainable Westchester or the Village of Rye Brook if the Village so chooses, will then request individual customer data from the Distribution Utility in accordance with the CCA Program.
- D. Sustainable Westchester or the Village of Rye Brook if the Village so chooses, and the selected Supplier will then notify Bundled Customers of the contract terms and their opportunity to opt out of the CCA Program.
- E. In accordance with and for purposes of the Order, the existing Distribution Utility, Consolidated Edison Company of New York, Inc. will provide to Sustainable Westchester aggregate and customer-specific data (including usage data, capacity tag obligations, account numbers, and service addresses) of all Bundled Customers in the Village of Rye Brook not currently enrolled with an ESCO.
- F. Sustainable Westchester and the Village of Rye Brook, will protect customer information as required by law, subject to the Order and the limitations of the New York State Freedom of Information Law.

§5. Choice of Energy Supplier; Opt-Out Notice and Procedure.

- A. The Village of Rye Brook or in conjunction with the ESCO will notify its residential and Small Commercial customers, by letter notice, of the Village of Rye Brook's decision to establish the CCA Program, of the contract terms with an ESCO, and of the opportunity to opt out of the CCA Program.
- B. The letter notice will be sent to each customer at the address provided by the Distribution Utility and explain the CCA Program and the material provisions of the ESCO contract, identify the methods by which the customer can opt out of the CCA Program, and provide information on how the customer can access additional information about the CCA Program.
- C. The opt-out period shall be twenty (20) days.
- D. CCA Program Bundled Customers, upon enrollment, will receive a welcome letter that will explain the customers' options for canceling the enrollment if they believe they were

enrolled incorrectly or otherwise decide to withdraw from the CCA Program in favor of another Supplier. The welcome letter also will explain that residential customers are entitled to the added protection of the mandated Three (3) Day rescission period as detailed in Section 5(B)(3) of the Uniform Business Practices.

§6. Verification and Reporting.

- A. Sustainable Westchester shall be responsible for filing an annual report with the Public Service Commission, which identifies the number of customers enrolled in the CCA Program by municipality and customer class, the number of customers who returned to utility service or service with another Supplier during the reporting period, and the average cost of commodity supply by month for the reporting period.

Section 2. This local law shall take effect upon filing with the Secretary of State.

On a motion made by Trustee Klein and seconded by Trustee Heiser, the following resolution was adopted.

RESOLUTION

**CONSIDERING A LOCAL LAW TO ESTABLISH A COMMUNITY CHOICE
AGGREGATION (ENERGY) PROGRAM
IN THE VILLAGE OF RYE BROOK**

WHEREAS, a Community Choice Aggregation Energy Program will provide residents of the Village of Rye Brook the opportunity to save money through an alternate energy service company ("ESCO") without diminishing the current level of service; and

WHEREAS, the Village wishes to partner with Sustainable Westchester to establish a community choice aggregation energy program in the Village of Rye Brook.

NOW, THEREFORE BE IT RESOLVED, that the Board of Trustees of the Village of Rye Brook hereby adopts the local law to establish a Community Choice Aggregation Energy Program in conjunction with Sustainable Westchester in the Village of Rye Brook.

BE IT FURTHER RESOLVED, that the Mayor and Village Administrator are hereby authorized to execute and deliver all documents necessary to accomplish the purposes of this resolution.

TRUSTEE EPSTEIN	AYE
TRUSTEE HEISER	AYE
TRUSTEE KLEIN	AYE
TRUSTEE REDNICK	AYE
MAYOR ROSENBERG	AYE

State of New York
County of Westchester
Village of Rye Brook

} ss:

I hereby certify that this is the Resolution adopted by the Board of Trustees of the Village of Rye Brook which was duly passed by said Board on June 23, 2015.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of the Village of Rye Brook, this 25th day of June, 2015



Village Clerk

On a motion made by Trustee Epstein and seconded by Trustee Heiser, the following resolution was adopted.

RESOLUTION

AUTHORIZING PARTICIPATION IN A COMMUNITY CHOICE AGGREGATION (“CCA”) PROGRAM THROUGH SUSTAINABLE WESTCHESTER, INC.

WHEREAS, Sustainable Westchester, Inc., a not-for-profit organization comprised of over forty municipalities in Westchester County of which the Village of Rye Brook (the “Village”) is a member, sought approval of a demonstration community choice aggregation (“CCA”) program in Westchester County in 2014, which would allow local governments to participate in a Sustainable Westchester program to procure energy supply from energy service companies (the “ESCOs”) for the residents of the municipalities; and

WHEREAS, the CCA program is intended to provide consumers with the ability to lower their overall energy costs and the potential benefits of CCA programs include price stability for a fixed contract term, lower prices, more favorable contract terms, and the ability to design a program that reflects local preferences and needs, including a preference for cleaner power sources; and

WHEREAS, on February 26, 2015, the Public Service Commission of the State of New York approved implementation of the first CCA pilot program in New York State, which allows Sustainable Westchester to put out for bid the total amount of natural gas or electricity being purchased by local residents or small businesses; and

WHEREAS, the Westchester pilot program is intended to include residential and small non-residential customers, and to permit the aggregation of both electric and natural gas purchases by the communities which elect to participate; and

WHEREAS, Sustainable Westchester, Inc. will issue a request for proposals to suppliers to provide energy to participants, and will then award a contract; and

WHEREAS, Sustainable Westchester, Inc. or the Village will request individual customer data from the current utility with due consideration for privacy, and the selected supplier will then notify the bundled customers of the contract terms and provide the customers with an opportunity to opt-out of the program within twenty (20) days; and

WHEREAS, based upon the plain meaning of the text and prior interpretations of the General Municipal Law (“GML”), Sustainable Westchester has determined that a municipality may participate in a CCA program without undertaking a referendum as set forth in GML §360, which applies only to the construction, leasing, purchasing, acquisition, use or ownership of a “public utility service” as defined in the GML; and

NOW THEREFORE, BE IT RESOLVED, that the Village of Rye Brook intends to enter into an agreement with Sustainable Westchester for participation in a CCA program for its residents and business consumers who are not already purchasing electricity from an ESCO, only if: 1) the default price is guaranteed to be consistently less than the utility price for the same period; or 2) the default price is fixed at a level that is less than the average utility price for the same commodity, for the same customer class, over the preceding twelve month period; or 3) the default price is at first set at a level that is less than the average utility price for electricity, for the same customer class, over the preceding twelve month period, and only floats upward by less than twenty-five percent (25%) of the price increases implemented by the utilities; and

BE IT FURTHER RESOLVED that the Village agrees to notify residents and business owners eligible for inclusion in the program in a manner that the Village deems most effective and efficient in advance of any implementation of the program; and

BE IT FURTHER RESOLVED that the Mayor and Administrator are hereby authorized to execute any and all documents necessary to accomplish the purposes of this resolution.

TRUSTEE EPSTEIN	AYE
TRUSTEE HEISER	AYE
TRUSTEE KLEIN	ABSENT
TRUSTEE REDNICK	AYE
MAYOR ROSENBERG	AYE

State of New York
County of Westchester
Village of Rye Brook } ss:

I hereby certify that this is the Resolution adopted by the Board of Trustees of the Village of Rye Brook which was duly passed by said Board on July 2, 2015.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of the Village of Rye Brook, this 2nd day of July, 2015



Village Clerk

Community Choice Aggregation Demonstration Program

Frequently Asked Questions (Last revised July 7, 2015)

Q 1. What is Community Choice Aggregation (CCA)?

ANSWER: Community Choice Aggregation is a municipal or countywide energy procurement model that enables communities to put out for bid the total demand for electricity and natural gas of participating homes and small businesses and purchase energy on their behalf. Aggregating consumers on a large scale creates the market clout necessary to negotiate lower rates with private suppliers. CCA is currently available in six states: California, Illinois, Massachusetts, Ohio, New Jersey, and Rhode Island. New York will be the seventh. Over five million customers nationwide are served by a CCA program. Most programs have grown steadily and shown customers consistent savings. Sustainable Westchester has been authorized by the New York State Public Service Commission (PSC) to implement the first CCA program in the state in Westchester County.

Q 2. What types of customers may participate in this pilot program?

ANSWER: The PSC has limited participation to residential and small commercial accounts for electricity and natural gas that are not presently taking supply under a contract with a third party supplier (commonly called “ESCo s” in New York State). Small commercial customers are generally those with peak electric demands less than 10 kilowatts (kW).

Q 3. Who is Sustainable Westchester?

ANSWER: Sustainable Westchester (SW) is a non-profit 501(c)(3) consortium of Westchester County local governments founded to generate equitable and ecologically responsible economic growth through innovative, participatory, and replicable initiatives. Member municipalities collaborate on ecologically sustainable programs that stimulate the local economy and secure the health and well-being of Westchester residents now and in the future. For the CCA program, Sustainable Westchester will act as the manager, coordinator, and administrator on behalf of any of its member municipalities who join the CCA program.

Q 4. What about ConEd/NYSEG? Where do they fit in?

ANSWER: The existing utilities continue to deliver reliable power, maintain power lines, and respond to service outages. They will still provide the same customer service to all residents regardless of whether they are in the CCA program. They are required by law to do so. Customers will still receive only one bill each month, and it will still come directly from ConEd/NYSEG. The new bill will reflect the change in supplier and new, lower supply rate.

Q 5. Which communities may participate?

ANSWER: All Westchester cities, towns and villages are eligible to participate in the program. Sustainable Westchester has been presenting the CCA program to communities countywide and walking elected officials through the process of enabling their residents’ enrollment. If they

choose to pursue CCA, communities are encouraged to hold a public hearing to discuss the opportunity, pass a local law authorizing the municipality's participation, and communicate the details of CCA to their residents and small businesses.

Q 6. Do we need a local law?

ANSWER: Yes, under New York State home rule, a city/town/village authorizes itself to join the demonstration program by adopting a local law. This action does not commit to the city/town/village to joining, but merely enable doing so. The law gives the municipality control over the conditions under which it will participate. It also gives the city/town/village full flexibility to take advantage of future statewide CCA opportunities (i.e. local procurement incentives, energy efficiency fund, etc...).

Q 7. What else do communities have to do to be part of the program?

ANSWER: After adoption of the local law, the municipality, assisted by Sustainable Westchester, will inform the local utility (ConEdison or NYSEG). Thereafter, Sustainable Westchester will prepare an energy procurement bid and manage that process on behalf of all the aggregated municipalities. Assuming we receive a compliant bid, Sustainable Westchester will inform the municipalities. At this point, the municipality has a choice of whether to proceed by signing a tri-party agreement with Sustainable Westchester and the chosen energy supplier(s) or not. Should the municipality proceed, it will, again assisted by Sustainable Westchester, inform the ConEdison or NYSEG supply customers in its jurisdiction of the new offering. At that point a 20 day opt out period begins, for any customers who do not wish to take advantage of the new offering. Once the 20 day opt-out period closes, the program goes into effect at the next billing period. Sustainable Westchester will manage the communication between the utility and new energy supplier on behalf of its member municipalities.

Q 8. Is my community participating?

ANSWER: As cities, towns, and villages adopt the local law and notify Sustainable Westchester of their intent to participate in CCA, we will post the list of participating communities on the [Sustainable Westchester website](#). Please check there to see if your city/town/village has passed a CCA local law. If you don't see your community listed, please contact your elected officials to make sure they have had Sustainable Westchester in for a public presentation.

Q 9. How much may I save?

ANSWER: We expect most customers participating in a CCA program will experience a four (4%) to five percent (5%) savings on their utility bills.

Q 10. What if I don't want to participate?

ANSWER: Absolutely your choice. Every household and small business that currently receives their energy supply from ConEd/NYSEG will be given full advanced notice of the program's initiation and given clear instructions on how they can opt out. There will be online, phone, and mail (pre-paid postcard) options. Customers will have twenty days from the time they receive the opt-out notification. After that point, those customers that did not opt out will be automatically migrated to the CCA program. This is largely a formality, however. Customers will still have the ability to opt out at any time with no penalties whatsoever.

Q 11. How will the CCA program impact Westchester residents?

ANSWER: Most customers will not notice any change. The only difference would be that the electricity delivered to the home or business would be cheaper and potentially from cleaner and/or local sources of power. The way you pay your bill now will stay exactly the same. Over time, customers will notice that their rates remain more stable, and that they have greater access to renewable energy, local generation, and energy efficiency programs.

Q 12. Will my taxes go up?

ANSWER: No, there is no taxpayer or public funding required to run this CCA program. In fact, the New York State sales tax you pay on your monthly electric and gas bill should go down if you are in the CCA program.

Q 13. What if I don't have natural gas at my home/business?

ANSWER: You will still be enrolled for your electricity supply and receive the same rates for electricity as all other residents in your municipality, including those that are also buying their natural gas through CCA.

Q 14. Is CCA green?

ANSWER: Sustainable Westchester is committed to seeking use of power from renewable sources, in ways that do not significantly raise the bottom line price.

Q 15. What choices will the consumer have under CCA?

ANSWER: Sustainable Westchester intends to solicit energy bids that offer at least three (3) different energy supply options. The first will be a default rate that per the Public Service Commission order must "save them money." The second is likely to fixed rate for an energy supply. And the third is likely to be a "green product" that is up to 100% carbon free and derived from renewable energy sources (solar, wind, hydropower, etc). In most other CCA programs, the carbon-free rate option is usually slightly higher than the default rate. In the other states that offer CCA, nearly half of the over 5 million CCA households or businesses purchase renewables as part or all of their procurement mix. Each individual household or business will be able to choose which rate they want to buy, the default, fixed or carbon-free rate.

Q 16. What is the financial responsibility for the municipalities or the County?

ANSWER: There is no financial risk to local governments. Administration and operation costs incurred by the CCA program will be covered through a small fee paid by customers per kilowatt-hour (kWh) or therm. Compliant bids must save residents money after this administration fee has been calculated into the bid, relative to what the customer would have spent per kWh or therm in the prior year when buying supply from his utility.

Q 17. How will Sustainable Westchester go about procuring the energy supply bid?

ANSWER: Electricity and natural gas suppliers will be selected by a competitive bidding process, using a energy procurement request for proposals (RFP). Each municipality participating in CCA will designate a liaison who will review the draft Energy Procurement RFP and provide input to SW's Energy Procurement Committee on the RFP prior to publication. Only bids that beat the average utility price over the last year or guarantee sub-utility rates 24/7 will be considered compliant bids. Compliant bids will be evaluated based on rates, fixed term length, carbon-free options (100% renewables, no nuclear), and strict credit requirements.

Suppliers may bid on electricity, natural gas, or both. The winning supplier(s) will then negotiate a contract with each participating municipality.

Q 18. How is Sustainable Westchester qualified to manage the CCA process?

