

**VILLAGE OF PORT CHESTER**  
**BOARD OF TRUSTEES**  
**Special Meeting**  
**Tuesday, May 24, 2016**  
**Public Hearing: 6:00 P.M.**  
**VILLAGE SENIOR CENTER**  
 220 Grace Church Street  
 Port Chester, New York

**AGENDA**

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

<b>I</b>	<b>RESOLUTIONS</b>	<b>ACTION</b>
1	Resolution by the Board Supporting the Village's Applications to the Mid-Hudson Regional Economic Development Council's Downtown Revitalization Initiative	
<b>II</b>	<b>PRESENTATION</b>	<b>ACTION</b>
1	Starwood/United Hospital pFEIS and Proposed Revised Zoning	
<b>III</b>	<b>PUBLIC HEARING</b>	<b>ACTION</b>
1	Starwood/United Hospital pFEIS and Proposed Revised Zoning	

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

# RESOLUTIONS



VILLAGE OF  
**PORT CHESTER**

222 Grace Church Street, Port Chester, New York 10573

RES - 01  
 BOT5-24-2016

**AGENDA MEMO**

**Department:** Planning and Development Department

**BOT Meeting Date:** 5/24/2016

**Item Type:** Resolution

**Sponsor's Name:** Eric Zamft, Director of Planning & Economic Development

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 #:			<b>Strategic Plan Priority Area</b>		
	<b>Yes</b>	<b>No</b>	Business & Economic Development		
Agreement	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<b>Manager Priorities</b>		
Strategic Plan Related	<input checked="" type="checkbox"/>	<input type="checkbox"/>	N/A		

**Agenda Title**

Resolution by the Board Supporting the Village's Applications to the Mid-Hudson Regional Economic Development Council's Downtown Revitalization Initiative

**Summary**

In 2016 Governor Cuomo established the Downtown Revitalization Initiative (DRI), which will invest \$10 million in each of 10 communities in each of the 10 REDCs throughout State ripe for development to transform them into vibrant communities where tomorrow's workforce will want to live, work, and play.

The Village of Port Chester Grant Writing Workgroup has identified two separate projects that the Village could apply for that correspond with stated goals of the Village Strategic, Local Waterfront Development, Comprehensive, and Recreation plans:

- **Old Village, New Downtown**—Using the 150<sup>th</sup> Anniversary in 2018 as the launching pad, infuse new life into the historic downtown area through

infrastructural investments in the public realm, regulatory reform to promote private development and public-private partnerships, and seed money for incentive programs to promote job growth. Items that would be pursued are examining ways to improve the aesthetics of the downtown area through design guidelines and new form-based zoning, and conducting a build-out analysis to help guide the future of the downtown and the Village in general, providing funding for the on-going sewer replacement to remove some of the burden from the Village's taxpayers, providing funding for some of the bulkhead construction to open up the waterfront as a civic space and public amenity, design and construct parking solutions, and work with the private and philanthropic sectors to market and brand the downtown.

- **Redevelopment of the United Hospital Site and the Public Realm**—Public investments that would supplement and complement the private sector's proposed redevelopment of the former United Hospital site. These investments could include additional traffic calming and safety measures along Boston Post Road, streetscape improvements along Boston Post Road and adjacent streets, improvements to Abendroth Park, and additional utility and infrastructural improvements.

These projects are presented in a combined resolution of support by the Board of Trustees to submit two DRI applications to the Mid-Hudson Regional Economic Development Council.

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

<b>Attachments</b>
None.

## RESOLUTION

### VILLAGE OF PORT CHESTER BOARD OF TRUSTEES' SUPPORT OF THE VILLAGE'S APPLICATIONS TO THE MID-HUDSON REGIONAL ECONOMIC DEVELOPMENT COUNCIL'S DOWNTOWN REVITALIZATION INITIATIVE

On motion of Trustee \_\_\_\_\_, seconded by Trustee \_\_\_\_\_

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

New York:

WHEREAS, in 2011 Governor Andrew Cuomo of the State of New York created ten Regional Economic Development Councils to develop long-term strategic plans for economic growth for each respective region; and

WHEREAS, various state grant programs provide funding opportunities for projects furthering the goals and objectives outlined by each Regional Economic Development Council, and the Village of Port Chester is located in the Mid-Hudson Region; and

WHEREAS, in 2016 Governor Cuomo established the Downtown Revitalization Initiative (DRI), which will invest \$10 million in each of 10 communities in each of the 10 REDCs throughout State ripe for development to transform them into vibrant communities where tomorrow's workforce will want to live, work, and play; and

WHEREAS, the Village has undertaken the steps to revitalize the downtown area and the Village of a whole, through comprehensive long-term planning, such as the adopted Village Comprehensive Plan, Strategic Plan, and Route 1 Corridor Study; and

WHEREAS, the Village has implemented many of the policies and recommendations of that long-term planning through the adoption of new zoning code amendments, approval of mixed-use development, façade and streetscape improvements, and streamlining the process; and

WHEREAS, the Village is preparing a community-wide event to celebrate 150 years of incorporation that would greatly benefit from additional state funding focused on infrastructural investments in the public realm, regulatory reform to promote private development and public-private partnerships, and seed money for incentive programs to promote job growth; and

WHEREAS, the Village is considering a proposal for the redevelopment of the former United Hospital site for a large-scale mixed-use development at the Village's southern gateway that would greatly benefit from state funding to supplement the public infrastructure investment that would make the large private investment successful.

NOW, THEREFORE, be it

RESOLVED, that the Village Board of Trustees supports the submission of two DRI applications to the Mid-Hudson Regional Economic Development Council for grant monies to: 1) implement downtown revitalization initiatives and 2) provide public infrastructure to supplement the potential private redevelopment of the United Hospital site.

Approved as to Form:

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Village Attorney, Anthony Cerreto



VILLAGE OF  
**PORT CHESTER**

222 Grace Church Street, Port Chester, New York 10573

PH - 01  
 BOT5-24-2016

**AGENDA MEMO**

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

**BOT Meeting Date:** 5/24/2016

**Item Type:** Public Hearing

<b>Sponsor's Name:</b>	Anthony Cerreto, Village Attorney
<b>Sponsor's Name:</b>	Eric Zamft, Director of Planning & Economic Development

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

**Agenda Title**

Starwood/United Hospital: Public Hearing on Preliminary Final Environmental Impact Statement and Proposed Revised Zoning

**Summary**

The Board of Trustees serves as the Lead Agency under the State Environmental Quality Review Act ("SEQRA") for PC 406 BPR LLC and PC 999 High Street Corp.'s (the "Applicant") proposal to redevelop the United Hospital site (the "Proposal").

The Proposal includes and is predicated upon changing the current PMU Planned Mixed Use Zoning on the Site. Initially, the Applicant proposed two potential zoning options:

- 1) The creation of a Southern Gateway Mixed Use Overlay Zoning District (the "Overlay District"), which would include land area beyond the Project Site (i.e.,

the Kohl's Shopping Center) and included design guidelines, review criteria, and density bonus provisions that would allow a maximum of a Floor Area Ratio ("FAR") of 1.7; or

- 2) Revise the existing PMU District, with the significant change being to allow for an as of right FAR of 1.6 compared to the current 0.8, without the need for a density bonus. This second option was limited to the Project Site alone (the "Initial Proposed Amendments to the PMU District").

The Board accepted as complete the Draft Environmental Impact Statement ("DEIS") for the Proposal on July 20, 2015 and held public hearing on the DEIS (and both the Overlay District and Initial Proposed Amendments to the PMU District) on August 27, 2015 and September 8, 2015.

On April 27, 2016, the Applicant submitted a preliminary Final Environmental Impact Statement ("pFEIS") and Proposed Amendments to the PMU District ("Proposed Revised Zoning") for the Board's consideration. The pFEIS and Proposed Revised Zoning are intended by the Applicant to reflect the comments received during the DEIS public hearing, comment period, preliminary review by Village staff and its consultants, and the discussions at the two special workshops held: April 6, 2016 on traffic and April 26, 2016 on economics/zoning. The pFEIS has been submitted as a working document in order to receive further input from the Village, its staff and consultants, and the public prior to accepting it as complete.

As noted at the April 26, 2016 workshop, the Proposed Revised Zoning is different than Initial Proposed Amendments to the PMU District. Due to these material changes the Proposed Revised Zoning was required to be referred to the Planning Commission and the Westchester County Board for their review and recommendation. For the same reason, although a public hearing was held on the Initial Proposed Amendments to the PMU District in conjunction with the public hearing on the DEIS, a new public hearing is required for the Proposed Revised Zoning.

To that end, at the May 2, 2016 Board meeting, the Board: 1) formally acknowledged receipt of the pFEIS and Proposed Revised Zoning; 2) referred the matter to the Planning Commission for their review and recommendation; 3) referred the matter to the Westchester County Planning Board for their review; and 4) set a public hearing for May 24, 2016 on the pFEIS and Proposed Revised Zoning.

Beyond the Board's public hearing, the Proposal will have been discussed at the May 23, 2016 Planning Commission meeting and at the June 2, 2016 Westchester County Planning Board meeting.

Therefore, the Board should open the public hearing to receive comments from the public. Should the Board wish to close the public hearing, it is recommended, but not required, that a comment period be left open to receive written comments.

It should be noted that opening and closing the public hearing would not involve any approval or adoption of the Proposed Revised Zoning, the pFEIS, or its components by the Board. Such actions would be later in the process and Village staff and Special Counsel will provide any necessary direction to the Board at the appropriate time.

<b>Attachments</b>
Proposed Local Law

Village of Port Chester, New York

Local Law No. \_\_\_\_ of the year 2016

Be it enacted by the Board of Trustees of the Village of Port Chester, New York

A LOCAL LAW AMENDING THE CODE OF THE VILLAGE OF PORT CHESTER,  
CHAPTER 345, "ZONING" WITH REGARD TO THE PLANNED MIXED USE DISTRICT

SECTION 1: Purpose and Intent

On December 17, 2012, the Village adopted a Comprehensive Plan with subsequent related zoning amendments, which resulted in three tax parcels (Section 141.52, Block 1, Lots 2, 2.1 and 2.4) being rezoned from a Two Family Residence (R2F) District to a new Planned Mixed Use (PMU) District. The PMU District consists of property containing a former hospital campus and associated residential workforce apartment building that is bounded on the south by the Boston Post Road and High Street, on the west by High Street and Interstate 287, on the north by Abendroth Park, and on the east by the Boston Post Road. Access to Interstate 95 is also in close proximity.