ANSWER: The organizational structure of Sustainable Westchester has been designed for just such a decision-making mechanism. The Board of Directors is made up of elected municipal officials in Westchester County, and professionals in the sustainability sector (primarily energy). In addition, Sustainable Westchester has assembled an Energy Procurement Committee consisting of experts in the field, each with vast experience in the New York supply markets. This Committee will act in an advisory role, on a volunteer basis, throughout the process. Sustainable Westchester has also been openly soliciting feedback from member municipalities to ensure that procurement decisions will sufficiently represent the interests of residents countywide.

Q 19. How is the Sustainable Westchester CCA program funded?

ANSWER: As mentioned above, PSC has authorized Sustainable Westchester to collect a rate-based administration fee, which covers organization's expenses for communications and outreach assistance, customer service, support to municipalities, and legal fees associated with managing the program. This fee will likely be a tenth of a penny per kilowatt-hour of electricity and half a penny per therm of natural gas. When the details are finalized, all administration fees will be fully disclosed.

Q 20. What other New York Counties/Communities are exploring CCA?

ANSWER: As of February 2015, Westchester is the only county in the state authorized to implement a CCA program. However, communities throughout New York, such as in Sullivan, Ulster, and Monroe Counties, are keeping a close eye on our Westchester pilot. They plan to submit CCA proposals of their own to the Public Service Commission based on our experience in Westchester..

Q 21. Will each municipality have to hire a consultant or broker to help them with the bidding process?

ANSWER: No. Sustainable Westchester will be conducting the bidding process on behalf of all the participating municipalities in unison. A primary mission of Sustainable Westchester is to provide such shared services to all member municipalities, which chose to participate in this program.

Q 22. Will the same ESCo be used for both electric and natural gas procurement?

ANSWER: Maybe. It is the intention of Sustainable Westchester to release the RFP for both electric and natural gas simultaneously, in which case ESCos will have the opportunity to submit bids for either or both.

Q 23. How will account numbers and related information be kept confidential?

ANSWER: Yes. Privacy has been and remains a top priority for Sustainable Westchester, PSC, ConEd and NYSEG, and all the participating municipalities. The agreement between the participating municipalities, Sustainable Westchester and the ESCo will contain non-disclosure language for all parties to protect the privacy of account level data.

Q 24. Will the winning supplier be able to assign the contract to a new supplier?

ANSWER: Only with the approval of Sustainable Westchester and the participating municipalities. This will likely be a mutually reflexive clause in the contract requiring approval of all other parties for any significant change to the agreement.

Q 25. What happens if customers fail to pay their bills? Can the supplier force other customers (or municipalities) to pay for such losses?

ANSWER: It will be up to the distribution utility, as usual, to collect on delinquent accounts. No other stakeholder (i.e. Sustainable Westchester, other customers, municipalities) will be held responsible.

Q 26. How will customers currently getting net metering credits be impacted?

ANSWER: There will be no effect; customers with rooftop solar will continue to get paid net metering credits at the retail rate.

Q 27. Once terms of a draft contract have been worked out, will towns (or customers) have a chance to review it before their future energy procurement is tied to those terms?

ANSWER: Yes. The draft contract will be presented to the municipalities, posted on their website, as well as the Sustainable Westchester website.

Q 28. What will be the form of input to the RFP and subsequent contract?

ANSWER: Sustainable Westchester will hold a webinar or Google hangout to explain the details and solicit comments.

Q 29. If customers opt out after the contract has taken effect, how will that effect their service?

ANSWER: Service will not be interrupted whatsoever. The account will be transferred back to the utility at the end of the following billing period.

Q 30. Will customers be informed at the end of the first contract that they may be switched to a new supplier, and then be given another chance to opt out?

ANSWER: Yes. All participating households and small businesses will receive notification of the change along with the new price and all of the opt-out methods.

Q 31. Who covers the termination penalty should Sustainable Westchester decide to terminate the contract prior to its end date?

ANSWER: In that highly unlikely event, the city/town/village will be responsible for fulfilling the terms of its contract.

Q 32. Could Sustainable Westchester or town board member assets be encumbered in any way should a lawsuit against Sustainable Westchester occur?

ANSWER: No. Sustainable Westchester has an insurance policy protecting against such an outcome.

Got more questions? Contact Leo Wiegman, Executive Director, Sustainable Westchester

Leowiegman@sustainablewestchester.org



Public Hearing Notice

US POSTAGE
PAID
PRESORT STD
PERMIT 861
10610
ECRWSS

- The village is holding a public hearing regarding your Gas and Electrical services.
- The intended purpose of this hearing is to consider an agreement with surrounding municipalities to join together and seek electricity and natural gas price savings as proposed by Sustainable Westchester.
- The program will allow Port Chester to determine the default supplier of electricity and natural gas on behalf of its residential and small commercial customers.
- Sustainable Westchester is a non-profit company: www.sustainablewestchester.org

TIME: 7:00 PM
DATE: 10/5/15
LOCATION: Village Court Room
350 N. Main St
Port Chester NY

Postal Customer
Port Chester, NY 10573

The public will be encouraged to speak and be heard



Aviso de Audiencia Pública

- El pueblo esta sosteniendo una audiencia pública sobre el gas y servicios eléctricos.
 - El propósito de esta audiencia es considerar un acuerdo con los municipios que rodean para unirse y buscar la electricidad y el precio del gas natural para así tener un ahorro propuesto por Westchester Sostenible.
 - El programa permitirá a Port Chester para determinar el proveedor predeterminado de electricidad y gas natural en nombre de sus clientes comerciales pequeños y residencias.
 - Westchester Sostenible es una empresa sin fines de lucro: www.sustainablewestchester.org
- HORA:** 7:00 PM
FECHA: 10/5/15
LUGAR: Village Court Room
350 N. Main St
Port Chester NY

Se invita al público a hablar y ser escuchado.

2



VILLAGE OF
PORT CHESTER

222 Grace Church Street, Port Chester, New York 10573

AGENDA MEMO

Department: Office of the Village Manager
Department: Office of the Village Attorney
Department: Planning and Development Department

BOT Meeting Date: 10/5/2015

Item Type: Joint Public Hearing

Sponsor's Name:	Christopher D. Steers, Village Manager
Sponsor's Name:	Anthony (Tony) Cerreto, Village Attorney
Sponsor's Name:	Jesica Youngblood, Village Planner

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 #:			Strategic Plan Priority Area		
	Yes	No	Redeveloping United Hospital Site		
Agreement	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Manager Priorities		
Strategic Plan Related	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Planning & Zoning		

Agenda Title

Joint public hearing to consider PC 406 BPR LLC and PC 999 High Street Corp.'s (Applicant) environmental impact statement (EIS) and the proposed zoning amendments related to the redevelopment of the former United Hospital with a portion focused on transportation considerations as described in the EIS.

Summary

Overview:

The Board of Trustees as Lead Agency for this State Environmental Quality Review Act (SEQRA) accepted the Applicant's draft environmental impact statement (DEIS) as complete on July 20, 2015 and established two public hearing dates, conducted on August 27, 2015 and September 8, 2015 with the public comment period terminating no sooner than September 25, 2015. At the September 8 public hearing, the Lead Agency

set an additional topic-specific public hearing focused on transportation impacts for September 21, 2015 with a closing date for public comments of October 10, 2015. At the September 21 public hearing, the Lead Agency set an additional topic-specific public hearing focused on school district and fiscal impacts for October 5, 2015 with a closing date for public comments of October 30, 2015. All public comments should be sent to the Village of Port Chester, attention: Village Clerk, either by US Mail, email (jrichards@portchesterny.com), or fax.

Pursuant to SEQRA regulations, if the Lead Agency sets an additional joint public hearing(s), the comment period will likewise be extended past October 30, 2015.

Note:

The Board of Education, Office of the Superintendent of Schools were notified of this topic-specific public hearing and invited to attend.

This public hearing does not exclude non-school district/fiscal public comment from the project record.

Attachments
None.

3



VILLAGE OF
PORT CHESTER

222 Grace Church Street, Port Chester, New York 10573

AGENDA MEMO

Department: Office of the Village Manager
Department: Planning and Development Department

BOT Meeting Date: 10/5/2015

Item Type: Public hearing

Sponsor's Name:	Christopher Ameigh, Admin. Assistant to the Village Manager
Sponsor's Name:	Jesica Youngblood, Village Planner

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 #:			Strategic Plan Priority Area		
			Community Development		
	Yes	No			
Agreement	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Manager Priorities		
Strategic Plan Related	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Planning & Zoning		

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

Public hearing for Community Development Block Grant (CDBG) proposals.

Summary

At the Sept. 21 meeting, the Board adopted a resolution to set a public hearing for Oct. 5th regarding anticipated community development proposals under the 2015 New York State Community Development Block Grant (CDBG) program. State requirements include holding a public hearing notifying intent for applications and to solicit public response.

New York State will fund *up to* \$4.1M distributed among eligible Westchester County municipalities with less than 50,000 residents that meet all eligibility requirements. Funding is competitive and available among four categories: public facilities, public infrastructure, housing rehabilitation, and economic development. Additional information is available at: <http://www.nyshcr.org/Programs/NYS-CDBG/ProgramGuidelines.htm>.

The Board supports submission of the following 3 applications based upon eligibility per state regulations, project readiness, and available funding limits:

Public Infrastructure: Maximum Request per municipality, \$750,000

- Sewer/Stormwater Infrastructure repairs to improve system operations

Public Facilities: Maximum Request per municipality, \$400,000

- Fire House Facilities Repairs (concrete aprons)
- Senior Center Improvements: new bus for transportation services, new kitchen equipment for food preparation services

Application materials are due October 23, 2015, and staff will incorporate public comments as applicable.

Attachments
None.

PUBLIC COMMENTS

PRESENTATIONS

RESOLUTIONS

1

RESOLUTION
APPOINTMENT OF ROBIN SMITH TO BOARD OF ETHICS

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:

RESOLVED, that Robin Smith, residing in Port Chester, New York be and hereby is appointed as a full member of the Port Chester Board of Ethics, effective immediately.

Approved as to Form:

Anthony M. Cerreto, Village Attorney

ROLL CALL

AYES:

NOES:

ABSENT:

DATE:

2



VILLAGE OF
PORT CHESTER

222 Grace Church Street, Port Chester, New York 10573

AGENDA MEMO

Department: Office of the Village Manager
Department: Planning and Development Department

BOT Meeting Date: 10/5/2015

Item Type: Resolution

Sponsor's Name:	Christopher D. Steers, Village Manager
Sponsor's Name:	Jesica Youngblood, Village Planner

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

Agenda Title

Formation of bulkhead design grant project advisory committee.

Summary

The Dept. of State Local Waterfront Revitalization Program (DOS-LWRP) awarded the village a grant up to \$225,420 on January 9, 2014 for design and construction plans + permits to install a new bulkhead with increased public waterfront access and an activity node. Per the executed contract with DOS, the Village must establish a project advisory committee (PAC) subject to review and approval by the DOS.

In accordance with DOS-LWRP policies, the PAC should be a balanced cross section of 7-10 technical and non-technical individuals purposed to demonstrate both compliance and commitment to DOS goals and objectives. This group may include members of existing village approval bodies, project area landowners, and other non-governmental/community agents. Village staff will serve as liaisons on the PAC. Ultimately, the PAC will work cooperatively with

Boswell Engineering, Village Staff and municipal officials to provide advisory comment regarding the design alternatives.

Attachments

Resolution establishing the Bulkhead Design Grant Project Advisory Committee.

ESTABLISHING A PROJECT ADVISORY COMMITTEE WITH REGARD TO THE DESIGN OF THE REPLACEMENT OF THE BULKHEAD AND PROVIDE FOR INCREASED PUBLIC WATERFRONT ACCESS AT THE VILLAGE MARINA

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 New York State Department of State (“DOS”) Local Waterfront Revitalization Program (“LWRP”) provides grant funding opportunities for planning initiatives and projects that advance strategies for community and waterfront revitalization; and

WHEREAS, as part of the 2013 Consolidated Funding Application Program, the Village of Port Chester was successful in being awarded a grant from the Department of State (DOS) Local Waterfront Revitalization Program for a maximum of \$225,420 for design and construction documents and associated permits to replace the failed bulkhead and provide increased public waterfront access at the Village Marina; and

WHEREAS, in November 2014, the Village entered into a contract (#C1000444) with DOS; and

WHEREAS, by resolution adopted on July 6, 2015, the Board awarded the bid for design work and construction documentation to Boswell Engineering, Inc. and authorized the Village Manager to negotiate a contract with said firm which is subject to DOS review and approval; and

WHEREAS, the contract with DOS requires the Village to establish a project advisory committee (PAC) to work with Village staff and the contractor purposed to demonstrate compliance with Department goals and objectives and consisting of seven to ten members representing a balanced cross-section of the community; and

WHEREAS, the Board desires to advance this important project with the requisite commitment of public and stakeholder participation. Now, therefore, be it

RESOLVED, the Village Board of Trustees hereby establishes a Marina Bulkhead Design Grant Project Advisory Committee, to consist of the following individuals:

<i>Name</i>	<i>Affiliation</i>
1.	
2.	
3.	
4.	
5.	

6.	
7.	
8.	
9.	
10.	

Approved to form:

Village Attorney

3



VILLAGE OF
PORT CHESTER

222 Grace Church Street, Port Chester, New York 10573

AGENDA MEMO

Department: Planning and Development Department

BOT Meeting Date: 10/5/2015

Item Type: Correspondence

Sponsor's Name:	Jesica Youngblood, Village Planner
------------------------	------------------------------------

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 #:			Strategic Plan Priority Area		
			Community Development		
	Yes	No			
Agreement	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Manager Priorities		
Strategic Plan Related	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Planning & Zoning		

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

[No agenda title: This memo corresponds to correspondence sent on behalf of G&S regarding the development proposal for 'Retail D,' also known as "Unit 2B" or "Coney's Lot."]

Summary

Background: Original Proposal:

The owner/developer G&S (herein referred to as “Applicant”) submitted a zoning petition on December 5, 2014 to the Village Board to amend the respective zoning map and text 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 residential development for parcels known as 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. Note: these 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.

This original proposal included a proposal 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) and nearly 12,00 square feet of ground floor retail.

The Original Petition proposed 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 (see Exhibit “E”).

The Applicant made presentations to both the Board of Trustees and the Planning Commission pursuant to Chapter 345-34 of Village Code. Both groups raised concern over the proposal, e.g. density, parking, bulk regulations, etc.

To this point, the Applicant incorporated this feedback into an amended zoning petition submitted to the Village on October 1, 2015 (herein referred to as the “Amended Petition”).

Amended Petition:

The Applicant’s amended zoning petition reduces the total square footage of allowed development to approximately 72,000 square feet (from 90,000 sqft) to include

approximately seventy-nine (79) rental dwelling units comprised primarily of studios and one-bedroom units and includes a density bonus provision,

Specifically, the Applicant requests the following bulk and density regulations applied:

- Maximum building height: 5 stories/70 feet
- Maximum Floor Area Ratio: 3.7;
- Minimum Lot Area per Dwelling Unit: 240 sq. ft.
- Front/Side/Rear Setbacks: None.
- Usable Open Space per Unit: None.