The Village Board of Trustees created the PMU District to encourage a mixed use development, including a variety of commercial, office, residential and community facility uses. While the PMU District permits this mix of uses (and others as indicated in the Schedule of Regulations for Non-Residential District in Chapter 345), it only allows for a Floor Area Ratio (FAR) of 0.8, which would result in an approximate potential build-out of up to ±536,660 square feet in the PMU District. The Village Board of Trustees, after it completed its environmental review of the PMU District in the Village of Port Chester Environmental Findings as part of the adoption of the Village's Comprehensive Plan, adopted the current PMU District Section 345-62, with the understanding that future "rezoning and redevelopment of the site and concomitant detailed, comprehensive site-specific environmental review under SEQRA could result in modifications to this district." The Board now desires to implement the proposed amendments to Section 345-62 to promote the permitted mix of uses in this area, to enhance the character of the Village's "gateway" and to foster the redevelopment of the property included within the PMU District consistent with the Comprehensive Plan.

This local law will allow for an as of right FAR of 1.4, compared to the current 0.8. In addition, this local law will allow incentive density increases which may be granted to allow a FAR of up to 1.6, as well as uses as of right as opposed to the existing PMU District text which prescribes FAR by use and requires a stringent bonus program and/or variances to achieve additional FAR. The Board finds and determines that this local law is consistent with the Village's Comprehensive Plan which encourages the redevelopment of the property to accommodate a mixed-use "gateway" project.

SECTION 2: The Code of the Village of Port Chester, New York, Chapter 345, Article II, “Word Usage, terms defined”, Section 345-2B is hereby amended to read as follows:

345-2B Terms defined.

...

GREEN ROOF

A building roof that is engineered to be covered with low-maintenance growing plants that: insulate in winter, cool the building in summer, reduce solar absorption, reduce precipitation runoff from roof surfaces, and improve interior heating, ventilating and air conditioning (HVAC) efficiency.

...

PERVIOUS PAVING

A hard surface with load bearing capacity engineered to allow for the passage of water through it. The surface may be comprised of paving blocks with open corners, lattices or edges or asphalt/concrete mixes without “fines.”

PLAZA

An area predominantly open to the sky that is generally open to the public and used for passive recreational activities and relaxation. Plazas are paved areas typically provided with amenities, such as seating, drinking and ornamental fountains, art, trees, and landscaping for use by pedestrians.

...

[RESEARCH INSTITUTE OR LABORATORY

A building for experimentation in pure or applied research design, development and production of prototype machines or devices or of new products and uses accessory thereto. With respect to the application of this chapter, such "research institute or laboratory" shall meet the standards of a nonnuisance industry.]

RESEARCH INSTITUTE OR LABORATORY

A structure that contains research, development, and testing laboratories that do not involve the mass manufacture, fabrication, processing, or sale of products. Such uses shall not be detrimental to the environment through the release of dust, smoke, fumes, odor, noise, or vibration and shall not create and unsafe risk of fire or explosion given the location of the use, the building in which it is located, and the nature of the surrounding uses and structures.

...

SECTION 3: The Code of the Village of Port Chester, New York, Chapter 345, Article IV, “Supplementary Regulations”, Section 345-16 is amended, in part, as follows:

345-16B. General regulations.

- (1) The bonus program is available in the C2 Main Street Business, C5 Train Station Mixed Use, C5T Downtown Mixed Use Transitional[, PMU Planned Mixed Use], and DW2 Downtown Design Waterfront Districts. (See Schedule of Regulations for Nonresidence Districts, Attachment 3B.) by special exception only, and is subject to approval by the Village Board of Trustees.

...

- (3) Projects in the C5 Train Station Mixed Use[,]and C5T Downtown Mixed Use Transitional[, and PMU Planned Mixed Use] Districts are permitted to use both the building height and floor area options. (See Schedule of Regulations for Nonresidence Districts, Attachment 3B.)

...

C. Bonus floor area option.

- (1) In the C2 Main Street Business, C5 Train Station Mixed Use, C5T Downtown Mixed Use Transitional[, PMU Planned Mixed Use], and DW2 Downtown Design Waterfront Districts, additional development potential in the form of floor area can be earned for a project when the project includes any of the specified provisions listed herein. The bonus floor area amount is additional to the maximum floor area ratio in the respective district. (See Schedule of Regulations for Nonresidence Districts, Attachment 3B.)

...

D. Bonus building height option.

- (1) Bonus building height is also earned in the C5 Train Station Mixed Use, and C5T Downtown Mixed Use Transitional[, and PMU Planned Mixed Use] Districts in addition to the bonus floor area achieved through the provisions established in this section. Bonus height is in addition to the maximum building height in the respective district, as established in the Schedule of Regulations for Nonresidence Districts, Attachment 3B. Bonus height is earned by contributing to any of the three provisions specified in § 345-16C(3), (4) and (5) above.

...

SECTION 4: The Code of the Village of Port Chester, New York, Chapter 345, Article IX, Use and Dimensional Regulations for Nonresidence Districts, Schedule of Regulations for Nonresidence Districts, Attachment 3A, is hereby amended as shown on revised Attachment 3A attached to this local law.

SECTION 5: The Code of the Village of Port Chester, New York, Chapter 345, Article IX, Use and Dimensional Regulations for Nonresidence Districts, Schedule of Regulations for Nonresidence Districts, Attachment 3B, is hereby amended as shown on revised Attachment 3B attached to this local law, and as follows:

NOTES:

9 [A floor area bonus of 0.2 is available in accordance with § 345-16. For any mixed-use (commercial/residential) structure, a building height bonus of two stories (15 feet) is available in accordance with § 345-16.] The standards contained in the Schedules of Regulations for Nonresidence Districts shall apply to a PMU site as a whole.

SECTION 6: The Code of the Village of Port Chester, New York, Chapter 345, Article X, “Special Exception Use Regulations”, Section 345-59 is hereby amended as follows:

D.

...

(3) Notwithstanding the above, the Board of Trustees shall have jurisdiction for all applications for all special exception uses within the PMU District, with the exception of wireless telecommunications facilities. When a wireless telecommunication facility is proposed as part of a site plan or site plan amendment and no other use or site plan element is proposed or amended, the Planning Commission shall have jurisdiction pursuant to Article XVIII. When a wireless telecommunication facility is proposed as part of a site plan or site plan amendment and other uses or site plan elements are proposed or amended, the Board of Trustees shall have jurisdiction.

SECTION 7: The Code of the Village of Port Chester, New York, Chapter 345, Article XI, “Planned Mixed Use District” is hereby amended to read as follows:

§ 345-62. PMU Planned Mixed Use District

A. Purpose of district.

- (1) It is the purpose of the Planned Mixed Use (PMU) District to provide an opportunity for appropriately scaled and context-sensitive redevelopment to replace the decommissioned hospital located at 406 Boston Post Road [(Section 141.052, Block 1, Lot 2, and Section 141.052, Block 1, Lot 2.4)] and/or the adjacent twelve-story residential apartment building located at 999 High Street [(Section 141.052, Block 1, Lot 2.1)], which together comprise the largest remaining potential development site in the Village, at approximately 15 acres, and a prominent gateway to the Village.
- (2) This section provides the criteria and design standards so that high-quality, mixed-use development, including a variety of commercial, office, residential, and community facility uses, may be planned and developed in a unified and architecturally appropriate

manner. The mixed-use development shall encourage active pedestrian uses through appropriately designed, furnished, lighted, and planted streetscapes and open spaces.

(3) This section creates an incentive zoning program, similar to the one contained in §345-16, but tailored to the type of integrated mixed-use development envisioned for the PMU District in the 2012 Village of Port Chester Comprehensive Plan (“Comprehensive Plan”). It provides a mechanism for the community to receive one or more defined community benefits that would not otherwise be provided in exchange for an Applicant receiving additional development density.

(4) The development standards contained in this section shall apply to the “PMU site”, known as Section 141.052, Block 1, Lot 2, and Section 141.052, Block 1, Lot 2.4 and Section 141.052, Block 1, Lot 2.1 on the Boundary Survey titled Topographic Survey, prepared by Barrett, Bonacci & Van Weele, PC and dated August 5, 2014 and revised through January 17, 2015, available in the Village Clerk’s office.

B. Uses. The creation of a mixed-use development on the PMU site shall be comprised of one or a combination of the following uses [:]. No uses shall include a drive-thru window.

(1) Permitted principal uses.

- (a) Multifamily dwellings containing efficiency, one-bedroom and two-bedroom units only[; age-restricted housing (e.g., 55+); convalescent home or nursing home].
- (b) [Hotel or motel] Age-restricted housing (e.g., 55+).
- (c) [Bar or tavern; catering or events establishment; cabaret; table service restaurant, no drive-in, open-front, fast-food or curbside types] Convalescent home or nursing home.
- (d) [Assembly hall; membership club; fraternal organization or similar social institution not operated for a profit] Hotel or motel.
- (e) [Health club, including racquetball facilities and indoor swimming pools; commercial indoor athletic training facility; bowling alley] Limited service hotel.
- (f) [Theater] Bar or tavern.
- (g) [Retail store or personal service shop] Catering or events establishment.
- (h) [Office; office building; bank, excluding drive-in] Cabaret.
- (i) [Off-street parking lot or garage for motor vehicles; minimum requirements shall be in accordance with § 345-14] Restaurant including outdoor seating, no drive-in restaurant.
- (j) [Ground-floor office as accessory use to multifamily development] Fast Food restaurant including outdoor seating and/or kiosk, no drive-in window.
- (k) Assembly hall, membership club, fraternal organization or similar social institution not operated for a profit.
- (l) Health club, including racquetball facilities and indoor swimming pools.
- (m) Commercial indoor athletic training facility.
- (n) Bowling alley.
- (o) Theater.
- (p) Retail or personal services.

- (q) Office.
- (r) Medical and dental offices including x-ray and therapy rooms.
- (s) Bank.
- (t) Home professional office.
- (u) Off-street parking lot or garage for motor vehicles.
- (v) Research institute or laboratory.
- (w) Uses operated by the Port Chester-Rye Brook Library, or Port Chester-Rye Union Free School District.

(2) Permitted accessory uses.

- (a) Private garage or private off-street parking area[, in accordance with § 345-14].
- (b) Signs, in accordance with [§ 345-15] the requirements of this section.
- (c) Plazas accessible to the public.