Comprehensive Plan Consistency:

The Applicant asserts that the Amended Petition “*is completely consistent the Land Use Strategies and recommendations for the Downtown North and South Main Street and Abendroth Avenue (west side) land area as set forth in the Village’s 2012 Comprehensive Plan.*”

Comparison:

The table below compares both the Original and Amended Petitions regarding bulk and density regulations. The red boxes indicate areas of difference.

	Original Petition	Amended Petition
<i>Maximum Building Height</i>	5 stories or 70 feet	5 stories or 70 feet
<i>Minimum Lot Area per Dwelling Unit</i>	250 Square Feet	240 Square Feet
<i>Minimum Lot Depth/Width</i>	None	None
<i>Front/Side/Rear Setbacks</i>	None	None
<i>Usable Open Space per Unit</i>	None	None
<i>Maximum Floor Area Ratio</i>	---	3.7
<i>Density Bonus</i>	---	Yes

Next Steps:

Staff recommends the Applicant provide a presentation to the Board of Trustees on October 19th with a followed public hearing on Nov. 5th. Concurrently, the Board should refer the Amended Petition to the Planning Commission for comment and report back to the Board pursuant to Chapter 345-34 of the Village Code.

A resolution is provided in Board packets for consideration and forward action.

Notes:

No new SEQRA undertakings are required as the Amended Petition is a reduction in overall environmental impacts and is not significantly different enough to warrant new action. The Applicant will provide a copy of the Amended Petition to all Interested/Involved Agencies as listed in the December 15, 2014 resolution.

The Village of Port Chester Board of Trustees retains authority to amend 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 in accordance with Article XVI Marina Redevelopment Project Urban Renewal District of the Village Code. The BOT also retains authority over any site plan or amendment to the MUR District per Article XVI.

Attachments
<ul style="list-style-type: none">• G&S Amended Petition.• Resolution to schedule a presentation Oct. 19, referral to Planning Commission, and public hearing for Nov. 5.

October 1, 2015

Via Email

Hon. Dennis Pilla
Mayor and Trustees
Village of Port Chester
222 Grace Church Street
Port Chester, NY 10573

Re: G&S Port Chester LLC – Parcel D Amended Rezoning Petition
Tax Map Designation: Section 142.031, Block 1, Lots 3, 4, 5, 6, 20, 21, 22, 23, and 24

Gentlemen:

Attached please find an Amended Petition for Rezoning the MUR zone and the MMRP Urban Renewal Plan for Land Use Area 2 (“Parcel D”) to permit mixed-use development.

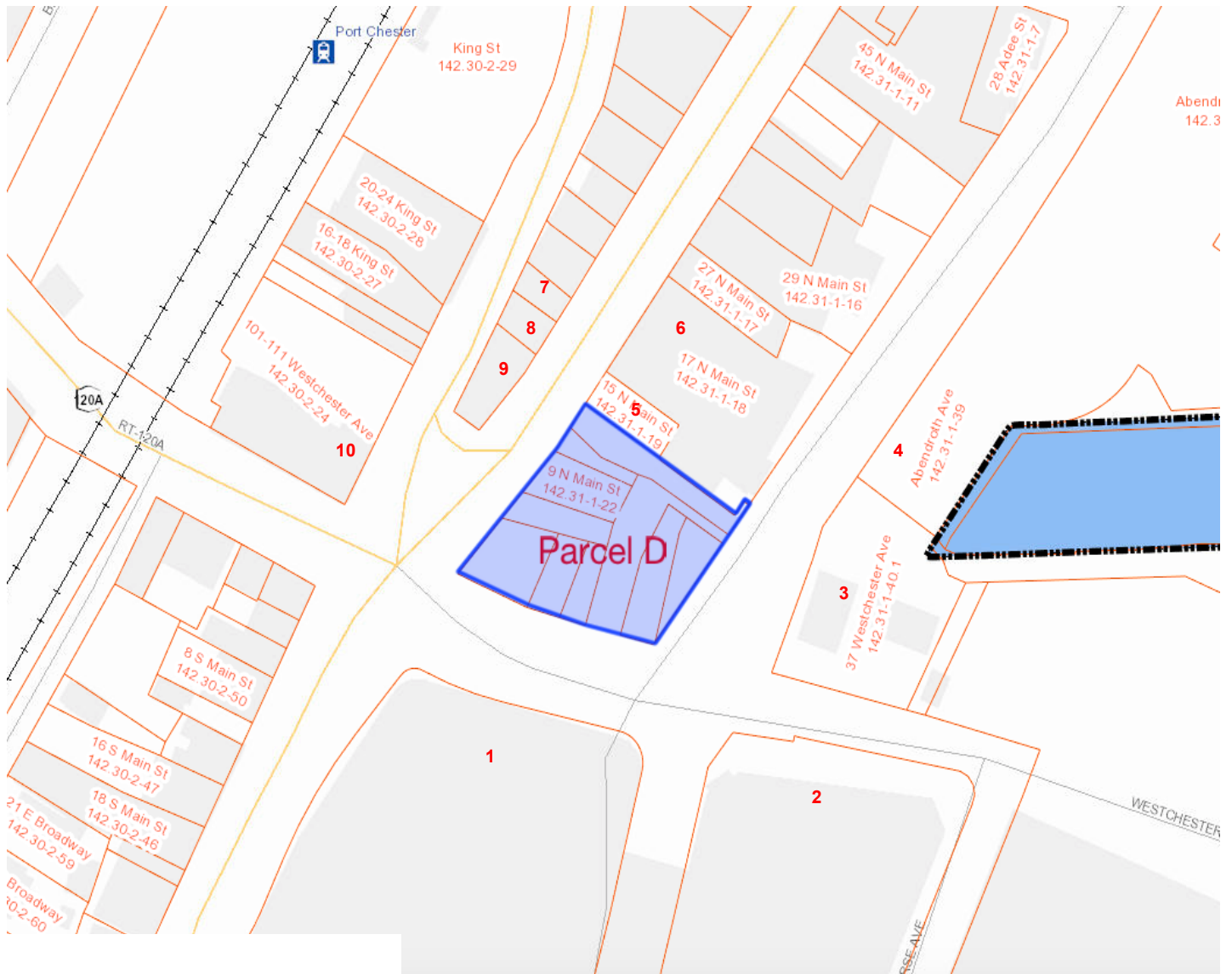
The submitted Amended Petition embodies the recommendations of the Planning Commission by scaling back the originally requested “as of right” bulk development of the parcel significantly, with the opportunity for bonus density for additional floor area similar to §345-16(4) of the Zoning Code available in the C2, C5 and C5T zoning districts.

We respectfully request that you accept the Petition, provide an opportunity for a public presentation and schedule a public hearing date.

Respectfully Submitted,
Tartaglia Law Group, LLC



Daniel D. Tartaglia, Esq.



Parcel D – Tax Identification – Section 142.031, Block 1, Lots 3,4,5,6,20,21,22,23 & 24
 Site Area = 23,138 Square Feet

Property Owners within 100':

- 1 – 142.31-1-43.1 – Port Chester IDA
- 2 – 142.31-1-43.1 – Port Chester IDA
- 3 – 142.31-1-40.1 – JWP Energy Inc.
- 4 – 142.31-1-39 – Port Chester IDA
- 5 – 142.31-1-19 – 15 North Main LLC
- 6 – 142.31-1-18 – 17-25 North Main Street
- 7 – 142.31-1-27 - Alvi Holdings Co.
- 8 – 142.31-1-26 – Post Road Iron Works
- 9 – 142.31-1-25 – Post Road Iron Works
- 10 – 142-30-2-24 – RV King Realty Co

Source: Westchester County Municipal Tax Parcel Viewer

Scale:



Parcel D – Site Location Map

FIGURE
1

BOARD OF TRUSTEES: VILLAGE OF PORT CHESTER
COUNTY OF WESTCHESTER: STATE OF NEW YORK

-----X

In the Matter of the Application of

G & S PORT CHESTER LLC

AMENDED
PETITION

For amendments to (i) the Urban Renewal Plan for the Modified Marina Redevelopment Project, (ii) the regulations of the MUR Marina Redevelopment Project Urban Renewal District of the Village of Port Chester, and (iii) the Concept Development Plan of the Modified Marina Redevelopment Project.

-----X

G & S Port Chester LLC (the "Petitioner"), by its attorneys Tartaglia Law Group, LLC, hereby petitions the Board of Trustees of the Village of Port Chester, as follows:

THE PETITIONER AND THE MODIFIED MARINA REDEVELOPMENT PROJECT

1. The Petitioner is a limited liability company organized and existing under the laws of the State of New York, having an address at 211 East 43rd Street, 25th Floor, New York, New York.

2. The Petitioner is the duly designated sponsor and redeveloper of the Modified Marina Redevelopment Project (the "Project") of the Village of Port Chester (the "Village") pursuant to a certain Land Acquisition and Disposition Agreement (the "LADA") dated as of July 14, 1999 and made by and among the Petitioner, the Village and the Village of Port Chester Industrial Development Agency (the "IDA"), as amended to date.

3. Under the LADA: (a) the Project area is divided into several "Units" for private redevelopment; (b) fee title to each of the Units was conveyed by the Village to the IDA; and (c) each Unit was leased to Petitioner in a "straight-lease transaction," as that term is defined in the

New York State Industrial Development Agency Act (New York General Municipal Law Article 18A).

4. The Project was approved by the Board of Trustees of the Village (the “Village Board”) as of July 14, 1999, by, among other things, the Second Amendment to the Urban Renewal Plan for the Village Center Urban Renewal Plan Area and the Marina Redevelopment Urban Renewal Plan (such Second Amendment is hereinafter referred to as the “MMRP Urban Renewal Plan”). The Project is an approved program for the redevelopment of an approximately twenty-eight (28) acre area in the downtown of the Village in and adjacent to the Village's central business district. The objectives of the Project are to eliminate blight and deteriorated conditions within the Project area, revitalize the Village's downtown and waterfront areas by attracting new businesses and creating employment opportunities, preserve and enhance property values and enhance the Village's aesthetics. The Project consists of a total of approximately 500,000 ft² of retail and commercial uses together with related infrastructure, parking and public spaces. A ground floor plan which shows the general layout of the Project is attached hereto as Exhibit “A.” The total permitted development is 670,000 ft² (see: Table below).

5. The Land Use and Development Controls for the Project are set forth in §345-67B of Chapter 345 of the Village’s Zoning Code. This section breaks the Project into primarily five (5) land use areas. Each Land Use Area has bulk limitations on permitted development (square footage of development) and permitted height. The Table below sets for these controls:

Land Use Area	Uses Permitted	Permitted Development of Building Floor Area	Permitted Height
1	Retail Sales, including supermarket with customary accessory uses, and retail and personal services or restaurant types of uses, general and professional offices and uses customarily accessory to each of the foregoing uses, parking and loading and open	275,000 ft ²	3 stories; 70'

	space uses. Multi-screen cinema theater, theaters and accessory uses customarily found in such a complex.		
2	The same land uses as an Area 1, except for multi-screen cinema theater, theaters and supermarket	40,000 ft ²	3 stories; 45'
3	Retail sales, retail, wholesale membership warehouse club, personal services and restaurant uses, neighborhood facilities, general and professional offices as well as uses customarily accessory to each of the foregoing uses. Multi-screen cinema theater, theaters and accessory uses customarily found in such a complex. Parking and loading and open space uses	275,000 ft ²	2 stories; 65'
4	General and professional offices and uses customarily accessory thereto. Retail and personal services uses, restaurant and customary accessory uses. Parking and loading and open space uses.	80,000 ft ²	3 stories; 45'
5	Open space, parking and water-related recreation uses which shall be excess above to the general public.		
Total Permitted Floor Area:		670,000 ft²	

THE PROPERTY

6. The real property which is the subject of this Petition is known and designated on the tax assessment map of the Village as Section 142.031, Block 1, Lots 3, 4, 5, 6, 20, 21, 22, 23, and 24 and consists of approximately 23,138 square feet (the "Property"). It is located at the northeast corner of North Main Street and Westchester Avenue, and is also known as "Retail D" of the Project (see: "Proposed Ground Floor Plan Retail Bldg. D" shown on Exhibit "A"). The Property is also designated as Unit 2B of the Project under the LADA ("Unit 2B"). A perimeter description of the Property is also attached hereto as part of Exhibit "A."

7. The Property also encompasses all of "Land Use Area 2" as described above and as shown on the Village's "Map of Land Use Areas and Streets within the Modified Marina Redevelopment Project" (the "Land Use Area Map").

8. The Property is currently approved for the construction of approximately 40,000 ft² of floor area in a three (3) story building.

THE PROPOSED BUILDING

9. At the time that the Project was approved, the Village Board's focus was on retail and commercial development, and not on residential development. However, over the course of the last decade, there has been a strong trend toward “smart growth,” which advocates mixed-use development concentrated in urban cores, with residential uses located near public transportation. As has been shown in many thriving nearby communities such as the City of White Plains, where luxury residential development has attracted residents with high incomes supporting a new and exciting downtown living experience, locating residential uses in a downtown area that offers a range of public transportation, employment opportunities, and housing choices leads to long term sustainability of the downtown.

10. The value of residential development in the downtown was not lost on the Village Board at the time the Project was approved. Although the Project does not currently include a residential component, the Village Board's findings under the State Environmental Quality Review Act made in connection with the approval of the Project acknowledge that the success of the commercial portion of the Project could be a catalyst for future residential development in the downtown area, which would also be a positive and beneficial impact of the Project.

ORIGINAL PETITION

11. In its original Petition submitted to this Board and reviewed by the Village's Planning Commission and staff, the Petitioner proposed to construct on the Property an approximately 90,000 square foot, five (5) story mixed-use residential and commercial building (the “Building”) to be known as “Waterfront Place.” Renderings of the proposed Building are attached hereto as Exhibit “B.”

12. The originally proposed ground floor of the Building was to have contained approximately 12,000 square feet of neighborhood retail space.

13. The remaining four (4) floors of the Building were to constitute the residential component, and, subject to design variations, would have contained approximately seventy-nine (79) rental dwelling units consisting of the following unit mix: fifty-six (56) one-bedroom units, sixteen (16) two-bedroom units and seven (7) studio units. A typical residential floor plan is attached hereto as Exhibit "C."

14. In addition to the availability of the public transportation and retail and entertainment opportunities in close proximity, the Building would include a number of amenities for the residential component, including an exercise room and an outdoor rooftop courtyard which would provide passive recreational space for use by the residents.

AMENDED PETITION

15. Based upon feedback and comments from the Planning Commission and from Village Staff, the Petitioner is submitting this Amended Petition which proposes to reduce the permitted floor area of the Building from the originally proposed 90,000 square feet to a Building of approximately 72,000 square feet. The Petitioner is proposing that the MUR also contain a density bonus provision for additional floor area similar to §345-16(4) of the Zoning Code available in the C2, C5 and C5T zoning districts.

THE PROPOSED AMENDMENTS TO THE MMRP URBAN RENEWAL PLAN, REGULATIONS OF THE MUR MARINA REDEVELOPMENT PROJECT URBAN RENEWAL AREA AND CONCEPT DEVELOPMENT PLAN OF THE PROJECT

16. Land use in the Project is controlled by the MMRP Urban Renewal Plan, the regulations of the MUR Marina Redevelopment Project Urban Renewal District (the "MUR

District”), and the “Concept Development Plan” required by those regulations. The retail component of the proposed Building is permitted under all three controls.

17. Under the Zoning Regulation, the residential component of the Building is considered a “multifamily dwelling.” The MMRP Urban Renewal Plan, MUR District regulations and Concept Development Plan do not currently permit multifamily dwellings in Land Use Area 2, or the development within Land Use Area 2 of more than 40,000 square feet of floor area in a building greater than three (3) stories and 45 feet high. Therefore, to permit the development of the Building on the Property, the Petitioner respectfully requests that: (a) the MMRP Urban Renewal Plan and the regulations of the MUR District be amended to create a new district to be referred to as the “MUR-Mixed Use District” specifically limited to Land Use Area 2, that will principally permit: (i) multi-family dwellings (floors above first floor); and require (ii) maximum building height of five (5) stories or 70 feet; (iii) maximum Floor Area Ratio of 3.7 (iii) minimum lot area per dwelling unit of 240 sq. ft.; (iv) no requirement for lot width or lot depth; (v) no minimum yard requirements; and (vi) no minimum usable open space per dwelling unit, and (b) the Concept Development Plan be amended to conform to these proposed amendments to the MMRP Urban Renewal Plan and MUR District regulations. The proposed amendments to the MMRP Urban Renewal Plan and MUR District Regulations are set forth in Exhibit “D” hereto.

18. The mixed-use proposed Project is completely consistent the Land Use Strategies and recommendations for the Downtown North and South Main Street and Abendroth Avenue (west side) land area as set forth in the Village’s 2012 Comprehensive Plan.

19. There is ample existing parking to accommodate the proposed residential use of the Building. However, since the Project as currently approved does not contain a residential component, the MMRP Urban Renewal Plan and MUR District regulations do not include a

parking requirement for multifamily dwellings. Accordingly, the Petitioner respectfully requests that the table of required parking in the MMRP Urban Renewal Plan and in the MUR District (Section 345-67.B(3)(g)[2][b] of the Port Chester Zoning Regulation) be amended to include a parking standard for “multi-family dwellings” as set forth in Exhibit “E” hereto.

20. The Petitioner respectfully submits that the Building is an appropriate use of the Property, will contribute to the continuing revitalization and sustainability of the downtown and will further the objectives of the Project and the goals for sustainable development that are set forth in the draft Comprehensive Plan under discussion in the Village.

COMPLIANCE WITH THE STATE ENVIRONMENTAL QUALITY REVIEW ACT

21. Under the State Environmental Quality Review Act and the regulations promulgated thereunder (“SEQRA”), the actions directly and indirectly proposed by the Petition are classified as “Unlisted.”

22. Accordingly, the Petitioner shall comply in all respects with the requirements of SEQRA regarding an Unlisted action. A long Environmental Assessment Form prepared by Cleary Consulting has been submitted herewith.

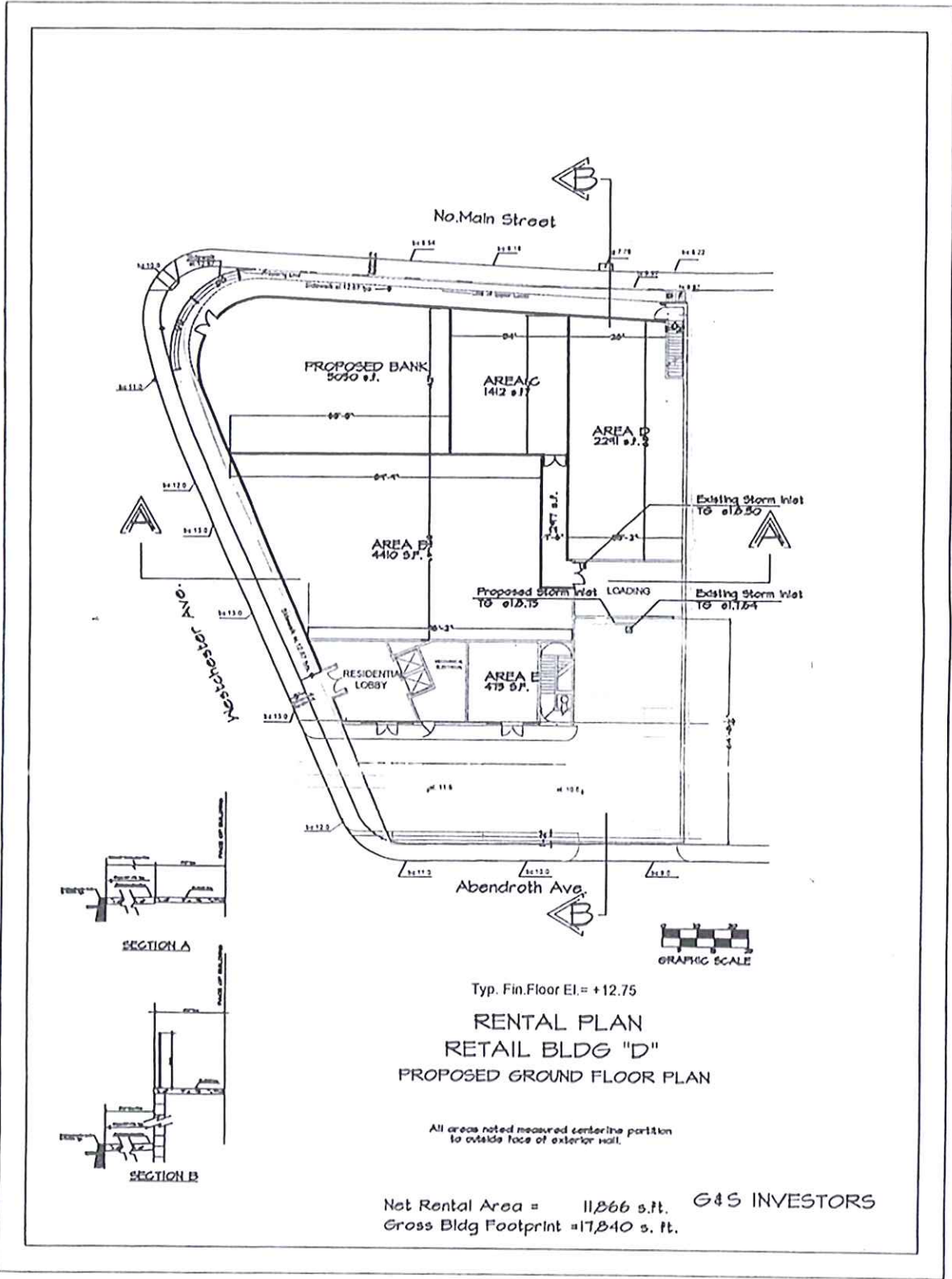
WHEREFORE, the Petitioner respectfully requests that this Petition be granted as set forth herein.

Respectfully submitted,
TARTAGLIA LAW GROUP, LLC
Attorneys for Petitioner
800 Westchester Avenue
Rye Brook, NY 10573
(914) 481-1880

Dated: Rye Brook, New York
September 25, 2015

Exhibit

A



Typ. Fin. Floor El. = +12.75
RENTAL PLAN
RETAIL BLDG "D"
PROPOSED GROUND FLOOR PLAN

All areas noted measured centerline partition to outside face of exterior wall.

Net Rental Area = 11,866 s.ft. **G&S INVESTORS**
 Gross Bldg Footprint = 17,840 s. ft.

PROPERTY DESCRIPTION

PARCEL "D"

ALL that certain plot, piece or parcel of land, situate, lying and being in the Village of Port Chester, Town of Rye, County of Westchester and State of New York, known and designated as Parcels 2, 3, 4, 5, 6, 7, and 8, The Draftway (Libert Street R.O.W.) and Brook Parcel on a certain map entitled, "Acquisition Map, Map of Property to be acquired by the Village of Port Chester a shown on the tax assessment map as Section 2, Block 66, Lots 1047, 18A and 18B of The Village of Port Chester" dated 01/17/2000 made by James V. DeMuro and filed in the Westchester County Clerk's Office on August 1, 2000 as Map No. 26596, being more particularly bounded and described as follows:

'BEGINNING at a -point being the intersection of the northerly sideline of Westchester Avenue with -the westerly sideline of Abendroth Avenue and running the following courses and distances:

- 1) Along Westchester Avenue, South 81 Degrees 44' 58 West,.27.11 feet; THENCE
- 2) Along Westchester-Avenue and crossing the opening of Driftway (Liberty Street), South 83 Degrees 08' 01" West, 102.74 feet to a point; THENCE
- 3) Along Westchester Avenue, South. 89 Degrees-24' 01- " West, 51.91 feet to a point; THENCE
- 4) Along No. Main Street, North 18 Degrees 41' 05" East, 171.31 feet to a point; THENCE
- 5) Leaving No. Main Street, South 74 Degrees 35' 55"-East, 61.11 feet; THENCE
- 6) South 82 Degrees 42' 55" East, 10.58 feet to a point; THENCE
- 7) South 15 Degrees 58' 05" West, 0.99 feet to a point; THENCE
- 8) South 73 Degrees 37' 45" East, 2.62 feet to a point; THENCE
- 9) South 16 Degrees 22' 15" West, 0.75 feet to a point; THENCE
- 10) South 73 Degrees 37' 45" East 28.40 feet to a point; THENCE
- 11) North 16 Degrees 22' 15" East, 0.75 feet to a point; THENCE
- 12) South 73 Degrees 37' 45" East, 57.33 feet to a point; THENCE
- 13) Along Abendroth Avenue, South 15 Degrees 21' 2.8" West, 105.92 feet to the place of BEGINNING

Exhibit

B



WATERGATE

RETAIL RETI

RETAIL 4

RETAIL 3

RETAIL 2

RETAIL 1



ATLANTIC PLACE

ATLANTIC PLACE

RETAIL 8

RETAIL 7

RETAIL 6

RETAIL 5

RETAIL 4

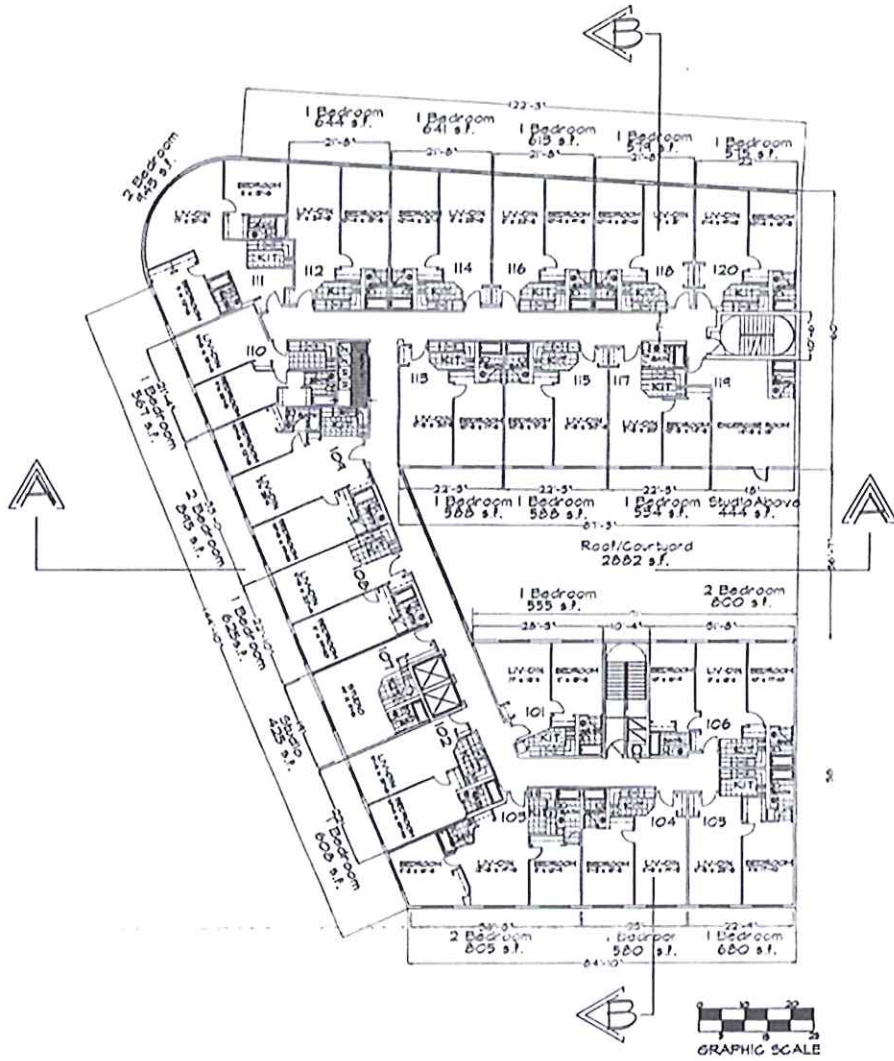
RETAIL 3

RETAIL 2

RETAIL 1

Exhibit

C



RETAIL BLDG "D"
TYPICAL RESIDENTIAL FLOOR PLAN

Net Apartment Area = 12,684 s.ft.
 Net Common Area = 2,326 s.ft.
 Net Roof Area = 2,082 s.ft.
 Perimeter Walls = 710 s.ft.
 Gross Bldg Footprint = 18,607 s.ft.

G&S INVESTORS

Exhibit

D

EXHIBIT "D"

Proposed Amendments to the MMRP Urban Renewal Plan

Section B.1.b (Permitted Land Use and Development Controls) is amended as follows (matter in {brackets} is deleted; underlined matter is added):

Land Use Parcel 2

Permitted Land Uses: Same as Parcel 1, except for multiscreen cinema theater, theaters, and supermarket.

Multifamily dwellings

{Permitted Development:}
Maximum Floor Area Ratio: {Forty thousand (40,000) square feet of building floor area.} 3.7

Permitted Height: {Three (3) stories; forty five (45) feet} Five (5) stories; 70 feet.

Proposed Amendments to the MUR District regulations

Section 345-67.B(1)(b) is amended as follows (matter in {brackets} is deleted; underlined matter is added):

(b) Land Use Area 2.

[1] Permitted land uses:

[a] Same as Land Use Area 1, except for multiscreen cinema theater, theaters and supermarket.