(3) Special exception uses:

(a) Board of Trustees

- [(a)] (i) Church or other place of worship, parish house, rectory, Sunday school, convent, seminary; customary accessory structure or use, including cultural, recreational or athletic facility, meeting room or similar accessory structure or use related to a school, church or other place of worship.
- [(b)] (ii) Hospital; [medical and dental offices;] ethical pharmacy.
- [(c)] (iii) School, elementary or high, public, private or parochial, having a curriculum equivalent to that ordinarily given in public schools; nursery school, day camp or day-care center.
- [(d) Funeral home.]
- [(e) Radio or television station studio; excluding transmission tower.]
- [(f)] (iv) Veterinary hospital or board and care of small animals.

(b) Planning Commission

- (i) Wireless Telecommunication Facilities.

C. Dimensional standards and requirements.

(1) Dimensional standards shall apply to the PMU site as a whole, as defined in §345-62A(4) above. All buildings and site coverage within the “PMU site” shall count toward calculations of floor area ratio (FAR), site coverage and all other dimensional requirements. For purposes of calculating FAR, site coverage, building coverage, and other dimensional requirements, the “lot area” for the PMU is considered to be the total area of the PMU site.

[(1)] (2) The maximum floor area ratio (FAR) for all uses shall be [0.80] 1.4, excluding any incentive density increases which may be granted pursuant to the [requirements set forth in § 345-67, with approval by the Village Board of Trustees] provisions of paragraph (E), below.

[(2) The maximum floor area ratio (FAR) for hotel/conference uses shall be 0.40.]

[(3) The maximum floor area ratio (FAR) for commercial uses shall be 0.20.]

[(4) The maximum floor area ratio (FAR) for residential uses shall be 0.20.]

[(5) The maximum floor area ratio (FAR) for age-restricted (e.g. 55+) and/or assisted-living uses shall be 0.30.]

[(6) The maximum floor area ratio (FAR) for community facility uses shall be 0.10.]

(3) The minimum FAR for all non-residential uses shall be 25%.

[(7)] (4) The maximum site coverage (buildings, access roads and parking, but excluding walkways) shall be [70] 90%.

[(8)] (5) The maximum building height [for hotel uses] shall be the lesser of eight stories or [85] 115 feet.

(6) A minimum of 100 square feet per dwelling unit of usable open space shall be provided on the site.

[(9) The maximum building height for mixed use (commercial/residential) structures shall be five stories or 55 feet. A maximum building height of eight stories or 85 feet shall be allowable by special exception, subject to approval by the Board of Trustees and excluding any incentive density increases which may be granted pursuant to the requirements set forth in § 345-67.]

[(10) A building height bonus of two stories or 15 feet over the maximum building height allowable by special exception is available pursuant to the requirements set forth in § 345-16, with approval by the Village Board of Trustees.]

[(11) With respect to mixed use (commercial/residential) structures, the ground floor space shall consist only of commercial uses; upper floor space shall consist only of residential uses.]

D. [Approvals. The Village Board of Trustees is hereby authorized to grant site plan approval under Article V, Administration and Enforcement and special exception use approval under Article X, Special Exception Use Regulations.] Parking and loading.

(1) Off street parking and loading areas shall be designed and located based on a site-wide plan approved as part of a site plan approval.

(2) In order to soften the appearance of parking lots, parking lots shall be landscaped with groundcover, grasses, or low shrubs.

(3) The Board of Trustees, pursuant to its authority under §345-62.G, may reduce the number of off-street parking and loading spaces required by §345-14 based upon a

finding that, owing to the combination of uses proposed, adherence to the off-street parking and loading standards in §345-14 would result in the construction of unnecessary off-street parking spaces. This finding must be based on a shared parking/loading analysis completed by the Applicant and approved by the Board of Trustees at its discretion as determined during the site plan approval process. Shared parking and loading approvals shall be conditions of site plan approval and will be enforceable on all subsequent owners of property within the PMU site.

E. Zoning Incentives and Community Benefits Program.

- (1) Owing to the existing conditions of the lots within the PMU District and the unique nature of the integrated mixed-use development envisioned for the PMU District by the Comprehensive Plan, an in accordance with §7-703 of the Village Law of the State of New York, the Village finds it necessary to provide for a system of zoning incentives in exchange for specific community benefits.
- (2) Applicants for new development within the PMU district shall earn additional development potential in the form of additional FAR by providing one or more community benefits as described below.
- (3) In no cases shall the maximum FAR for a site, including additional floor area granted pursuant to this section, be more than 1.60.
- (4) Applicants making a monetary contribution in the amount of \$1,000,000 to one or more of the following Village community benefit funds shall be eligible for up to an additional 0.2 FAR:
  - (a) The Village Housing Rehabilitation Program.
  - (b) The Village Open Space Fund.
  - (c) The Village Job-Training Fund.
  - (d) The Village Affordable Housing Fund.
- (5) In accordance with §7-703h of the Village Law of the State of New York, the funds listed in §345-62(E)(4) shall be kept by the Village as dedicated funds in a separate account to be used only for their respective purposes of housing rehabilitation, open space, job-training, and affordable housing.

F. Design Criteria. In order to implement the vision of an integrated mixed-use development envisioned by the Comprehensive Plan, the following design requirements shall apply to all development within the PMU District. Applications for site plan approval shall include specific design standards, to be approved by the Board of Trustees, which implement these requirements.

- (1) Projects shall consider all contiguous lots proposed to be included within a proposed development as one 'site' and the site plan shall reflect this integrated design concept.
- (2) Projects shall feature an interior street grid and limit the use of dead end streets.

- (3) Adequate facilities for pedestrians and bicycles shall be provided and the site plan shall demonstrate that adequate and safe circulation for pedestrians and bicyclists exists within the site and between the site and the surrounding land area.
- (4) Facilities for alternative modes of transportation, including mass-transit, pedestrian, and bicycles, shall be integrated into the site design to the maximum extent practicable.
- (5) Commercial uses shall front the street-level along Boston Post Road.
- (6) Public access to Abendroth Park shall be provided to the maximum extent practicable.
- (7) Street-level architecture shall re-inforce the importance of the pedestrian and public realms. Ribbon windows are discouraged, while windows that are distinguished from the shaft of the building through the use of arches, pediments, mullions, and other treatments are encouraged.
- (8) Facades visible from Boston Post Road and Interstate 287 (I-287) shall reflect the architectural significance of their location within the site and their significance as a gateway into the Village of Port Chester.
- (9) Sites shall contain a variety of building design types to avoid excessive similarity in visual appearance.
- (10) Buildings shall be architecturally broken up vertically into a base (first-floor only), middle, and top. Likewise, buildings should be broken up architecturally into bays. These sections should be defined by building articulation or change in materials. No solid expanse of wall may exceed 30 feet in length.
- (11) Architectural elements such as cornices, belt courses, corbelling, molding, string courses, ornamentation, changes in material or color, and other sculpturing of the base shall be provided to add special interest.
- (12) Vinyl siding of any type or grade shall be prohibited on any building façade.
- (13) Parking structures shall be screened from Boston Post Road and any primary internal roadways with building uses or shall include architectural materials, elements, and treatments that are consistent with the design and quality of the proximate buildings. No vehicles shall be visible from the Boston Post Road or any primary internal roadway, except at the entrances to the structure. Where residential buildings face onto garage facades within 100 feet, garage spandrels facing those residential buildings shall be high enough (at least 30 inches) to block light from car headlights.
- (14) Ramps servicing levels of parking shall be internal and not visible from Boston Post Road and any primary internal roadway.
- (15) Rooftop mechanical equipment shall be screened.

- (16) Wireless antennae shall be screened, appropriately masked or otherwise be “stealthed”.
- (17) The streetscape, including any open space, shall be appropriately furnished to facilitate the goals of the PMU District, including the activation of the site for pedestrian use. A specific palette of street tree, lighting, sidewalk, and furnishing components shall be submitted by an Applicant for site plan approval and shall be approved by the Board of Trustees.
- (18) Signs within the PMU District shall be of varied types, sizes, and styles. A consistent approach to signage that favors expressions of tenant identity is encouraged. Allowed signage types include, but are not limited to, flat mounted signs, awning signs, canopy signs, blade signs, flags and banners, wall signs, window signs, entry embeds, sidewalk signs (menu boards) and temporary signs.
- (19) Applications for site plan approval shall include a sign management plan, which details the types, sizes, locations, and illumination of signs that are proposed to be permitted in the various portions of the PMU site. Signs may be of any durable material and shall be of a high level of craftsmanship. Signs shall be limited to a business’ name, logo or three-dimensional symbol and brief descriptive tagline (i.e., restaurant and bar, homemade ice cream). The sign management plan shall be reviewed and subject to the approval of the Board of Trustees.

G. Green Building and Site Planning. The intent of this subsection is to identify new and refer to the existing green building regulations within the Code of the Village of Port Chester. All new development within the PMU District shall adhere to the regulations contained in this subsection.

- (1) Any application for new commercial, mixed-use, or multi-family buildings shall provide a completed Leadership in Energy and Environmental Design for Neighborhood Development (LEED-ND) checklist, Enterprise Green Communities checklist, Institute of Sustainable Infrastructure (ISI) Envision checklist, or equivalent green project checklist acceptable to the Director of Planning and Economic Development or his/her designee.
- (2) All new development shall conform to Chapter 281, Stormwater Management, of the Code of the Village of Port Chester.
- (3) All new development shall conform to the applicable requirements set forth in the most current version of the New York State Stormwater Design Manual, as interpreted by the Village of Port Chester, especially Chapter 5, Green Infrastructure Practices.
- (4) Energy- and water-efficient fixtures and building technologies shall be incorporated that meet the requirements of the New York State Energy Code.
- (5) Pervious paving shall be permitted on all sites.
- (6) Green roofs shall be permitted for all building types.

(7) The recycling of construction waste shall be required.

#### H. Site Plan Approval

(1) The Board of Trustees shall be the approving agency for site plan applications within the PMU District, excluding special exception permits for wireless telecommunication facility only applications.

(2) The Board of Trustees, in exercising this authority, will follow the procedures and criteria in §345-23(C), (D), and (E), except that a Pre-Submission Conference (§345-23(C)) need not be held if an Environmental Impact Statement had previously been prepared that contemplated a site plan substantially similar to the plan being submitted for approval.

(3) All site plan applications shall adhere to the submission procedures as listed in §345-23(C) and contain the information listed in §345-23(F) and comply with the standards of §345-23(G) and (H).

(4) The Board of Trustees shall refer the site plan application to the Planning Commission for its review and recommendation.

#### SECTION 8: Conflicts with Other Provisions

If any portion of this Article is found to be in conflict with any other provision of any other local law or ordinance of the Code of the Village of Port Chester, the provision which establishes the higher standard shall prevail.

#### SECTION 9: Severability

If any clause, sentence, paragraph, subdivision, section or other part of this local law shall for any reason be adjudged by any court of competent jurisdiction to be unconstitutional or otherwise invalid, such judgment shall not affect, impair or invalidate the remainder of this Article, and it shall be construed to have been the legislative intent to enact this local law without such unconstitutional or invalid parts therein.

#### SECTION 10: Effective Date

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

Underlining denotes additions. Bracketing denotes [deletions].

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

[Amended 10-7-2002 by LL No. 18-2002; 11-3-2003 by LL No 9-2003; 1-19-2005 by LL No. 1-2005; 3-23-2006 by LL No. 6-2006; 6-1-2009 by LL No. 8-2009; 3-7-2011 by LL No. 4-2011; 3-18-2013 by LL No. 4-2013]

KEY:  
P = Permitted Use  
SE = Special Exception Use  
X = Prohibited Use

Type of Use	PMU Planned Mixed-Use  §345-57
<b>Residential Uses</b>	
1-family dwelling	x
2-family dwelling	x
Multifamily dwelling	[P] <del>x</del>
Multifamily dwelling (floors above first floor)	P
<u>Multifamily dwellings containing efficiency, one-bedroom and two-bedroom units only</u>	<u>P</u>
<u>Age-restricted housing (e.g. 55+)</u>	<u>P</u>
<b>Residential Community Facilities</b>	
Church or other place of worship, parish house, rectory, Sunday school, convent, seminary	SE
<b>General Community Facilities</b>	
Assembly hall	P
Convalescent home or nursing home	P
Hospital	SE
<u>Uses operated by the Port Chester-Rye Brook Library, or Port Chester-Rye Union Free School District</u>	<u>P</u>
Medical and dental offices, not including operating room or community x-ray or therapy room	[SE] P
Membership club, fraternal organization or similar social institution not operated for profit	P
Nursery school, day camp or day-care center	SE
Public utility facility	SE
School, elementary or high, public, private or parochial, having a curriculum equivalent to that ordinarily given in public schools	SE
Medical and dental offices including x-ray and therapy room	[SE] <u>P</u>
<u>Wireless Telecommunication Facilities</u>	<u>SE</u>
<b>Business uses</b>	
Automobile repair garage	x
Bank, excluding drive-in	P
Bar or tavern	P
Bowling alley	P
Cabaret	P
Catering and events establishment	P

**Underlining denotes additions. Bracketing denotes [deletions].**

Commercial indoor athletic training facility	P
Drive-in establishments other than restaurant, or circus, carnival or other outdoor amusements	x
Drive-in and fast-food restaurants	x
<u>Fast Food restaurant including outdoor seating and/or kiosk, no drive-in window.</u>	<u>P</u>
Food-processing shop	x
Funeral home	[SE] <del>x</del>
Gasoline station	x
Health club, including racquetball facilities and indoor swimming pools	P
Heating, air-conditioning, plumbing, electrical and similar construction businesses, excluding open storage of materials	x
<u>Home professional office</u>	<u>P</u>
Hotel or motel	P
Hotel, motel (floors above first floor)	P
Hotel, limited service	P
Marina or yacht club	x
<u>Restaurant including outdoor seating, no drive-in restaurant</u>	<u>P</u>
Theater	P
Motor vehicle sales lot, motor vehicle salesroom and accessory repair shop	x
Office, office building	P
Office, office building (floors above first floor)	P
Off-street parking for motor vehicles, but not including storage of used or new motor vehicles for sale or hire; minimum requirements shall be in accordance with §345-14	P
Pawnshops	x
Radio or television station studio, excluding transmission tower	[SE] x
Radio or television station studio, excluding transmission tower (floors above first floor)	[SE] x
Shooting ranges with accessory sales of guns and equipment	x
Table-service restaurant, no drive-in, open front, fast-food or curb-service types	P
Tax preparation office	P
Retail store or personal service shop, services clearly incidental to retail sales on the premises or to personal services	P
Veterinary hospital or board and care of small animals	SE
Wholesale business, storage building or warehouse	x
<u>Ethical pharmacy</u>	<u>SE</u>
<b>Industrial Uses</b>	
Cold storage plant, ice plant, bottling central distribution station, light or power plant or garbage or sewage disposal facility	x
Creamery, ice cream plant or bakery plant	x
Laundry or dry-cleaning plant	x
Non-nuisance industry, provided that in nonindustrial districts equipment is used that has a rating of no more than 5 horsepower	x

**Underlining denotes additions. Bracketing denotes [deletions].**

Open storage of equipment or materials	x
Printing plant	x
Research laboratory, provided that it shall not be obnoxious by reason of dissemination of smoke, dust, fumes, noise or vibration or hazardous from fire waste materials or the creation of excessive demands upon municipal services	[x] <u>P</u>
<b>Accessory Uses</b>	
CD accessory garden center	x
Customary accessory structure or use, including cultural, recreational or athletic facility, meeting room or similar accessory structure or use related to a school, church or other place of worship	SE
[Ethical pharmacy]	[SE]
Ground-floor office as accessory use to multifamily development	P
<u>Plazas accessible to the public</u>	<u>P</u>
Private garage or private off-street parking area, in accordance with §345-14	P
Sign, in accordance with §345-[15] <u>62</u>	P

**Underlining denotes additions. Bracketing denotes [deletions].**

**Zoning  
345 Attachment 3B  
Village of Port Chester  
Schedule of Regulations for Nonresidence Districts  
Part 2, Dimensional Regulations**

[Amended 4-12-1977 by L.L., No/7-1977; 10-18-1978 by L.L., No. 11-1982 by L.L., No. 25-1982; 12-3-1987 by L.L., No. 20-1987; 4-27-1988 by L.L., No. 6-1988; 3-18-2013 by L.L., No. 4-2013]

KEY  
NR= none required

	PMU Planned Mixed-Use §345-62 <sup>9</sup>
<b>Maximum Floor Area Ratio</b> (See definition in §345-2)	[0.8] <u>L<sub>1</sub><sup>1/2</sup></u>
Maximum Floor Area Ration for 1 Story	
<b>Minimum Size of Lot:</b>	
Area, Nonresidential (square Feet	NR
Area per dwelling unit (square feet)	see § 345-62
Width (feet)	
<b>Minimum Yard Dimensions:</b>	
Front (feet)	
Side (feet)	
1	
Total of 2 on interior lot	
Rear	
Maximum Height of Building	
In stories	
In feet	
<b>Minimum Usable Open Space on Lot:</b>	
For each dwelling unit (square feet)	100

Notes:

- (a) If provided at least 10 per yard.
- (b) One-half the height of the building to which the yard is related, but not greater than 20 feet
- (c) Each 25 feet or ½ the height of the building, whichever is greater.
- (d) For each patient bed in a sanatorium, convalescent home or nursing home: 20 feet.
- (e) Must be maintained from the minimum front yard depth to the rear lot line.

- 1 A floor area ratio (FAR) bonus of 0.8 is available in accordance with §345-16.
- 2 A minimum of 575 square feet of lot area per dwelling unit can be achieved through a building height and floor area bonus program in accordance with § 345-16.
- 3 A floor area bonus of 0.5 is available in accordance with § 345-16.
- 4 A minimum of 250 square feet of lot area per dwelling unit can be achieved through a building height and floor area bonus program in accordance with § 345-16.
- 5 A minimum of 400 square feet of lot area per dwelling unit can be achieved through a building height and floor area bonus program in accordance with § 345-16.
- 6 A building height bonus of two stories (30 feet) is available in accordance with § 345-16.
- 7 A building height bonus of one story (10 feet) is available in accordance with § 345-16.
- 8 See § 345-16.
- 9 [A floor area bonus of 0.2 is available in accordance with § 345-16. For any mixed-use (commercial/residential) structure, a building height bonus of two stories (15 feet) is available with § 345-16.] The standards contained in the Schedules of Regulations for Nonresidence Districts shall apply to a PMU site as a whole.
- 10 A floor area bonus 0.2 is available in accordance with § 345-16.
- 11 A minimum of 500 square feet of lot area per dwelling unit can be achieved through a building height and floor area bonus program in accordance with § 345-16.
- 12 A floor area bonus of 0.2 is available in accordance with § 345-62.

ACCEPTING THE 2016 ANNUAL MS4 REPORT

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's Small Municipal Stormwater Sewer System (MS4) is regulated under the Environmental Protection Agency's Phase II Stormwater Rule; and

WHEREAS, The Village is required to have and does have an MS4 permit for its stormwater discharges; and

WHEREAS, as part of the MS4 permit requirements the Village must submit a MS4 report on an annual basis; and

WHEREAS, the Village's 2016 report has been prepared by its's consulting engineer, Dolph Rotfeld Engineering, P.C which has presented same to the Board of Trustees. Now, therefore, be it

RESOLVED, that the Board of Trustees hereby accepts the 2016 Annual MS4 Report and authorizes the Mayor to sign the report on its behalf.

Approved as to Form:

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

**MS4 Annual Report Cover Page**

MCC form for period ending March 9, 2 0 1 6

This cover page must be completed by the report preparer.  
Joint reports require only one cover page.

SPDES ID  
N Y R 2 0 A 3 0 9

Choose one:

This report is being submitted on behalf of an individual MS4.

Fill in SPDES ID in upper right hand corner.

Name of MS4

V i l l a g e o f P o r t C h e s t e r

OR

This report is being submitted on behalf of a Single Entity

(Per Part II.E of GP-0-10-002)

Name of Single Entity

OR

This is a joint report being submitted on behalf of a coalition.

Provide SPDES ID of each permitted MS4 included in this report. Use page 2 if needed.

Name of Coalition

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### MS4 Annual Report Cover Page

MCC form for period ending March 9, 2016

Provide SPDES ID of each permitted MS4 included in this report.