[b] Multi-family dwellings

[2] {Permitted development: 40,000 square feet of building floor area.} Maximum Floor Area Ratio is 3.7. At the option of the property owner, the development potential of a site can be increased in the form of additional floor area if the property owner makes a monetary contribution to the Village equal to 15% of the assessed value of the bonus floor space, as determined by the Village Assessor. If there is no Village Assessor, the calculation shall be based upon the assessed value of the bonus floor space as determined by the Town Assessor.

[3] Permitted height: {three stories; 45 feet} five stories; 70 feet.

Exhibit

E

EXHIBIT "E"

Proposed Amendments to the MMRP Urban Renewal Plan and MUR District regulations

Section B.2.g of the MMRP Urban Renewal Plan and Section 345-67.B(3)(g)[2][b] of the MUR District Regulations (Tables of Required Parking) are both amended to include the following use category and standards:

Multifamily Dwellings

Weekdays

Monday through Friday

9:00 am. 0.75 per 1,000 square feet of floor area

12:00 p.m. 0.75 per 1,000 square feet of floor area

6:00 p.m. 1.0 per 1,000 square feet of floor area

9:00 p.m. 1.25 per 1,000 square feet of floor area

Weekends

Saturday and Sunday

9:00 a.m. 0.5 per 1,000 square feet of floor area

12:00 p.m. 0.5 per 1,000 square feet of floor area

6:00 p.m. 1.0 per 1,000 square feet of floor area

9:00 p.m. 1.25 per 1,000 square feet of floor area

RESOLUTION

ACCEPTING FOR REVIEW THE AMENDED PETITION SUBMITTED BY G&S PORT CHESTER LLC TO AMEND THE OFFICIAL ZONING MAP AND THE TEXT OF CHAPTER 345 OF THE VILLAGE CODE, MUR MARINA REDEVELOPMENT PROJECT RENEWAL DISTRICT, THE ASSOCIATED URBAN RENEWAL PLANS, AND CONCEPT DEVELOPMENT PLAN OF THE MODIFIED MARINA REDEVELOPMENT PROJECT TO PERMIT MULTI-FAMILY RESIDENTIAL DEVELOPMENT IN A PORTION OF THE PROJECT AREA KNOWN AND DESIGNATED AS RETAIL “D”.

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 December 5, 2014, the Village Board of Trustees received a Petition (herein referred to as “Original Petition”) from G&S Port Chester LLC (herein referred to as “Applicant”) to amend the respective zoning map and text amendments to the MUR Marina Redevelopment Project Renewal District (“MUR”), the associated urban renewal plans, and the Concept Development Plan, for the Modified Marina Redevelopment Project (herein referred to as the “Project”) to permit multi-family residential development in a portion of the Project Area known and designated as Retail “D” and more fully described as Section 142.31, Block 1, Lots 3, 4, 5, 6, 20, 21, 22, 23 and 24 of the Town of Rye Official Tax Map as well as an interstitial right-of-way shown on said Map (herein referred to as “Subject Parcels”); and

WHEREAS, the Original Petition proposed a “MUR-MU Marina Urban Redevelopment Mixed Use District” to permit the construction of 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 12,000 square feet of ground floor retail; and

WHEREAS, as part of the overall approvals for the Project in 1999, the Subject Parcels were approved for redevelopment for three (3) stories, approximately 40,000 square feet of retail space; and

WHEREAS, by resolution adopted on December 15, 2014, the Village of Port Chester Board of Trustees declared its intent to serve as Lead Agency for this Unlisted Action as defined in part 617 of the State Environmental Quality Review Act (SEQRA) regulations and circulated same to potential interested and involved agencies for review and received no objections and referred this matter to the Planning Commission for review; and

WHEREAS, on May 28, 2015, the Applicant made a presentation to the Planning Commission; and

WHEREAS, on October 1, 2015, the duly filed an Amended Petition (herein referred to as “Amended Petition”); and

WHEREAS, in incorporating the comments from the Planning Commission, the Amended Petition reduces the total square footage of allowed development to approximately 72,000 square feet with seventy-nine (79) rental dwelling units comprised primarily of studios and one-bedroom units and includes a density bonus provision; and

WHEREAS, the Board of Trustees retains authority to amend the Urban Renewal Plan for the Project. Now, therefore, be it

RESOLVED, the Village Board of Trustees hereby accepts the Amended Petition for review and consideration; and be it further

RESOLVED, that the Board determines that it is unnecessary to recommence the SEQRA process given the reduction in scope and scale of the proposed development; and be it further

RESOLVED, in accordance with Section 345-34 of the Village Code, the Board refers the Amended Petition to the Port Chester Planning Commission; and be it further

RESOLVED, that the Board schedules a presentation to made by the Applicant for the regular meeting of October 19, 2015; and be it finally

RESOLVED, that the Board of Trustees schedules a public hearing on the Amended Petition for the next regular meeting of November 5, 2015 at 7:00 p.m. at the Police Headquarters/Justice Court, 2nd Floor Courtroom, and Port Chester.

Approved to form:

Anthony M. Cerreto, Village Attorney

4



VILLAGE OF
PORT CHESTER

222 Grace Church Street, Port Chester, New York 10573

AGENDA MEMO

Department: Office of the Village Attorney

BOT Meeting Date: 10/5/2015

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:					
Account #:					
	Yes	No	Strategic Plan Priority Area	N/A	
Agreement	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Manager Priorities	N/A	
Strategic Plan Related	<input checked="" type="checkbox"/>	<input type="checkbox"/>		N/A	

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

AUTHORIZING VILLAGE MANAGER TO ENTER INTO
 AGREEMENT FOR APPRAISAL SERVICES.

Summary

Background:

The Board has directed uchh'to obtain appraisals for 222 Grace Church Street and 350 North Main, related to the on-going discussion about a new municipal center/police facility. Of the three formal proposals received, we recommend that Lane Appraisal's proposal be accepted.

We are familiar with the firm based on past dealings and have been more than satisfied with their work. Their professional reputation in the county is superior and the quote contained in their proposal is the least expensive of the three formal proposals received.

Therefore it is recommended that the Board authorize the Village Manager to enter into an agreement with Lane Appraisals Inc.

Proposed Action

That the Board of Trustees adopt the Resolution

Attachments

Resolution Formal Proposals Submitted (3)
--

RESOLUTION
AUTHORIZING VILLAGE MANAGER TO ENTER INTO
AGREEMENT FOR APPRAISAL SERVICES

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

WHEREAS, the Village of Port Chester seeks appraisals for property located at 222
Grace Church Street, and 350 North Main Street; and

WHEREAS, the Village received three proposals for these professional services; and

WHEREAS, after an extensive investigation and analysis of all three proposals, the
Village Manager recommends that the proposal from Lane Appraisals, Inc., be accepted. Now,
therefore, be it

RESOLVED, that the Board of Trustees hereby authorizes the Village Manager to enter
into an agreement with Lane Appraisals, Inc. for appraisal services with regards to 222 Grace
Church Street and 350 North Main Street, with compensation to be \$10,500.00.

RESOLVED, that the funding for said agreement be appropriated from _____

Approved as to Form:

Anthony M. Cerreto, Village Attorney

LANE APPRAISALS, INC.

Real Estate Valuation Consultants

EDWARD J. FERRARONE, MAI
PAUL A. ALFIERI, MAI
KAREN COLIN-SAGARA
GREGORY FAUGHNAN, MAI
LORI COADY
JANE M. MOSS
JOSEPH P. SIMINSKY
STEVEN BAMBACE

JOHN W. LANE, MAI (1907-1993)

178 MYRTLE BOULEVARD
LARCHMONT, NEW YORK 10538
914-834-1400
FAX 914-834-1380

lane.app@verizon.net

To: Christopher D. Steers, Village Manager
Neil J. Pagano, Mayor

Fr: Ned Ferrarone

Re: Various appraisals

Date: 10-20-14 - *Called & Confirmed
Quote is still good
on 9/10/2015*

We can appraise the properties which we discussed for the following fees:

<i>C-4 Gen Comm</i>	350 N Main (Police & Court)	\$4,500
	As Is with building	
	As if Vacant, based on H&BU, assume C-2 zone	
<hr/>		
<i>C-3 Office</i>	222 Grace Church	\$6,000
	Village Hall	
	As a commercial office	
	As assisted living	
	As age restricted residential	
	All valuations to include the Senior Center which is to remain	

I estimate that this work will take approximately 4 weeks to complete. Our fee would be due upon completion.

If this is acceptable, please sign a copy of this memo and return it to us via fax to 914 834-1380. Also, we will need the name and phone number for someone who can provide us with access to the property.

Thank you.

Agreed to and accepted:

Domus Appraisals

Real Estate Valuation & Consultation Services

September 8th, 2015

P.O. Box 594, Bronxville, NY 10708

(914) 969-2890

DomusAppraisals.com

David Kenny
Village of Port Chester

**RE: 350 N Main Street & 222 Grace Church Street
Appraisal Proposals**

To whom it may concern:

In accordance with your request, Domus Appraisals is willing to complete an 'As-Is' and a "Highest & Best Use" appraisal for each of the properties identified below. The valuation of the property located at 222 Grace Church Street will include the attached Senior Center.

The total fee for completing both appraisal reports will be \$11,500. The completed appraisal will be ready for delivery within 14 business days from inspection of the property.

Domus Appraisals will physically inspect the property, as well as, gather and analyze all of the necessary data to arrive at the conclusion. The Sales Comparison Approach will be the primary method utilized to develop the market value of the property. The Income Approach will also be developed.

The assignment will be to formulate an opinion of the "As-Is" & "Highest & Best Use" market values in the fee simple for the properties as of the inspection date. The appraisal will be prepared in compliance with the Uniform Standards of Professional Appraisal Practice.

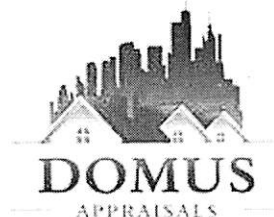
Please sign & return this engagement letter to commence the appraisal.

Respectfully Submitted,



Ronald McInerney Jr.
Domus Appraisals

Client's Signature



**Qualifications of
Ronald McInerney Jr.
Certified General Real Estate Appraiser**

NY License #46000050432
RI License #CGA.0A00904
CT License #RCG.0001337
FHA Approved

Domus Appraisals (1971)

Owner/ President: 08/01/2005 – Present
Vice President: 12/01/2003 – 08/01/2005

Skyline Properties, Inc (2001)

**Property Management & Acquisitions
Owner/ President:** 01/01/2001 – Present

Eastern Appraisals

Staff Appraiser: 12/2002 – 07/01/2004

Forsythe Appraisals

Staff Appraiser: 03/2002 – 12/2002

Affiliations:

Associate Member of the **Appraisal Institute**
Employee Relocation Council
Westchester Society of Real Estate Appraisers
Greater Providence Board of Realtors
Westchester/ Putnam Board of Realtors
National Association of Realtors

Education:

Quinnipiac University - Hamden, CT
Bachelor of Arts in Health Sciences, 1999

Various Real Estate classes at the following Institutions:

- New York University
- New York Real Estate Institute
- Rhode Island Association of Realtors,
- McKissock, LP
- ERC (Employee Relocation Council)
- Appraisal Institute
- American Real Estate Academy
- National Association of Realtors

Online courses are also completed on a continual basis

Expert Testimony:

Qualified by the Newport Supreme Court as an expert witness on 05/21/2013

Client List Sample:

CitiBank	Nyack Boat Club
Wells Fargo Bank	Village of Highland Falls
Barone Management	Law Offices of Joseph R. Palumbo, Jr.
JPMorgan Chase Bank	Riverdale Funding
Sovereign Bank	Lend Some Money
The Salvation Army	Law Office of Don B. Panush
Scottsdale Insurance	Rajan Patel, Esq.
Law Offices of Andrew Romano	TD Bank
Bertine, Hufnagle, et al.	Philip F. Menna, Esq.
Bank of America	Atlantic Home Capital
RBS Citizens Bank	Allegiance Relocation Services
Selene Finances	Graebel Relocation Services
Bankers Advisory, Inc.	Auto Concepts, Inc.
New York State Office of General Services	SuperTrans NY, Inc.
Cendant Mobility Services	Academy Bus Company
State Farm Bank	Conscious Community Realty Group
Retained Realty, Inc.	Island Boat Club Marina
Crown Relocation	Cartus Relocation Services
Movetrek Mobility	State of Israel, Estate & Trusts Department
Pepsi Bottling Corp.	Brookfield Relocation
Primacy Relocation, LLC	The Law Offices of Anthony J. Cassese, PLLC
Guaranteed Home Mortgage	State of Connecticut, Dept. of Transportation
The Charter School of Educational Excellence	William Golding Jr., Esq.
Permanent Mission of Singapore to the United Nations	Hilltop Swimming Association
The Stonehill Group, Inc.	Hamilton, Cavanaugh, & Associates
Sirva Relocation	Norcom Mortgage
Cartus Relocation	Bello, Lapine, & Cassone
Wachovia Mortgage	International Bank of Chicago
NEI Global Relocation Co.	Semper Financial Mortgage Corp.
Westchester County (NY) Department of Social Services	Appraisal Nation, LLC
Connecticut Department of Transportation	Asset Based Lending, LLC
Washington Mutual	Sonabank
Cornerstone Relocation	Everbank
Relo Direct, Inc.	Prudential Relocation
The Relocation Group, Inc.	Manhattan Mortgage
Grant, Herrmann, Schwartz & Klinger, LLP	Xonex Relocation
Delbello, Donnellan, Weingarten Wise, & Wiederkehr, LLP	Fifth Third Bank
Bethel Baptist Church	1 st Metropolitan Mortgage
Moot, Pellegrino, Mannion, & Martindale, LLP	Meridian Asset Services
Pasternack, Tilker, Ziegler, Walsh, Stanton, & Romano, LLP	Ally Bank
Altair Global Relocation	

ELITE COMMERCIAL PROPERTY APPRAISALS

REAL ESTATE APPRAISERS AND CONSULTANTS

Corporate Headquarters

112 West 34th Street, 17th Floor

New York, NY 10120

Work: (212) 641-0007

Cellular: (516) 728-8488

E-Mail: Brian@EliteCommercialAppraisals.Com

WWW.ELITECOMMERCIALAPPRAISALS.COM

August 31, 2015

Mr. David Kenny
Village of Port Chester
222 Grace Church Street
Port Chester, NY 10573

Re: 222 Grace Church Street
350 North Main Street
Port Chester, NY 10573
Our File No. 15-871

Dear Mr. Kenny,

The following is my understanding of the scope of the appraisal assignment as well as our fee requirement for the services to be performed. We have been asked to prepare fair market valuations of the fee simple estate of the subject properties, as identified above, as of the current date. Our analyses will encompass both the "as is" market value and the market value predicated upon the highest and best use of the properties.

The intended use of the appraisals is expressly for fair market valuation purposes, with regards to assisting our client with internal asset planning, and the reporting format will be in the form of full narrative appraisal reports.

This assignment will be conducted in conformity with the requirements of the Code of Ethics and Standards of Professional Practice of the Appraisal Institute, along with the Uniform Standards of Professional Appraisal Practice (USPAP) as promulgated by the Appraisal Standards Board of the Appraisal Foundation, the Code of Ethics and Standards of Professional Appraisal Practice of the Appraisal Institute. In addition, the report will bear the signature of a member of the Appraisal Institute (MAI).

Our fee for these assignments will be in the amount of \$5,500.00 each, or \$11,000.00 in aggregate; payable as follows: 50% in advance upon retainer made payable to Elite Commercial Property Appraisals, and the balance will be due upon the submission of a draft reports to you for your review of factual data. The final reports will only be issued to you upon our receipt of the balance due.

**ELITE COMMERCIAL PROPERTY APPRAISALS
REAL ESTATE APPRAISERS AND CONSULTANTS**

Village of Port Chester
Page Two
August 31, 2015

The draft reports will be delivered to you electronically in approximately four weeks after our receipt of the signed retainer along with the retainer fee. We will also need to perform a physical inspection of the subject properties.

If the above is agreeable to you, I ask that you sign and return this letter to us along with our retainer fee.


We look forward to being of service to you in this matter.

Very truly yours,

ELITE COMMERCIAL PROPERTY APPRAISALS



Brian C. Donegan
President
Certified General Real Estate Appraiser
New York Certificate #4646338



Richard S. Levine, MAI, IFAS
Senior Associate
Certified General Real Estate Appraiser
New York Certificate #4621413

Agreed and Accepted:

By: _____

Date: _____

Mr. David Kenny
Village of Port Chester
222 Grace Church Street
Port Chester, NY 10573

**REPORT OF THE
VILLAGE
MANAGER**




Village of Port Chester

Office of the Village Manager

MEMORANDUM

TO: Mayor and the Board of Trustees



FROM: Christopher D. Steers, Village Manager

DATE: October 5th, 2015

RE: Updates

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:

- **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.

Background: 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.

Status: The Applicant made presentations to both the Board of Trustees and the Planning Commission pursuant to Chapter 345-34 of Village Code. Both groups raised concern over the proposal, e.g. density, parking, bulk regulations, etc.

To this point, the Applicant incorporated this feedback into an amended zoning petition submitted to the Village on October 1, 2015 (herein referred to as the “Amended Petition”).

Amended Petition: The Applicant’s amended zoning petition reduces the total square footage of allowed development to approximately 72,000 square feet (from 90,000 sqft) to include approximately seventy-nine (79) rental dwelling units comprised primarily of studios and one-bedroom units and includes a density bonus provision: specifically, the Applicant requests the following bulk and density regulations applied:

- Maximum building height: 5 stories/70 feet
- Maximum Floor Area Ratio: 3.7;
- Minimum Lot Area per Dwelling Unit: 240 sq. ft.
- Front/Side/Rear Setbacks: None.
- Usable Open Space per Unit: None.

Comprehensive Plan Consistency: The Applicant asserts that the Amended Petition “is completely consistent the Land Use Strategies and recommendations for the Downtown North and South Main Street and Abendroth Avenue (west side) land area as set forth in the Village’s 2012 Comprehensive Plan.”

Next Steps: Staff recommends the Applicant provide a presentation to the Board of Trustees on October 19th with a followed public hearing on Nov. 5th. Concurrently, the Board should refer the Amended Petition to the Planning Commission for comment and report back to the Board pursuant to Chapter 345-34 of the Village Code. A resolution is provided in Board packets for consideration and forward action.

Note: No new SEQRA undertakings are required as the Amended Petition is a reduction in overall environmental impacts and is not significantly different enough to warrant new action. The Applicant will provide a copy of the Amended Petition to all Interested/Involved Agencies as listed in the December 15, 2014 resolution.

Note: The Village of Port Chester Board of Trustees retains authority to amend 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 in accordance with Article XVI Marina Redevelopment Project Urban Renewal District of the Village Code. The BOT also retains authority over any site plan or amendment to the MUR District per Article XVI.

- **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 July 20 and August 17. Per BOT direction, Staff continues work on providing comprehensive revisions for future discussion, presentation and referral.
- 2) **Opportunity Area #2:** The National Development Council (NDC) has been engaged by the BOT to study the feasibility of developing a municipal center. The scope of work is to be conducted in phases leading up to an indicative Guaranteed Maximum Price for the construction of the building. NDC's initial proforma contemplates the same variables and considerations as found in the prior studies. Further, the NDC proforma is in line with the prior proformas with the exception of the refinements in the areas of programing, market driven revenue generators, and cost savings. The "Bond Runs" for the current iteration of the municipal center run from about \$30 million to about \$37 million: inclusive of the construction of a new Police Department, Court Facility, and Village Hall; land acquisition; and the offset of the sale of 222 Grace Church Street and 350 North Main street.
- **Summary of ESA Phase I Report** (performed by STV Architects and Engineers in partnership with NDC): the ESA Phase I Report reflects a number of findings about the site common to older, dense, urban sites. The subject property has had multiple uses that can be traced through historical records. For these reasons, STV recommends continuing with an ESA Phase II report which will further clarify whether the site contains environmental contaminants and the extent to which they must be addressed as part of a future building project.
 - **Summary of Preliminary Geotechnical Report:** STV performed the work, with field work assistance from Aquifer Drilling and Testing, Inc. (ADT). Seven borings were undertaken and the results incorporated into the report. In general, the borings found soil suitable for building at a depth of ten feet, where spread footing foundations and ground floor slabs could be used. Alternately, building columns could be supported by

drilled piers bearing within the bedrock, found between 16 and 24 feet below the surface. As the water table lies roughly 7 feet below the surface, construction methods will have to take this into account as the foundation is created at a greater depth.

- **Comments and Next Steps:** There is nothing in the ESA Phase I nor the Preliminary Geotechnical Report that would substantially alter the approach to construction or the project budget for the new municipal center. Further work must be conducted and NDC strongly suggests that the ESA Phase II commence.

With regard to the ESA Phase II work plan, the boring sites undertaken by ADT for the geotechnical report can be utilized for the environmental testing. We also recommend that the Village allow subsequent subsoil investigation to include borings under sidewalks adjacent to existing buildings on the project site. This may be a reasonable proxy for conducting investigations under the buildings themselves. As a follow up step, STV will submit a boring plan for the Village's approval.

Municipal Center Subcommittee

- The Board of Trustees recently established a municipal center subcommittee to reevaluate the 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 authorized the additional analysis as follows:

Status: 350 N. Main Street Site

- **Scope of Work:** At the direction of the Village Board the NDC public private partnership team (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.

- **Current Status:** At the direction of the Village, NDC has worked with STV and Whiting Turner to develop preliminary cost estimates for the renovation of the existing police and courts building at North Main Street, as well as the construction of a new police and courts building on the adjacent Steilmann property. The quick answer is that the renovation is estimated to cost \$29.5 million, which includes acquisition of the Steilmann site for parking. The new construction is estimated at \$25.1 million with the acquisition

of Steilmann for development and the demolition of the existing police and courts building for use as parking.

- Memorandum relating to next exercise is attached.

- 3) **Opportunity Area #3:** Bulkhead: Again, Boswell Engineering has been selected as the design consultant for the bulkhead replacement design. On Tuesday July 14th 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.

The Department of State has approved the draft contract which now requires further BOT 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.

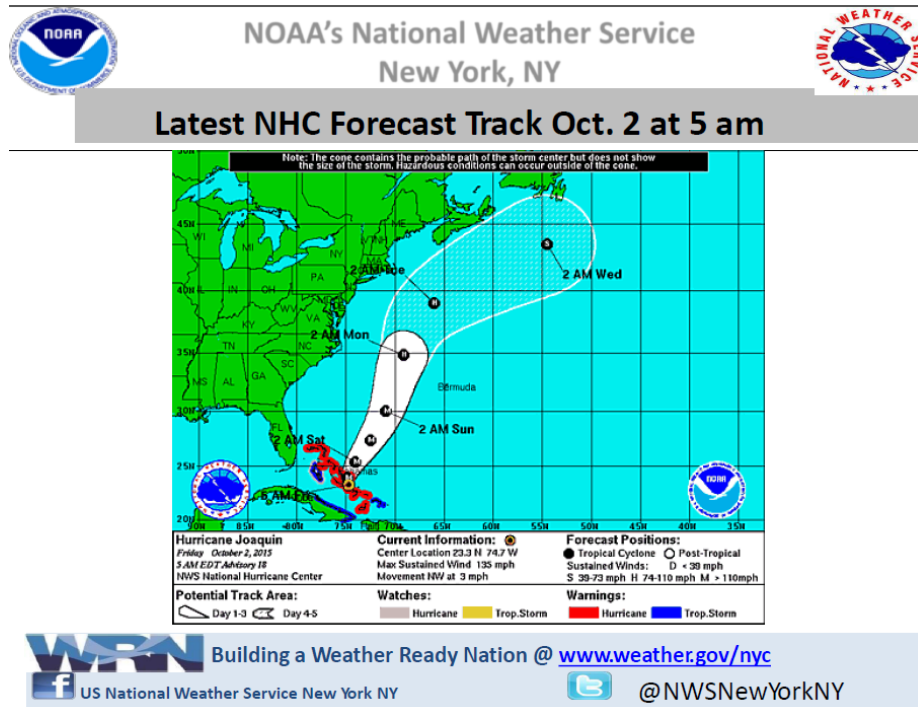
- **State Environmental Quality Review Act (SEQRA):** the Preliminary Draft Environmental Impact Study (DEIS) has been submitted by Applicant. Staff and the assigned consultants have reviewed same for completeness per SEQRA law. BOT adopted Applicant's DEIS as complete July 20, 2015. First SEQRA public hearing scheduled August 27, 2015, second scheduled September 8, 2015.

The BOT as Lead Agency scheduled additional topic-specific public hearings for September 21 and October 5 to ensure full public vetting of the project. Next Steps: Additional analysis for economic impacts is underway to vet the fiscal claims made by the Applicant as they affect the ultimate development potential and realization of the project, e.g. structuring a PILOT and proposed density bonus program financial feasibility. This analysis will conclude before adoption of the final EIS.

ACTIONS:

- **Emergency Management:** Staff participated in the series of Westchester County Coastal Storm Preparedness conferences, Con Edison Municipal conferences. Internal emergency management meetings were held with essential personnel to maintain situational awareness and implement any preparedness efforts as need. All agencies remained in monitoring mode even though the projected track of the storm has it veering off into the Atlantic.

Attached is the most recent and National Weather Service briefing. Joaquin is currently a Category 4 Storm.



Strategic Emergency Management Plan: The Village of Port Chester recognizes its responsibility to develop a strategic and comprehensive emergency management plan to enhance this community’s ability to respond to a range of emergency/disaster situations. I have drafted the Village’s first Strategic Emergency Management Plan (SEMP). This plan results from the Village’s acknowledgment of the foregoing. The Village departments’ and agencies’ emergency management responsibilities are outlined in this plan. Assignments are made within the framework of the present capability and existing organizational structure and responsibilities.

A Strategic Emergency Management Plan (SEMP) establishes an institution’s/government’s objectives, approach and structure for protecting the community from threats and hazards in their areas of responsibility, and sets out how the institution/government will assist the coordinated State and/or federal emergency response. Emergency Management plans, such as this SEMP, represent an institution’s/government’s planning associated with its “external” environment, and general, all-hazards management guidance. The qualifier “strategic” is used to

differentiate this high-level plan from other types of EM plans, including operational plans (this SEMP does however serve as a guide to those plans). The development and employment of a SEMP is an important complement to other types of EM plans because it promotes an integrated and coordinated approach to emergency management planning. Further, this SEMP seeks to identify and redress gaps in capacity, and/or capabilities through its implementation. (**Note: The SEMP is being reviewed by all departments and board members for final comments before implementation**).

- **FY 2015-2016 Budget:** The budget is the plan for all financial resources available to the Village. Through these resources, services are provided that attempt to meet the needs and desires of Port Chester's residents. The Board of Trustees and Village staff responds to the community's needs in large part through the implementation of the budget plan. It balances not only revenues and costs, but also actualizes community priorities and desires. The budget document is divided into sections. Each section provides the reader with important information on the Village and its financial priorities.

The final budget document has been produced and is posted online. The Document has been sent out for printing and thereafter distribution. A workshop or presentation of the current trends for the fiscal year should be scheduled in November.

- **New York State Community Development Block Grant Funding:** This program relates to State funding through the Office of Homes and Community Renewal (OHCR) including housing, public infrastructure, public facilities, economic development, etc. Total funding allocated for Westchester Communities is \$4.1 million. Program announced July 2015. Staff attended informational workshop July 28, 2015. Applications currently being prepared for October 23, 2015 submission. The required public hearing is scheduled for this meeting.
- **New York State Environmental Facilities Corporation – State Revolving Fund:** This is a new state program to facilitate the replacement and repair of wastewater infrastructure and to fund projects that will result in the greatest reduction in risk to public health. Eligible projects include rehabilitation of wastewater treatment plants, repair/rehabilitation of sanitary sewers, and energy efficiency upgrades to wastewater treatment plants. Staff has spoken with EFC and has scheduled follow-up conversations with Village Engineer to assist in determining eligibility.
- **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.

DEPARTMENT UPDATES:

➤ **Engineering:**

- **Street Paving:** The contract with PCI for street paving has been executed. Street paving, Village sidewalks, and ADA ramps underway.
- **Westchester County Sewer DEF IMA:** A meeting was held on August 13th relating to the IMA. IMA recommendation to adopt is pending follow up from DEF of the results of the meeting and our request for additional time. We have submitted our work plan for the required Sewer System Evaluation Study (SSES).

Sewer System Evaluation Survey (SSES): The SSES is a comprehensive and systematic process aimed at identifying and investigating sanitary sewer system problems (e.g. inflow/infiltration sources, structural deficiencies) and developing maintenance and rehabilitation methods to solve these problems. During the survey, the system is thoroughly inspected and data about the conditions of various system components are collected. The main field investigative procedures typically include: • Flow Monitoring • Smoke Testing. • Manhole Inspections • Dyed Water Testing. • Close Circuit Television (CCTV) Inspection. The following steps are recommended in a comprehensive SSES program.