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**MS4 Municipal Compliance Certification(MCC) Form**

MCC form for period ending March 9, 2 0 1 6

Name of MS4 Village of Port Chester

SPDES ID

N Y R 2 0 A 3 0 9

**Section 2 - Contact Information**

Important Instructions - Please Read

Contact information must be provided for each of the following positions as indicated below:

1. Principal Executive Officer, Chief Elected Official or other qualified individual (per GP-0-08-002 Part VI.J).
2. Duly Authorized Representative (Information for this contact must only be submitted if a Duly Authorized Representative is signing this form)
3. The Local Stormwater Public Contact (required per GP-0-08-002 Part VII.A.2.c & Part VIII.A.2.c).
4. The Stormwater Management Program (SWMP) Coordinator (Individual responsible for coordination/implementation of SWMP).
5. Report Preparer (Consultants may provide company name in the space provided).

A separate sheet must be submitted for each position listed above unless more than one position is filled by the same individual. If one individual fills multiple roles, provide the contact information once and check all positions that apply to that individual.

If a new Duly Authorized Representative is signing this report, their contact information must be provided and a signature authorization form, signed by the Principal Executive Officer or Chief Elected Official must be attached.

For each contact, select all that apply:

- Principal Executive Officer/Chief Elected Official
- Duly Authorized Representative
- Local Stormwater Public Contact
- Stormwater Management Program (SWMP) Coordinator
- Report Preparer

First Name Christopher MI Last Name Steers

Title Village Manager

Address 222 Grace Church Street

City Port Chester State NY Zip 10573 -

eMail csteers@portchesterNY.com

Phone (914) 939-2000 County Westchester

**MS4 Municipal Compliance Certification (MCC) Form**

MCC form for period ending March 9, 2 0 1 6

Name of MS4

SPDES ID  

N	Y	R	2	0	A	3	0	9
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**Section 3 - Partner Information**

Did your MS4 work with partners/coalition to complete some or all permit requirements during this reporting period?  Yes  No

If Yes, complete information below.

Submit a separate sheet for each partner. Information provided in other formats will not be accepted. If your MS4 cooperated with a coalition, submit one sheet with the name of the coalition. It is not necessary to include a separate sheet for each MS4 in the coalition.

If No, proceed to Section 4 - Certification Statement.

Partner/Coalition Name

L o n g I s l a n d S o u n d W a t e r s h e d I n t e r

Partner/Coalition Name (con't.)

m u n i c i p a l C o u n c i l

SPDES Partner ID - If applicable

N Y R 2 0

Address

7 4 0 B o s t o n P o s t R o a d

City

M a m a r o n e c k

State

N Y

Zip

1 0 5 4 3 -

eMail

l i s w i c m a i l @ l i s w i c . o r g

Phone

( 9 1 4 ) 3 8 1 - 7 8 4 5

Legally Binding Agreement in accordance with GP-0-08-002 Part IV.G.?  Yes  No

What tasks/responsibilities are shared with this partner (e.g. MM1 School Programs or Multiple Tasks)?

- MM1 G e n e r a l S t o r m w a t e r I n f o r m a t i o n
- MM2
- MM3
- MM4
- MM5
- MM6 E v a l u a t e S t o r m w a t e r U t i l i t y

Additional tasks/responsibilities

- Watershed Improvement Strategy Best Management Practices* required for MS4s in impaired watersheds included in GP-0-08-002 Part IX.

**MS4 Municipal Compliance Certification (MCC) Form**

MCC form for period ending March 9, 2 0 1 6

Name of MS4

SPDES ID  

N	Y	R	2	0	A	3	0	9
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**Section 3 - Partner Information**

Did your MS4 work with partners/coalition to complete some or all permit requirements during this reporting period?  Yes  No

If Yes, complete information below.

Submit a separate sheet for each partner. Information provided in other formats will not be accepted. If your MS4 cooperated with a coalition, submit one sheet with the name of the coalition. It is not necessary to include a separate sheet for each MS4 in the coalition.

If No, proceed to Section 4 - Certification Statement.

Partner/Coalition Name

Partner/Coalition Name (con't.)  SPDES Partner ID - If applicable

Address

City  State  Zip

eMail

Phone

(  )  -

Legally Binding Agreement in accordance with GP-0-08-002 Part IV.G.?  Yes  No

What tasks/responsibilities are shared with this partner (e.g. MM1 School Programs or Multiple Tasks)?

- MM1
- MM2
- MM3
- MM4
- MM5
- MM6

Additional tasks/responsibilities

- Watershed Improvement Strategy Best Management Practices* required for MS4s in impaired watersheds included in GP-0-08-002 Part IX.

**MS4 Municipal Compliance Certification(MCC) Form**

MCC form for period ending March 9, 2 0 1 6

Name of MS4

SPDES ID  
N Y R 2 0 A 3 0 9

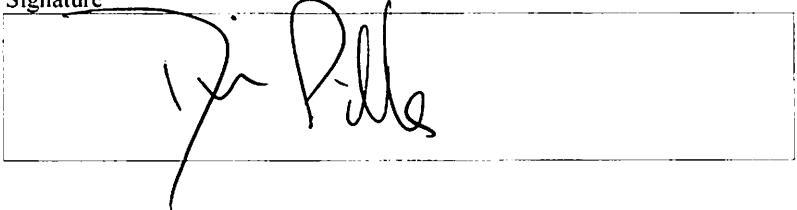
**Section 4 - Certification Statement**

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

This form must be signed by either a principal executive officer or ranking elected official, or duly authorized representative of that person as described in GP-0-08-002 Part VI.J.

First Name  MI  Last Name

Title (Clearly print title of individual signing report)

Signature  


Date  /  /

Send completed form and any attachments to the DEC Central Office at:

MS4 Permit Coordinator  
Division of Water  
4th Floor  
625 Broadway  
Albany, New York 12233-3505









**MS4 Annual Report Form**

This report is being submitted for the reporting period ending March 9, 

2	0	1	6
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If submitting this form as part of a joint report on behalf of a coalition leave SPDES ID blank.

Name of MS4/Coalition

SPDES ID  

N	Y	R	2	0	A	3	0	9
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**4. Evaluating Progress Toward Measurable Goals MCM 1**

Use this page to report on your progress and project plans toward achieving measurable goals identified in your Stormwater Management Program Plan (SWMPP), including requirements in Part III.C.1. Submit additional pages as needed.

**A. Briefly summarize the Measurable Goal identified in the SWMPP in this reporting period.**

The Village Stormwater Consultant developed a Questionnaire for the public to respond to. The questionnaire is available on the Village website and in hard copy in the Public Works Department and Village Clerk's Office for pickup, completion and return. Information continues to be available at the kiosk in Village Hall and on the Village website.

**B. Briefly summarize the observations that indicated the overall effectiveness of this Measurable Goal.**

No responses to questionnaire this reporting period. Information brochures continue to be available in hard copy at Village Hall and on the Village website.

**C. How many times was this observation measured or evaluated in this reporting period?**

			1
--	--	--	---

*(ex.: samples/participants/events)*

**D. Has your MS4 made progress toward this Measurable Goal during this reporting period?**

Yes    No

**E. Is your MS4 on schedule to meet the deadline set forth in the SWMPP?**

Yes    No

**F. Briefly summarize the stormwater activities planned to meet the goals of this MCM during the next reporting cycle (including an implementation schedule).**

Continue with availability of questionnaire. Continue with information on Village web page and hard copies at Village Hall.









### MS4 Annual Report Form

This report is being submitted for the reporting period ending March 9, 

2	0	1	6
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If submitting this form as part of a joint report on behalf of a coalition leave SPDES ID blank.

Name of MS4/Coalition 

Village of Port Chester
-------------------------

SPDES ID  

N	Y	R	2	0	A	3	0	9
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**4.a. If this report was made available on the internet, what date was it posted?**

Leave blank if this report was not posted on the internet.

0	6
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 / 

0	1
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 / 

2	0	1	5
---	---	---	---

**4.b. For how many days was/will this report be posted?**

3	6	5
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If submitting a report for single MS4, answer 5.a.. If submitting a joint report, answer 5.b..

**5.a. Was an Annual Report public meeting held in this reporting period?**

Yes  No

If Yes, what was the date of the meeting?

0	5
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2	0	1	5
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If No, is one planned?

Yes  No

**5.b. Was an Annual Report public meeting held for all MS4s contributing to this report during this reporting period?**

Yes  No

If No, is one planned for each?

Yes  No

**6. Were comments received during this reporting period?**

Yes  No

If Yes, attach comments, responses and changes made to SWMP in response to comments to this report.

**MS4 Annual Report Form**

This report is being submitted for the reporting period ending March 9, 

2	0	1	6
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If submitting this form as part of a joint report on behalf of a coalition leave SPDES ID blank.

Name of MS4/Coalition 

Village of Port Chester
-------------------------

SPDES ID  

N	Y	R	2	0	A	3	0	9
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**7. Evaluating Progress Toward Measurable Goals MCM 2**

Use this page to report on your progress and project plans toward achieving measurable goals identified in your Stormwater Management Program Plan (SWMPP), including requirements in Part III.C.1. Submit additional pages as needed.

**A. Briefly summarize the Measurable Goal identified in the SWMPP in this reporting period.**

Questionnaire was developed and placed on website and in Village Offices. Information continues to invite public participation both in hard copy and on the website.

**B. Briefly summarize the observations that indicated the overall effectiveness of this Measurable Goal.**

No questionnaires were completed this reporting period. Public attends meeting when annual report is on Board of Trustees agenda.

**C. How many times was this observation measured or evaluated in this reporting period?**

			1
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(ex.: samples/participants/events)

**D. Has your MS4 made progress toward this measurable goal during this reporting period?**

Yes    No

**E. Is your MS4 on schedule to meet the deadline set forth in the SWMPP?**

Yes    No

**F. Briefly summarize the stormwater activities planned to meet the goals of this MCM during the next reporting cycle (including an implementation schedule).**

Continue with questionnaire and information inviting public to participate in stormwater program.







**MS4 Annual Report Form**

This report is being submitted for the reporting period ending March 9, 

2	0	1	6
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If submitting this form as part of a joint report on behalf of a coalition leave SPDES ID blank.

Name of MS4/Coalition 

Village of Port Chester
-------------------------

SPDES ID  

N	Y	R	2	0	A	3	0	9
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**12. Evaluating Progress Toward Measurable Goals MCM 3**

Use this page to report on your progress and project plans toward achieving measurable goals identified in your Stormwater Management Program Plan (SWMPP), including requirements in Part III.C.1. Submit additional pages as needed.

**A. Briefly summarize the Measurable Goal identified in the SWMPP in this reporting period.**

Illicit Discharges Detected and Eliminated

**B. Briefly summarize the observations that indicated the overall effectiveness of this Measurable Goal.**

3 illicit discharges have been eliminated this reporting period. Village continues to work with USEPA Region II in locating Illicit Discharges and mitigating same.

**C. How many times was this observation measured or evaluated in this reporting period?**

			1
--	--	--	---

*(ex.: samples/participants/events)*

**D. Has your MS4 made progress toward this measurable goal during this reporting period?**

Yes    No

**E. Is your MS4 on schedule to meet the deadline set forth in the SWMPP?**

Yes    No

**F. Briefly summarize the stormwater activities planned to meet the goals of this MCM during the next reporting cycle (including an implementation schedule).**

Continue to inspect outfalls, respond to complaints of illicit discharges, locate and mitigate same. Continue to work with USEPA Region II and perform water quality sampling to locate Illicit Discharges.

**MS4 Annual Report Form**

This report is being submitted for the reporting period ending March 9, 

2	0	1	6
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If submitting this form as part of a joint report on behalf of a coalition leave SPDES ID blank.

Name of MS4/Coalition 

Village of Port Chester
-------------------------

SPDES ID

N	Y	R	2	0	A	3	0	9
---	---	---	---	---	---	---	---	---

**Minimum Control Measures 4 and 5.**  
**Construction Site and Post-Construction Control**

The information in this section is being reported (check one):

- On behalf of an individual MS4  
 On behalf of a coalition

How many MS4s contributed to this report? 

--	--	--

- 1a. Has each MS4 contributing to this report adopted a law, ordinance or other regulatory mechanism that provides equivalent protection to the NYS SPDES General Permit for Stormwater Discharges from Construction Activities?**  Yes  No
- 1b. Has each Town, City and/or Village contributing to this report documented that the law is equivalent to a NYSDEC Sample Local Law for Stormwater Management and Erosion and Sediment Control through either an attorney certification or using the NYSDEC Gap Analysis Workbook?**  Yes  No  NT

If Yes, Towns, Cities and Villages provide date of equivalent NYS Sample Local Law.

09/2004  03/2006  NT

- 2. Does your MS4/Coalition have a SWPPP review procedure in place?**  Yes  No
- 3. How many Construction Stormwater Pollution Prevention Plans (SWPPPs) have been reviewed in this reporting period?**

		1
--	--	---
- 4. Does your MS4/Coalition have a mechanism for receipt and consideration of public comments related to construction SWPPPs?**  Yes  No  NT
- If Yes, how many public comments were received during this reporting period? 

--	--	--
- 5. Does your MS4/Coalition provide education and training for contractors about the local SWPPP process?**  Yes  No

**6. Identify which of the following types of enforcement actions you used during the reporting period for construction activities, indicate the number of actions, or note those for which you do not have authority:**

- Notices of Violation # 

--	--	--	--	--

 No Authority
- Stop Work Orders # 

--	--	--	--	--

 No Authority
- Criminal Actions # 

--	--	--	--	--

 No Authority
- Termination of Contracts # 

--	--	--	--	--

 No Authority
- Administrative Fines # 

--	--	--	--	--

 No Authority
- Civil Penalties # 

--	--	--	--	--

 No Authority
- Administrative Orders # 

--	--	--	--	--

 No Authority
- Enforcement Actions or Sanctions # 

--	--	--	--	--

 No Authority
- Other # 

--	--	--	--	--

 No Authority

**MS4 Annual Report Form**

**This report is being submitted for the reporting period ending March 9,**

2	0	1	6
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If submitting this form as part of a joint report on behalf of a coalition leave SPDES ID blank.

Name of MS4/Coalition 

Village of Port Chester
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SPDES ID  

N	Y	R	2	0	A	3	0	9
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**Minimum Control Measure 4. Construction Site Stormwater Runoff Control**

The information in this section is being reported (check one):

- On behalf of an individual MS4
- On behalf of a coalition

How many MS4s contributed to this report? 

--	--	--

1. How many construction projects have been authorized for disturbances of one acre or more during this reporting period? 

		0
--	--	---

2. How many construction projects disturbing at least one acre were active in your jurisdiction during this reporting period? 

		1
--	--	---

3. What percent of active construction sites were inspected during this reporting period?  NT 

1	0	0
---	---	---

 %

4. What percent of active construction sites were inspected more than once?  NT 

1	0	0
---	---	---

 %

5. Do all inspectors working on behalf of the MS4s contributing to this report use the NYS Construction Stormwater Inspection Manual?  Yes  No  NT

6. Does your MS4/Coalition provide public access to Stormwater Pollution Prevention Plans (SWPPPs) of construction projects that are subject to MS4 review and approval?  Yes  No  NT

If your MS4 is Non-Traditional, are SWPPPs of construction projects made available for public review?  Yes  No

If Yes, use the following page to identify location(s) where SWPPPs can be accessed.

### MS4 Annual Report Form

This report is being submitted for the reporting period ending March 9, 2016

If submitting this form as part of a joint report on behalf of a coalition leave SPDES ID blank.

Name of MS4/Coalition

SPDES ID  

N	Y	R	2	0	A	3	0	9
---	---	---	---	---	---	---	---	---

6. con't.:

Submit additional pages as needed.

● MS4/Coalition Office

Department

Address

City

Zip

Phone

○ Library

Address

City

Zip

Phone

○ Other

Address

City

Zip

Phone

○ Web Page URL(s): Please provide specific address where SWPPPs can be accessed - not home page.

URL

URL

**MS4 Annual Report Form**

This report is being submitted for the reporting period ending March 9, 

2	0	1	6
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If submitting this form as part of a joint report on behalf of a coalition leave SPDES ID blank.

Name of MS4/Coalition

Village of Port Chester

SPDES ID

N	Y	R	2	0	A	3	0	9
---	---	---	---	---	---	---	---	---

**7. Evaluating Progress Toward Measurable Goals MCM 4**

Use this page to report on your progress and project plans toward achieving measurable goals identified in your Stormwater Management Program Plan (SWMPP), including requirements in Part III.C.1. Submit additional pages as needed.

**A. Briefly summarize the Measurable Goal identified in the SWMPP in this reporting period.**

No new project starts over 1 acre

**B. Briefly summarize the observations that indicated the overall effectiveness of this Measurable Goal.**

1 project under construction this reporting period

**C. How many times was this observation measured or evaluated in this reporting period?**

			1
--	--	--	---

*(ex.: samples/participants/events)*

**D. Has your MS4 made progress toward this measurable goal during this reporting period?**

Yes  No

**E. Is your MS4 on schedule to meet the deadline set forth in the SWMPP?**

Yes  No

**F. Briefly summarize the stormwater activities planned to meet the goals of this MCM during the next reporting cycle (including an implementation schedule).**

Continue to administer and monitor projects over 1 acre in accordance with approved SWPPP's and local ordinance



**MS4 Annual Report Form**

This report is being submitted for the reporting period ending March 9, 

2	0	1	6
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If submitting this form as part of a joint report on behalf of a coalition leave SPDES ID blank.

Name of MS4/Coalition 

Village of Port Chester
-------------------------

SPDES ID  

N	Y	R	2	0	A	3	0	9
---	---	---	---	---	---	---	---	---

4a. Are the MS4s contributing to this report involved in a regional/watershed wide planning effort?  
 Yes     No

4b. Does the MS4 have a banking and credit system for stormwater management practices?  
 Yes     No

4c. Do the SWMP Plans for each MS4 contributing to this report include a protocol for evaluation and approval of banking and credit of alternative siting of a stormwater management practice?  
 Yes     No

4d. How many stormwater management practices have been implemented as part of this system in this reporting period? 

		0
--	--	---

5. What percent of municipal officials/MS4 staff responsible for program implementation attended training on Low Impace Development (LID), Better Site Design (BSD) and other Green Infrastructure principles in this reporting period? 

		0
--	--	---

 %

**MS4 Annual Report Form**

This report is being submitted for the reporting period ending March 9, 

2	0	1	6
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If submitting this form as part of a joint report on behalf of a coalition leave SPDES ID blank.

Name of MS4/Coalition 

Village of Port Chester
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SPDES ID  

N	Y	R	2	0	A	3	0	9
---	---	---	---	---	---	---	---	---

**6. Evaluating Progress Toward Measurable Goals MCM 5**

Use this page to report on your progress and project plans toward achieving measurable goals identified in your Stormwater Management Program Plan (SWMPP), including requirements in Part III.C.1. Submit additional pages as needed.

**A. Briefly summarize the Measurable Goal identified in the SWMPP in this reporting period.**

Number of Best Management Practices added to Inventory

**B. Briefly summarize the observations that indicated the overall effectiveness of this Measurable Goal.**

None this reporting period

**C. How many times was this observation measured or evaluated in this reporting period?**

			1
--	--	--	---

*(ex.: samples/participants/events)*

**D. Has your MS4 made progress toward this measurable goal during this reporting period?**

Yes    No

**E. Is your MS4 on schedule to meet the deadline set forth in the SWMPP?**

Yes    No

**F. Briefly summarize the stormwater activities planned to meet the goals of this MCM during the next reporting cycle (including an implementation schedule).**

Continue to add Best Management Practices to Inventory as they come on line. Continue to monitor inspection and maintenance of all Best Management Practices inventoried

**MS4 Annual Report Form**

This report is being submitted for the reporting period ending March 9, 

2	0	1	6
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If submitting this form as part of a joint report on behalf of a coalition leave SPDES ID blank.

Name of MS4/Coalition 

Village of Port Chester
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SPDES ID  

N	Y	R	2	0	A	3	0	9
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**Minimum Control Measure 6. Stormwater Management for Municipal Operations**

The information in this section is being reported (check one):

- On behalf of an individual MS4
- On behalf of a coalition

How many MS4s contributed to this report? 

--	--	--

1. Choose/list each municipal operation/facility that contributes or may potentially contribute Pollutants of Concern to the MS4 system. For each operation/facility indicate whether the operation/facility has been addressed in the MS4's/Coalition's Stormwater Management Program(SWMP) Plan and whether a self-assessment has been performed during the reporting period. A self-assessment is performed to: 1) determine the sources of pollutants potentially generated by the permittee's operations and facilities; 2) evaluate the effectiveness of existing programs and 3) identify the municipal operations and facilities that will be addressed by the pollution prevention and good housekeeping program, if it's not done already.