Flow Monitoring: Flow meters have been installed at the identified locations of possible capacity issues can be identified by tracking sanitary sewer overflows and reported basement backups or through temporary flow monitoring. Temporary flow monitoring is usually one of the first actions taken to better understand the problematic areas within a collection system. Electronic velocity and depth recording devices (flow meters) are strategically placed (usually in the upstream pipe entering a manhole) throughout the collection system. Typically each meter might be responsible for monitoring flow from 20,000-30,000 LF of tributary sewer. The purpose of installing flow meters is to determine the quantity of flow at a particular location during both dry and wet weather conditions. Sewers having high dry weather flows typically have little capacity for future connections. Drainage areas that experience high wet weather peaking factors, are typically scheduled for more detailed inspections. Peaking factors in excess of five times dry weather flows are generally considered to have excessive wet weather flow.

Smoke Testing / Manhole Inspections: on going.

Television Inspection: ongoing.

- **Building / Code Enforcement Department:** See Building Inspector/ Code Enforcement Director's report attached.
- **Justice Court:** See Attached report.
- **Parks and Recreation:** See Attached Report

- **Planning and Economic Development:** See Planning and Development Assistant Director's report attached. Including Grant Writing Work Group informational Memo.
- **Police Department:** See Police Chief's Report Attached.
- **Senior Center / Nutrition:** See Report Attached
- **Staffing** (for information only):
 - The Village Clerk position is open and advertised. The BOT is scheduling interviews.
 - The Planning and Development Director Position: we have received 10 applications and I will begin interviews in the coming week.
 - The Village Engineer's position: An offer of employment has been made to the finalist. Pending associated paperwork.

Attachments

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

Monthly
Report

September 16

2015

Building Department & Code Enforcement

Monthly Report
Performance
Update August
2015

MONTHLY REPORT

BUILDING DEPARTMENT

Project updates

- (i) In the last report it was indicated that the building department was in the process of analyzing all building permits issued since 2011 and comparing the prior use to its current permitted use, this has been completed.

- (ii) A recent meeting with the tax assessor and staff resulted in a new collaborative effort to work as a team and continue to identify discrepancies. The building department agreed to prepare a spreadsheet on a quarterly basis to include all new permits, value of improvement and the approved use of the property. All prior discrepancies identified have been corrected.

- (iii) Last report indicated that the building department was in the process of identifying all permits that were issued and remain open and expired between January 2011 and August 2015. All those that have expired received a reminder letter. All letters have been sent out and the building department has received many renewals.

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

In the last report it was indicated that the building department was in the process of analyzing amnesty applications to assess report completion date, consultation dates, compliance window of opportunity and those already issued permits and CO's. Those applicants that are close to the expiration date will receive a reminder letter. Report is complete and reminder letters are in the process.

Building Department Stats

June 2015

STOP WORK ORDERS	8	\$890.00
CERTIFICATES OF OCCUPANCY	42	\$7,750.00
BUILDING PERMITS	61	\$21,710.00
PLUMBING PERMITS	28	\$3,300.00
ELECTRICAL PERMITS	32	\$3,150.00
SIGN PERMITS	6	\$600.00
NOTICE OF INTENT REVOKE	0	
NOTICES OF VIOLATIONS	0	
NOTICE OF DISAPPROVAL OF PERMIT APPLICATION	0	
TANK PERMIT	8	\$400.00
PERMIT TO OCCUPY SIDEWALK	5	\$14,570.00
BUILDING PERMIT EXTENSIONS	0	
TEMPORARY CERTIFICATE OF OCCUPANCY	7	\$890.00
APPLICATION FOR AMENDMENT	0	
TOTAL	197	\$53,260.00

July 2015

STOP WORK ORDERS	8	
CERTIFICATES OF OCCUPANCY	62	\$8,725.00
BUILDING PERMITS	86	\$45,182.00
PLUMBING PERMITS	28	\$3,650.00
ELECTRICAL PERMITS	34	\$3,200.00
SIGN PERMITS	7	\$700.00
NOTICE OF INTENT REVOKE	0	
NOTICES OF VIOLATIONS	0	
NOTICE OF DISAPPROVAL OF PERMIT APPLICATION	0	
TANK PERMIT	4	\$200.00
PERMIT TO OCCUPY SIDEWALK	5	\$2,000.00
BUILDING PERMIT EXTENSIONS	0	
TEMPORARY CERTIFICATE OF OCCUPANCY	7	\$5,100.00
APPLICATION FOR AMENDMENT	0	
TOTAL	241	\$68,757.00

Amnesty Thru September 2015

Total Amnesty Applications Submitted:	781
Amnesty Reports Completed:	768
Percentage of Amnesty Reports Complete:	98%
Amnesty Consultations Completed:	505 (65%)
Total number of Illegal Dwellings Found through municipal searches:	293
Number of Illegal Dwellings Found through Amnesty searches:	84

Code Enforcement

August 2015	
Code Enforcement Program	
Complaints Received	113
Inspections Conducted (as a result of complaints)	282
Right of Entry Requests	11
Notice of Violations Issued	31
Illegal Dwelling, Overcrowding Complaints (IDW & OC)	9
Notice of Violations Issued re: (IDW & OC)	2
Appearance Tickets Issued	7
Stop Work Orders	2
Compliance Case Closed	21
Unfounded	10
Referred to Building Department	8
Referred to Police Department	4
Fire Safety Referral (from PCCE to FS)	0
Referred to DPW	6
Referred to Westchester County Department of Health	0
Referred to HUD	0
Referred to PCHA	0
August 2015	
Court Cases	
Number of Current Court Cases	215

August complaints are down 68% from the previous month.

Overcrowded/ Illegal Dwellings 2015

Total Properties Affected: 102

Total Unlawful Occupancies Discovered: 215

Unlawful Occupancy Breakdown is as Follows:

- 1. Unlawful Basement Occupancies: 39
- 2. Unlawful Attic Occupancies: 26
- 3. Single Room Occupancies (SRO's): 81
- 4. Additional Dwelling Units: 64

Fire Inspection Program

August 2015	
Fire Safety Program	
Scheduled Fire Inspections Conducted	84
Fire Inspections Failed - NOV issued	35
Re-inspections Conducted	51
Certificates of Compliance Issued	56
Fees Collected	\$14,950
Request to Conduct Fire Inspection Notices Sent Out	231
NOV's For Failure To Respond to Fire Safety Renewal Notice	0
Appearance Tickets Issued	9
Additional Inspections	
Sprinkler/Flow Inspections	1
Sprinklers - Hydrostatic Inspections	4
Fire Alarm Inspections	1
Kitchen Fire Suppression System Inspections	0
Court Inspections	1
Stop Work Order Issued	1
Fire/Police Referral Inspections	25
Unsafe/Unfit Structure Inspections	0
Knox Box Inspections	0

Fire Inspections	84
Re-inspection	51
Total Fire Inspections	135
Add'l inspections	33
Total Inspections	168



VILLAGE OF PORT CHESTER
DEPARTMENT OF PLANNING & DEVELOPMENT

222 Grace Church Street, Rm. 202
 Port Chester, NY 10573
 (P) 914.937.6780
 (F) 914.939-2733

Jesica Youngblood, Assistant Director of
 Planning and Development
 Andrea Sherman, Assistant Planner
 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. BOT adopted Applicant’s DEIS as complete July 20, 2015. First SEQRA public hearing scheduled August 25, 2015, second scheduled September 21, 2015 with time devoted to traffic discussion. Public comment closing October 10, 2015. Lead Agency retains authority to set additional public hearings that similarly extend-out the public hearing.
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.
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.



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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.
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.
Redevelopment of Retail D	Redevelopment proposal to amend the Marina Urban Redevelopment (MUR) Plan and Section 345-67 of the Village Code to create a mixed use project.	Applicant presented zoning petition to the BOT April 2015 and to the Planning Commission May 2015. Applicant is currently revising petition to incorporate comments. Upon resubmission, Applicant will present and BOT/Planning Commission will reconsider prior to setting a public hearing.

ZONING AMENDMENTS

INITIATIVE	SUMMARY	STATUS
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 July 20 and August 17. Per BOT direction, Staff continues work on providing comprehensive revisions for future discussion, presentation and referral.
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	Presentation to BOT anticipated May 2015. Planning Commission supports concept. Staff can

	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.	prepare draft local law for BOT review and adoption at request.
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ADMINISTRATION

INITIATIVE	SUMMARY	STATUS
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

INITIATIVE	SUMMARY	STATUS
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.	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. July 6, 2015 2015 CFA Process opened May 1, 2015 and closes July 31, 2015. Village submitting applications for one or more

		<p>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> <p>State anticipates award announcements Oct/Nov 2015.</p>
New York State Community Development Block Grant Funding	State funding through the Office of Homes and Community Renewal (OHCR) including housing, public infrastructure, public facilities, economic development, etc. Total funding allocated for Westchester Communities is \$4.1 million.	Program announced July 2015. Staff attended informational workshop July 28 and August 10, 2015. Applications currently being prepared for October 23, 2015 submission.
New York State Environmental Facilities Corporation – State Revolving Fund	New state program to facilitate the replacement and repair of wastewater infrastructure and to fund projects that will result in the greatest reduction in risk to public health. Eligible projects include rehabilitation of wastewater treatment plants, repair/rehabilitation of sanitary sewers, and energy efficiency upgrades to wastewater treatment plants.	<p>Staff consulted with Village Engineer and Dept. of Environmental Conservation plus offices of Senator Latimer and Assemblyman Otis. Staff submitted Intended Use Plan (IUP) applications by Sept. 4 deadline.</p> <p>Awards announced late Fall 2015.</p>

ENVIRONMENTAL PLANNING

INITIATIVE	SUMMARY	STATUS
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)	Annually. NYSDEC Audit completed June 2 for compliance review. Village

	National Pollutant Discharge Elimination System (NPDES) program to prevent harmful pollutants from being washed or discharged into a waterbody.	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 work regarding Draft LWRP document for NY Department of State (DOS) to commence official 60 Day Document Review. Formal BOT adoption subsequent to formal review.

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. Staff works with the Industrial Development Agency and provides project information where applicable.
150 th Anniversary	Proposed formation of a steering committee to complete specific beautification projects in anticipation of the Village's 150 th anniversary in 2018. Possible projects include: <ul style="list-style-type: none"> • Streetscape improvements • Area branding • Placemaking Charette • Historic preservation designation • New/improved greenspace and/or bike and pedestrian amenities • Area-wide programs/events/initiatives 	Ongoing.

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).

ACTIVE PLANNING APPLICATIONS

Address	Project Description	Status of Project
400 N Main Street	Accessory storage structure.	Public hearing adjourned to September 2015.
314-316 Boston Post Road	New retail and office building.	ZBA meeting scheduled October 2015.
141 Abendroth Ave	Site plan conditions amendments.	Public hearing adjourned to September 2015.
400 N Main Street	Accessory storage structure.	Public hearing adjourned to September 2015.

APPROVED APPLICATIONS

Address	Project Description
509 Boston Post Road	New boutique health club facility.
14 University Place	New property structures, tenant storage units.
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 167-169 Terrace Ave	Renewal for special exception use permit for wireless telecomm facility (AT&T). 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 33 New Broad St 152 King Street	Gastropub styled restaurant featuring weekend acoustic performances. Open micro distillery as part of larger sustainable/farming operation. Proposed interior renovations to a 1-story building to convert existing repair bays to a convenience store.
96 Perry Ave 145 Westchester Ave	Two-lot subdivision 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 104 North Main Street	Installation of sectional overhead doors & relocation of 3 parking spaces. 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 411 Westchester Ave 500 N. Main Street 110 Midland 3 West Street 528 Willett Ave	Shared parking approval Modification of existing wireless facilities. Health club approval Amendment to approved site plan; special exception use. New two-family home with on-site parking. Site plan approval for new underground storage tank, site improvements and convenience store.

POLICE DEPARTMENT

POTCHSTER, NEW YORK

MONTHLY REPORT- AUGUST, 2015

Training:

- During August, Detective Walter Alcivar, Detective Tony Rivera, and Police Officer David Warner successfully completed the Advanced Active Shooters Scenario tactics and Operations Course. The 3 day course of study was held at the New York State Preparedness Training Center in Oriskany, New York. This training evolution relies heavily upon a scenario-based approach to guide students through a mix of situations involving multiple disciplines of emergency responders. Topics covered include: Police EMS coordination, tactical emergency medical care, door breaching, and room clearing. This represents the Departments second group training effort at DHSES's state of the art training facility. Training, transportation, and lodging were funded by the New York State Division of Homeland Security and Emergency Services
- From August 17 through the end of the month, the Department held its semi-annual firearms training at the Harrison outdoor range. This 8 hour course of training includes firearms proficiency, tactical shooting, use of cover, and handgun retention. Introduced to this training evolution for the first time was the use of hand held ballistic shields. The 8 lb, 3'x2' shields provide protection from handgun rounds, and will be carried in patrol vehicles by years end.

Interesting Cases:

- On August 16, at 1:20am Lieutenants Charles Nielsen and Robert Salerno, along with Police officers Nick Stella, Mike Giandurco, and Paul DiMeglio responded to a large disturbance at Waterfront Place and Purdy Avenue. As units arrived at the scene a group of approximately 20 young men began to flee the scene. Lieutenant Nielsen noticed a 19 year old Greenwich man on the ground bleeding from the right side of his abdomen. The victim was able to tell Lt. Nielsen he had been stabbed and uttered a possible nickname of his assailant. Recognizing that the victim in danger of bleeding death, Lt. Nielsen took steps to control bleeding and manage his airway. Acting on the information obtained by Lt. Nielsen, Police Officers Giandurco and Stella began a canvass of the neighborhood. Within minutes they located and arrested a 21 year old Port Chester man, his hands still wet with the victim's blood, who later confessed to the crime. Hospital and EMS staff later credited Lt. Nielsen's actions with saving the victim's life.
- On August 31, at approximately 4:19am, Police Officer William Washington responded to a report of a possible car larceny in progress in the parking lot adjacent to 131 Poningo Street. Approaching the scene on foot PO Washington observed three men standing among a pile of auto parts including grills, radios, and wheels. They appeared to be ready to load the parts into the trunk of a nearby car. Washington called for backup, and with the assistance of Police Officers Giandurco, Cave, and Stella arrested three 19 year old Mount Vernon men on a host of charges including felony criminal mischief.

Public Affairs:

The objective of the Public Affairs Initiative is to promote positive interaction between the Department and the public. In August, the Department participated in the below noted public service projects:

1. Youth Police Initiative
2. Unity Day, Columbus Park
3. Bolivian Parade

	0	0	0	0	0			
Motor	0	0	0	1	2	0	0	0
Veh. Theft	1	1	0	1	0			
Rape	0	0	0	1	0	0	1	1
	1	0	0	0	0			
Robbery	1	2	1	1	1	3	3	4
	4	0	2	1	5			

Arrests/Tickets	January	February	March	April	May	June	July	Aug
Parking Tickets	5312	3661	4240	4393	4093	3575	4,415 ¹	4,996
Traffic Tickets	559	433	555	643	582	425	581 ²	376
Arrests	161	130	157	140	172	133	145 ³	164
Common Calls for Service								
Aided, Medical	192	150	154	144	157	142	150	152
Accidents	108	108	116	102	115	122	126	113
Alarms	106	96	80	86	83	86	120	
Directed Patrols	166	116	101	109	87	51	57	68
Domestic	12	30	22	24	21	10	20	26
School Crossings	45	32	17	19	25	55	0	0
Total Calls for Service	1637	1401	1556	1525	1611	1551	3436	1626

¹ Average for 2014-4627

² Average for 2014-390

³ Average for 2014-112

Monthly Report - Port Chester Senior Center (Nutrition Program)

AUGUST, 2015

10,551 Meals served to date: (August, 2015-May, 2016)

39 Home Bound Seniors received their meals at home, per day Monday-Friday

60 seniors attend the Saturday Program.