<u>Operation/Activity/Facility</u>	<u>Addressed in SWMP?</u>	<u>Self-Assessment Operation/Activity/Facility performed within the past 3 years?</u>
Street Maintenance.....	<input checked="" type="radio"/> Yes <input type="radio"/> No .....	<input checked="" type="radio"/> Yes <input type="radio"/> No
Bridge Maintenance.....	<input checked="" type="radio"/> Yes <input type="radio"/> No .....	<input checked="" type="radio"/> Yes <input type="radio"/> No
Winter Road Maintenance.....	<input checked="" type="radio"/> Yes <input type="radio"/> No .....	<input checked="" type="radio"/> Yes <input type="radio"/> No
Salt Storage.....	<input checked="" type="radio"/> Yes <input type="radio"/> No .....	<input checked="" type="radio"/> Yes <input type="radio"/> No
Solid Waste Management.....	<input checked="" type="radio"/> Yes <input type="radio"/> No .....	<input checked="" type="radio"/> Yes <input type="radio"/> No
New Municipal Construction and Land Disturbance..	<input checked="" type="radio"/> Yes <input type="radio"/> No .....	<input checked="" type="radio"/> Yes <input type="radio"/> No
Right of Way Maintenance.....	<input checked="" type="radio"/> Yes <input type="radio"/> No .....	<input checked="" type="radio"/> Yes <input type="radio"/> No
Marine Operations.....	<input type="radio"/> Yes <input checked="" type="radio"/> No .....	<input type="radio"/> Yes <input checked="" type="radio"/> No
Hydrologic Habitat Modification.....	<input checked="" type="radio"/> Yes <input type="radio"/> No .....	<input checked="" type="radio"/> Yes <input type="radio"/> No
Parks and Open Space.....	<input checked="" type="radio"/> Yes <input type="radio"/> No .....	<input checked="" type="radio"/> Yes <input type="radio"/> No
Municipal Building.....	<input checked="" type="radio"/> Yes <input type="radio"/> No .....	<input checked="" type="radio"/> Yes <input type="radio"/> No
Stormwater System Maintenance.....	<input checked="" type="radio"/> Yes <input type="radio"/> No .....	<input checked="" type="radio"/> Yes <input type="radio"/> No
Vehicle and Fleet Maintenance.....	<input checked="" type="radio"/> Yes <input type="radio"/> No .....	<input checked="" type="radio"/> Yes <input type="radio"/> No
Other.....	<input type="radio"/> Yes <input checked="" type="radio"/> No .....	<input type="radio"/> Yes <input checked="" type="radio"/> No

### MS4 Annual Report Form

**This report is being submitted for the reporting period ending March 9,** 2 0 1 6

If submitting this form as part of a joint report on behalf of a coalition leave SPDES ID blank.

Name of MS4/Coalition Village of Port Chester

SPDES ID  
N Y R 2 0 A 3 0 9

**2. Provide the following information about municipal operations good housekeeping programs:**

- Parking Lots Swept (Number of acres X Number of times swept) # Acres     7 2 0
- Streets Swept (Number of miles X Number of times swept) # Miles   1 6 5 0
- Catch Basins Inspected and Cleaned Where Necessary #     6 2 5
- Post Construction Control Stormwater Management Practices Inspected and Cleaned Where Necessary #         1
- Phosphorus Applied In Chemical Fertilizer # Lbs.
- Nitrogen Applied In Chemical Fertilizer # Lbs.
- Pesticide/Herbicide Applied (Number of acres to which pesticide/herbicide was applied X Number of times applied to the nearest tenth.) # Acres           .

**3. How many stormwater management trainings have been provided to municipal employees during this reporting period?**         1

**4. What was the date of the last training?** 0 9 / 1 6 / 2 0 1 5

**5. How many municipal employees have been trained in this reporting period?**     1 4

**6. What percent of municipal employees in relevant positions and departments receive stormwater management training?**     1 0 0 %

**MS4 Annual Report Form**

This report is being submitted for the reporting period ending March 9, 

2	0	1	6
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If submitting this form as part of a joint report on behalf of a coalition leave SPDES ID blank.

Name of MS4/Coalition

SPDES ID

N	Y	R	2	0	A	3	0	9
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**7. Evaluating Progress Toward Measurable Goals MCM 6**

Use this page to report on your progress and project plans toward achieving measurable goals identified in your Stormwater Management Program Plan (SWMPP), including requirements in Part III.C.1. Submit additional pages as needed.

**A. Briefly summarize the Measurable Goal identified in the SWMPP in this reporting period.**

Number of stormwater catch basins inspected and cleaned

**B. Briefly summarize the observations that indicated the overall effectiveness of this Measurable Goal.**

625 CB's inspected and cleaned as needed this reporting period

**C. How many times was this observation measured or evaluated in this reporting period?**

			1
--	--	--	---

*(ex.: samples/participants/events)*

**D. Has your MS4 made progress toward this measurable goal during this reporting period?**

Yes  No

**E. Is your MS4 on schedule to meet the deadline set forth in the SWMPP?**

Yes  No

**F. Briefly summarize the stormwater activities planned to meet the goals of this MCM during the next reporting cycle (including an implementation schedule).**

Continue stormwater catch basin cleaning program and other infrastructure maintenance programs as per Village Stormwater Management Plan.

### MS4 Annual Report Form

**This report is being submitted for the reporting period ending March 9,**

If submitting this form as part of a joint report on behalf of a coalition leave SPDES ID blank.

Name of MS4/Coalition

SPDES ID

### Additional Watershed Improvement Strategy Best Management Practices

The information in this section is being reported (check one):

- On behalf of an individual MS4
- On behalf of a coalition

How many MS4s contributed to this report?

**MS4s must answer the questions or check NA as indicated in the table below.**

MS4 Description	Answer	Check NA	(POC)
<b>NYC EOH Watershed</b>			
Traditional Land Use	1,2,3,4,5,6,7a-d,8a,8b,9	10,11,12	Phosphorus
Traditional Non-Land Use	1,2,3,4,7a-d,8a,8b,9	5,10,11,12	Phosphorus
Non-Traditional	1,2,77a-d,8a,8b,9	3,4,5,10,11,12	Phosphorus
<b>Onondaga Lake Watershed</b>			
Traditional Land Use	1,6,7a-d,8a,9	2,3,4,5,8b,10,11,12	Phosphorus
Traditional Non-Land Use	1,6,7a-d,8a,9	2,3,4,5,8b,10,11,12	Phosphorus
Non-Traditional	1,6,7a-d,8a,9	2,3,4,5,8b,10,11,12	Phosphorus
<b>Greenwood Lake Watershed</b>			
Traditional Land Use	1,4,6,7a-d,8a,9	2,3,5,8b,10,11,12	Phosphorus
Traditional Non-Land Use	1,4,6,7a-d,8a,9	2,3,5,8b,10,11,12	Phosphorus
Non-Traditional	1,4,6,7a-d,8a,9	2,3,5,8b,10,11,12	Phosphorus
<b>Oyster Bay</b>			
Traditional Land Use	1,4,7a-d,9,10,11,12	2,3,5,6,8a,8b	Pathogens
Traditional Non-Land Use	1,4,7a-d,9,10,11,12	2,3,5,6,8a,8b	Pathogens
Non-Traditional	1,4,7a-d,9	2,3,4,5,8a,8b,10,11,12	Pathogens
<b>Peconic Estuary</b>			
Traditional Land Use	1,4,7a-d,8a,9,10,11,12	2,3,5,6,8b	Pathogens and Nitrogen
Traditional Non-Land Use	1,4,7a-d,8a,9,10,11,12	2,3,5,6,8b	Pathogens and Nitrogen
Non-Traditional	1,4,7a-d,8a,9	2,3,4,5,8b,10,11,12	Pathogens and Nitrogen
<b>Oscawana Lake Watershed</b>			
Traditional Land Use	1,4,6,7a-d,8a,9	2,3,5,8b,10,11,12	Phosphorus
Traditional Non-Land Use	1,4,6,7a-d,8a,9	2,3,5,8b,10,11,12	Phosphorus
Non-Traditional	1,4,6,7a-d,8a,9	2,3,5,8b,10,11,12	Phosphorus
<b>LI 27 Embayments</b>			
Traditional Land Use	1,2,3,4,7a-d,9,10,11,12	5,6,8a,8b	Pathogens
Traditional Non-Land Use	1,2,3,4,7a-d,9,10,11,12	5,6,8a,8b	Pathogens
Non-Traditional	1,2,3,4,7a-d,9	5,6,8a,8b,10,11,12	Pathogens

**1. Does your MS4/Coalition have an education program addressing impacts of phosphorus/nitrogen/pathogens on waterbodies?**  Yes  No  N/A

**2. Has 100% of the MS4/Coalition conveyance system been mapped in GIS?**  Yes  No  N/A

If N/A, go to question 3.

If No, estimate what percentage of the conveyance system has been mapped so far.    %

Estimate what percentage was mapped in this reporting period.    %

### MS4 Annual Report Form

This report is being submitted for the reporting period ending March 9,

If submitting this form as part of a joint report on behalf of a coalition leave SPDES ID blank.

Name of MS4/Coalition

SPDES ID

3. Does your MS4/Coalition have a Stormwater Conveyance System (infrastructure) Inspection and Maintenance Plan Program?  Yes  No  N/A

4. Estimate the percentage of on-site wastewater treatment systems that have been inspected and maintained or rehabilitated as necessary in this reporting period?  %

5. Has your MS4/Coalition developed a program that provides protection equivalent to the NYSDEC SPDES General Permit for Stormwater Discharges from Construction Activities (GP-0-08-001) to reduce pollutants in stormwater runoff from construction activities that disturb five thousand square feet or more?  Yes  No  N/A

6. Has your MS4/Coalition developed a program to address post-construction stormwater runoff from new development and redevelopment projects that disturb greater than or equal to one acre that provides equivalent protection to the NYS DEC SPDES General Permit for Stormwater Discharges from Construction Activities (GP-0-08-001), including the New York State Stormwater Design Manual Enhanced Phosphorus Removal Standards?  Yes  No  N/A

7a. Does your MS4/Coalition have a retrofitting program to reduce erosion or phosphorus/nitrogen/pathogen loading?  Yes  No  N/A

7b. How many projects have been sited in this reporting period?

7c. What percent of the projects included in 7b have been completed in this reporting period?  %

7d. What percent of projects planned in previous years have been completed?  %  
 No Projects Planned

8a. Has your MS4/Coalition developed and implemented a turf management practices and procedures policy that addresses proper fertilizer application on municipally owned lands?  Yes  No  N/A

8b. Has your MS4/Coalition developed and implemented a turf management practices and procedures policy that addresses proper disposal of grass clippings and leaves from municipally owned lands?  Yes  No  N/A

**MS4 Annual Report Form**

**This report is being submitted for the reporting period ending March 9,**

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If submitting this form as part of a joint report on behalf of a coalition leave SPDES ID blank.