New York State Farmers Market Coupon booklets worth \$20.00 for fresh fruits and vegetables from local farmers markets were distributed starting July 17, 2015. Booklets are given to any community member 60+ years or older, based on income requirements free of charge, while supplies last. 1 coupon book per family. 163 booklets given out.

Senior Center Calendar:

August 5—Trip to Alamo Draft House Cinema in Yonkers

August 7th—Concert & Pizza in Lyon Park 7p.m.

August 8th—Trip to Mohegan Sun

August 10th—National Book Lovers Day—Trip to Barnes and Noble in Yonkers.

August 12th—Trip to White Plains Farmers Market

August 15th—Trip to Bridgeport Bluefish Baseball Game

August 21st—Mary Lampasona's 103rd Birthday Party.

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. Ang Rubino singers every Friday at 1 p.m.

August---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:

August 12th—Beautification Commission, Park Commission, Recreation Commission, Parks & Recreation.

August 11th—U.S. Coast Guard Meeting (Green Room)

Cooling Tower tested 8/11/2015 (results to be given by 8/14/2015)—never received copy

New Fire Extinguisher put in bus-8/13/2015

Green Room floor stripped and waxed by custodial staff.

submitted—9/16/2015

Carol Nielsen

MEMORANDUM

To: Christopher D. Steers
Village Manager

From: Heather Krakowski *HK*
Recreation Supervisor

Subject: Monthly Report (August 2015 –Sept 2015)

Date: September 16, 2015

Please see a list of meetings I have attended and a list of programs that are running or upcoming. This list is usually included in my monthly reports to the Recreation Commission.

Meetings

7/30 MOU – Carver Center
8/5 Port Chester Day fireworks – Fire Chiefs
8/19 Staff meeting/agenda meeting
8/19 MOU – Carver Center
8/20 E. Tigani, Park Attendants
8/21 E. Diaz, Fall Babe Ruth League
8/29 Port Chester Day Event
9/9 Recreation Commission Meeting
9/11 Ceremony
9/11 Monthly Meeting
9/16 Agenda Review Meeting

Programs/Events

**Concerts in the Park
Fridays starting July 8th**

Registered/ Attended

Average of 150 -200

**Concerts Downtown
Weds August**

Average of 150 -200

Port Chester Day

Approximately 1,500 – 2,000
throughout the day

Fall Babe Ruth League

UPCOMING Programs/Events

Registered/ Attended

**Super Soccer Stars –Soccer
3, 4 and 5 year olds – Sept**

25

**Fall Youth Tennis
Starts Sept 19th**

30

**Fall Soccer
Starts Sept 19th**

**Karate
October 1st – May 27th 2016**

**After School Reading & Art
Starts November 2015-May 2016**

Clay Art Classes – Fall

10

**After School 3rd – 5th Grade basketball
Starts November**

5K Run (October 10th)

Coat Drive (starts November)

From August – Sept 16th

- **Organized and Overseeing currently running programs listed above**
- **Overseeing the After School Staff & park permits applications**
- **Upcoming contracts**
- **Organizing the upcoming programs (Examples – Port Chester Day, 9/11 Ceremony, Tennis, Basketball)**
- **Most Fall activities are currently running and working on Winter Activities**
- **Interviewed Seasonal Staff (Park Attendants and After School Programs)**
- **Parks Attendants Staff Scheduled – Supplies Ordered – Staff is scheduled for Lyon and Columbus Park on regular schedules based on School hours and Baseball and Soccer Activity**
- **Working on 5K run – incorporating new aspect –adding 1 mile Dog walk**
- **Coat Drive**

Port Chester Village Court

Regina Hill, Court Clerk

September 8, 2015

- 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 540 Criminal Dispositions Reports (CDRs) to New York State Division of Criminal Justice Services since July 14, 2015
- Reconciled Judge Troy Justice Account. Ending Bank Balance as of 7/31/15 - \$47,615.03. Ending Bank Balance as of 08/31/15 - \$48,827.03
- Prepared July & August 2015 Monthly Report to the N.Y. State Comptroller's Office- Justice Court Fund for Judge Troy - \$48,231-July, \$47,034-August to be reviewed and electronically submitted by Judge Troy
- Reconciled Judge Castaneda Account. Ending Bank Balance as of 7/31/15 - \$63,696.90. Ending Bank Balance as of 8/31/15 - \$58,005.35
- Prepared June 2015 Monthly Report to the N.Y. State Comptroller's Office- Justice Court Fund for Judge Castaneda - \$64,935.30-July, 59,103.35-August, to be reviewed and electronically submitted by Judge Castaneda
- Reconciled Judge Sisca Justice Account. Ending Bank Balance as of 07/31/15- \$117,235.06. Ending Bank Balance as of 8/31/15 - \$97,959.61
- Prepared July & August 2015 Monthly Report to the N.Y. State Comptroller's Office- Justice Court Fund for Judge Sisca - \$116,970.70-July, \$99,801.45-August to be reviewed and electronically submitted by Judge Sisca
- Reconciled Tow Account. Ending Bank Balance as of 07/31/15 - \$1,195.00. Ending Bank Balance as of 8/31/15 - \$660.00
- Prepared vouchers and Payroll to be sent to the Finance Department
- Staff Meeting held on July 15, 2015. Due to vacation schedules - No meeting held in August

POLICE/COURT SUB-COMMITTEE MEETING
MON., SEPT. 14, 2015, 3 p.m. – 4:30 p.m.
PORT CHESTER POLICE HQ (COURTROOM)

Attendees:

Trustee Dan Brakewood
Trustee Luis Marino
Trustee Gene Ceccarelli
Vill. Mgr. Chris Steers
Chief Rich Conway
Lieut. Mark Braccio
[PBA Pres. Rich Grall – invited, but did not attend]

Summary of Discussion:

- Exploring several options for a renovated PD/Courthouse.
 - Is the existing building “healthy” enough to sustain further expansion?
 - Is expansion cost effective?
- Explored options on a new location for a PD/Courthouse.
- Considering scaling-down of proposed Municipal Center on Irving Ave. to reduce project costs.
- Considering option of Police/Courthouse only on Irving/Poningo.
- Looking at Economic Development advantages of PDs current location vs Irving/Poningo.
- Considering size of Police/Courthouse in relation to expanding Village population and visitation.
- Considering current size of Police Station in comparison with today's need for increased police personnel vs. when the building was constructed 76 years ago.
- Considering the increases in arrests and criminal complaints today vs 76 years ago.
 - In 2013, Port Chester Police Officers were ranked No. 1 for the number of Part I Crimes per officer compared with 22 other Departments (No. 2 New Rochelle, No. 3 Mt. Vernon).
 - Part I Crimes are the most serious crimes classified by the FBI
 - PCPD arrests in 2015 are projected to be greater than the total arrests in New Rochelle in 2014 (just under 1,800 arrests). Number of PCPD Officers = 58 NRPD = 154

- Move the Traffic and Housing courts and all government meetings to a renovated gym at 222 Grace Church Street. Retain a vastly smaller court room at the police station for processing of those accused of serious crimes. Use the existing court area for police activities.
 - Drawback: High cost of maintenance for this 85+ year old renovated school building
- The need for classroom space for police training, and a range for pistol qualifications.

Additional Discussion Items:

- Buy the auto body shop at 5 Rollhaus Place (0.14 acres, assessed at \$407,200) or the vacant lot at 121 Rectory Street (.23 acres, assessed at \$201,200) and create parking.
- Upgrade HVAC in 350 No. Main St.
- Redesign and rebuild the 'garage' to create more usable space and create more parking.
- Redesign the space in the current building to make it more usable
- Upgrade the computers/networks.
- New lockers.

Deliverables:

- Police members of the Sub-comm. to present a list of the top 10 projects to meet their needs. (Village to cost them out.)
- Vill. Manager to request the same of the Chief Judge.
- Police Chief to visit Scarsdale and White Plains PDs for lessons learned in the construction of relatively new Police Facilities.
- Trustee Terenzi to present 5 year projections on economic development with a Municipal Center on Irving Ave.
- Vill. Manager to obtain costs for a stand-alone PD/Courthouse on Irving Ave. based on available data.

DISCUSSIONS

CORRESPONDENCE

1

Emailed to VC for BOT Agenda -

Corpus Christi-Our Lady of the Rosary Church
136 S. Regent St.
Port Chester, NY 10573
Phone (914) 939-3169, (914) 939-0547, Fax: (914) 939-7249

September 21, 2015

Richard Conway, Chief of Police
Police Headquarters
350 North Main Street
Port Chester, New York 10573

VILLAGE OF PORT CHESTER

SEP 25 2015

RECEIVED

JM

Dear Chief Conway,

On Sunday, October 18, 2015, the Parish of Corpus Christi/Our Lady of the Rosary will hold its annual special celebration of the Eucharist in honor of El Señor de los Milagros (The Lord of Miracles). Following Mass, celebrated at 11:45AM, some of our parishioners will show an exhibition of faith by a procession carrying a reproduction of the image of El Señor de los Milagros, on a platform around the area adjacent to the church.

The procession will leave from in front of the Don Bosco Center at 1:15PM, proceed to the intersection with Purdy Avenue, turn left onto Purdy Avenue to the Boston Post Road intersection, and left onto to Grace Church Street then left onto Don Bosco Place.

It is anticipated that approximately 300 people will take part in the procession. To insure the safety of those in the procession and the general public, we respectfully request that a police escort lead and another follow. Due to the weight of the platform, it is necessary to stop often. Therefore the entire procession is expected to take about three hours.

I would like to take this opportunity to thank you and your department for the police presence and protection during the major processions and events held in our parish, and for all the support you give to our parishioners.

Again, thank you. If you have any questions, please do not hesitate to contact me.

Sincerely,

Pat Angelucci SDB
Rev. Pat Angelucci, SDB
Pastor

PA:me

Cc: Christopher Steers, Village Manager
Mark Braccio, Traffic Sargeant
Rocco Morabito, General Foreman

2

Received

SEP 25 2015

Village Clerk
VILLAGE OF PORT CHESTER

**FOTO CENTRAL
VIDEO**

&

FOTOGRAFIA

PARA TODA OCASION

*WEDDING SPECIALIST, BAPTISMS, FIRST COMMUNION
CONFIRMATIONS, GRADUATIONS, ALL SOCIAL EVENT*

CALL: (914) 937-1843

211 Westchester Ave.
Port Chester, N.Y. 10573

PROPIETARIOS:

JUAN PINTADO Y ESTHER SOLIS

September 25, 2015

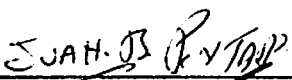
To: The Village of Port Chester
Dennis G. Pilla - Mayor
Board of Trustees
222 Grace Church Street
Port Chester, NY 10573

Dear Mayor and Board of Trustees,

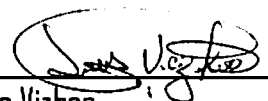
The devotees who pay tribute to The Saint Virgin of Guadalupe of Baños-Cuenca, Ecuador, as we have done every year, hereby would like to request a permit for a procession of 100 participants, accompanied by a music band and costumes to pay tribute to the Saint Virgin of Guadalupe of Baños-Cuenca, Ecuador to be held on October 18, 2015 at 2:15pm, departing from Our Lady of Mercy Church (260 Westchester Avenue) to the parking lot of Saint Peter Church on Westchester Avenue, between Smith & Pearl Street.

If you have any questions, please feel free to contact me at my 914-290-2484. Thank you in advance your help.

Very truly yours,



Juan B. Pintado



Luis Vizhco

CARMEN SANTOS
Notary Public, State of New York
No. 01SA6036554
Qualified In Westchester County
Commission Expires January 31, 2018

1967
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1967

NOTARY PUBLIC

Commission Expires January 31
Qualified in Westchester County
No. 012A603224
Notary Public, State of New York
CARMEN SANTOS

3

PARK COMMISSION
Port Chester, New York

October 1, 2015

Mayor Pilla and the Board of Trustees
Village of Port Chester, New York

Dear Mayor Pilla and the Board of Trustees:

This letter is in reference to the application given to the Park Commission for approval from "Virgen de Guadalupe" for rental of Abendroth Park on September 6, 2015. We the Park Commission approved this application with certain stipulations such as:

1. Music must not be loud to disturb neighborhood (they abused)
2. Permits from Board of Health (they did not have) (very important)
3. They were to rent 1 port-a potty due to the amount of people (no port-a-potty provided)

This group broke multiple rules provided to them. The police were called multiple times but never shut them down. A park monitor and staff were present that day and the park monitor went to the police station personally reporting disturbance of noise. (It should have been shut down immediately). They also set up a stage floor the day before disrupting a party being held in this park. This group never listed a stage on their application and was not given permission for a stage.

As a result of the above mentioned items and disturbances the group caused the surrounding neighbors, the Park Commission will not approve any further applications from this group in the future. We cannot have applicants abusing our park rules.

Sincerely,

Jerry Ferranova

Chairman
Park Commission

Cc: C. Steers
A. Cerreto
H. Krakowski

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October 1, 2015

Via Email

Hon. Dennis Pilla
Mayor and Trustees
Village of Port Chester
222 Grace Church Street
Port Chester, NY 10573

Re: G&S Port Chester LLC – Parcel D Amended Rezoning Petition
Tax Map Designation: Section 142.031, Block 1, Lots 3, 4, 5, 6, 20, 21, 22, 23, and 24

Gentlemen:

Attached please find an Amended Petition for Rezoning the MUR zone and the MMRP Urban Renewal Plan for Land Use Area 2 (“Parcel D”) to permit mixed-use development.

The submitted Amended Petition embodies the recommendations of the Planning Commission by scaling back the originally requested “as of right” bulk development of the parcel significantly, with the opportunity for bonus density for additional floor area similar to §345-16(4) of the Zoning Code available in the C2, C5 and C5T zoning districts.

We respectfully request that you accept the Petition, provide an opportunity for a public presentation and schedule a public hearing date.

Respectfully Submitted,
Tartaglia Law Group, LLC



Daniel D. Tartaglia, Esq.

MINUTES

PUBLIC COMMENTS

BOARD COMMENTS

**MOTION FOR
EXECUTIVE
SESSION**