Name of MS4/Coalition 

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SPDES ID 

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- 9. **Has your MS4/Coalition developed and implemented a program of native planting?**  
 Yes    No    N/A
  
- 10. **Has your MS4/Coalition enacted a local law prohibiting pet waste on municipal properties and prohibiting goose feeding?**  
 Yes    No    N/A
  
- 11. **Does your MS4/Coalition have a pet waste bag program?**  
 Yes    No    N/A
  
- 12. **Does your MS4/Coalition have a program to manage goose populations?**  
 Yes    No    N/A

# Capitol Theatre volunteers take part in Earth Day cleanup

 **Christopher J. Eberhart**, ceberhart@lohud.com 3 p.m. EDT April 24, 2016

*Volunteers from the Capitol Theatre filled eight bags of garbage with litter as part of their Earth Day cleanup.*



*(Photo: Contributed photo)*

PORT CHESTER - The streets of downtown Port Chester became a little cleaner.

On Friday afternoon, four volunteers from the Capitol Theatre walked up and down Westchester Avenue and around the train station parking lot picking up cigarette butts, bottles and wrappers as part of an Earth Day cleanup.

The group worked for three hours and filled eight garbage bags with litter and debris.

"Earth Day is a great time to give back to the community," said Stefanie May, marketing director of the Capitol Theatre and one of the volunteers. "Even if we all do something small, collectively we can make a difference. We love Port Chester, and we want to keep it clean."



Stefanie May, the marketing manager of the Capitol Theatre, was one of the four cleanup crew volunteers. *(Photo: Contributed photo)*

Read or Share this story: <http://lohud.us/1VSn8Pv>



The volunteers filled eight bags of garbage in three hours. *(Photo: Contributed photo)*

# PUBLIC HEARING



VILLAGE OF  
**PORT CHESTER**

222 Grace Church Street, Port Chester, New York 10573

PH - 01  
 BOT5-24-2016

**AGENDA MEMO**

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

**BOT Meeting Date:** 5/24/2016

**Item Type:** Public Hearing

<b>Sponsor's Name:</b>	Anthony Cerreto, Village Attorney
<b>Sponsor's Name:</b>	Eric Zamft, Director of Planning & Economic Development

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

**Agenda Title**

Starwood/United Hospital: Public Hearing on Preliminary Final Environmental Impact Statement and Proposed Revised Zoning

**Summary**

The Board of Trustees serves as the Lead Agency under the State Environmental Quality Review Act ("SEQRA") for PC 406 BPR LLC and PC 999 High Street Corp.'s (the "Applicant") proposal to redevelop the United Hospital site (the "Proposal").

The Proposal includes and is predicated upon changing the current PMU Planned Mixed Use Zoning on the Site. Initially, the Applicant proposed two potential zoning options:

- 1) The creation of a Southern Gateway Mixed Use Overlay Zoning District (the "Overlay District"), which would include land area beyond the Project Site (i.e.,

the Kohl's Shopping Center) and included design guidelines, review criteria, and density bonus provisions that would allow a maximum of a Floor Area Ratio ("FAR") of 1.7; or

- 2) Revise the existing PMU District, with the significant change being to allow for an as of right FAR of 1.6 compared to the current 0.8, without the need for a density bonus. This second option was limited to the Project Site alone (the "Initial Proposed Amendments to the PMU District").

The Board accepted as complete the Draft Environmental Impact Statement ("DEIS") for the Proposal on July 20, 2015 and held public hearing on the DEIS (and both the Overlay District and Initial Proposed Amendments to the PMU District) on August 27, 2015 and September 8, 2015.

On April 27, 2016, the Applicant submitted a preliminary Final Environmental Impact Statement ("pFEIS") and Proposed Amendments to the PMU District ("Proposed Revised Zoning") for the Board's consideration. The pFEIS and Proposed Revised Zoning are intended by the Applicant to reflect the comments received during the DEIS public hearing, comment period, preliminary review by Village staff and its consultants, and the discussions at the two special workshops held: April 6, 2016 on traffic and April 26, 2016 on economics/zoning. The pFEIS has been submitted as a working document in order to receive further input from the Village, its staff and consultants, and the public prior to accepting it as complete.

As noted at the April 26, 2016 workshop, the Proposed Revised Zoning is different than Initial Proposed Amendments to the PMU District. Due to these material changes the Proposed Revised Zoning was required to be referred to the Planning Commission and the Westchester County Board for their review and recommendation. For the same reason, although a public hearing was held on the Initial Proposed Amendments to the PMU District in conjunction with the public hearing on the DEIS, a new public hearing is required for the Proposed Revised Zoning.

To that end, at the May 2, 2016 Board meeting, the Board: 1) formally acknowledged receipt of the pFEIS and Proposed Revised Zoning; 2) referred the matter to the Planning Commission for their review and recommendation; 3) referred the matter to the Westchester County Planning Board for their review; and 4) set a public hearing for May 24, 2016 on the pFEIS and Proposed Revised Zoning.

Beyond the Board's public hearing, the Proposal will have been discussed at the May 23, 2016 Planning Commission meeting and at the June 2, 2016 Westchester County Planning Board meeting.

Therefore, the Board should open the public hearing to receive comments from the public. Should the Board wish to close the public hearing, it is recommended, but not required, that a comment period be left open to receive written comments.

It should be noted that opening and closing the public hearing would not involve any approval or adoption of the Proposed Revised Zoning, the pFEIS, or its components by the Board. Such actions would be later in the process and Village staff and Special Counsel will provide any necessary direction to the Board at the appropriate time.

<b>Attachments</b>
Proposed Local Law

Village of Port Chester, New York

Local Law No. \_\_\_\_ of the year 2016

Be it enacted by the Board of Trustees of the Village of Port Chester, New York

A LOCAL LAW AMENDING THE CODE OF THE VILLAGE OF PORT CHESTER,  
CHAPTER 345, “ZONING” WITH REGARD TO THE PLANNED MIXED USE DISTRICT

SECTION 1: Purpose and Intent

On December 17, 2012, the Village adopted a Comprehensive Plan with subsequent related zoning amendments, which resulted in three tax parcels (Section 141.52, Block 1, Lots 2, 2.1 and 2.4) being rezoned from a Two Family Residence (R2F) District to a new Planned Mixed Use (PMU) District. The PMU District consists of property containing a former hospital campus and associated residential workforce apartment building that is bounded on the south by the Boston Post Road and High Street, on the west by High Street and Interstate 287, on the north by Abendroth Park, and on the east by the Boston Post Road. Access to Interstate 95 is also in close proximity.

The Village Board of Trustees created the PMU District to encourage a mixed use development, including a variety of commercial, office, residential and community facility uses. While the PMU District permits this mix of uses (and others as indicated in the Schedule of Regulations for Non-Residential District in Chapter 345), it only allows for a Floor Area Ratio (FAR) of 0.8, which would result in an approximate potential build-out of up to ±536,660 square feet in the PMU District. The Village Board of Trustees, after it completed its environmental review of the PMU District in the Village of Port Chester Environmental Findings as part of the adoption of the Village’s Comprehensive Plan, adopted the current PMU District Section 345-62, with the understanding that future “rezoning and redevelopment of the site and concomitant detailed, comprehensive site-specific environmental review under SEQRA could result in modifications to this district.” The Board now desires to implement the proposed amendments to Section 345-62 to promote the permitted mix of uses in this area, to enhance the character of the Village’s “gateway” and to foster the redevelopment of the property included within the PMU District consistent with the Comprehensive Plan.

This local law will allow for an as of right FAR of 1.4, compared to the current 0.8. In addition, this local law will allow incentive density increases which may be granted to allow a FAR of up to 1.6, as well as uses as of right as opposed to the existing PMU District text which prescribes FAR by use and requires a stringent bonus program and/or variances to achieve additional FAR. The Board finds and determines that this local law is consistent with the Village’s Comprehensive Plan which encourages the redevelopment of the property to accommodate a mixed-use “gateway” project.

SECTION 2: The Code of the Village of Port Chester, New York, Chapter 345, Article II, “Word Usage, terms defined”, Section 345-2B is hereby amended to read as follows:

345-2B Terms defined.

...

GREEN ROOF

A building roof that is engineered to be covered with low-maintenance growing plants that: insulate in winter, cool the building in summer, reduce solar absorption, reduce precipitation runoff from roof surfaces, and improve interior heating, ventilating and air conditioning (HVAC) efficiency.

...

PERVIOUS PAVING

A hard surface with load bearing capacity engineered to allow for the passage of water through it. The surface may be comprised of paving blocks with open corners, lattices or edges or asphalt/concrete mixes without “fines.”

PLAZA

An area predominantly open to the sky that is generally open to the public and used for passive recreational activities and relaxation. Plazas are paved areas typically provided with amenities, such as seating, drinking and ornamental fountains, art, trees, and landscaping for use by pedestrians.

...

[RESEARCH INSTITUTE OR LABORATORY

A building for experimentation in pure or applied research design, development and production of prototype machines or devices or of new products and uses accessory thereto. With respect to the application of this chapter, such "research institute or laboratory" shall meet the standards of a nonnuisance industry.]

RESEARCH INSTITUTE OR LABORATORY

A structure that contains research, development, and testing laboratories that do not involve the mass manufacture, fabrication, processing, or sale of products. Such uses shall not be detrimental to the environment through the release of dust, smoke, fumes, odor, noise, or vibration and shall not create and unsafe risk of fire or explosion given the location of the use, the building in which it is located, and the nature of the surrounding uses and structures.

...

SECTION 3: The Code of the Village of Port Chester, New York, Chapter 345, Article IV, “Supplementary Regulations”, Section 345-16 is amended, in part, as follows:

345-16B. General regulations.

- (1) The bonus program is available in the C2 Main Street Business, C5 Train Station Mixed Use, C5T Downtown Mixed Use Transitional[, PMU Planned Mixed Use], and DW2 Downtown Design Waterfront Districts. (See Schedule of Regulations for Nonresidence Districts, Attachment 3B.) by special exception only, and is subject to approval by the Village Board of Trustees.

...

- (3) Projects in the C5 Train Station Mixed Use[,]and C5T Downtown Mixed Use Transitional[, and PMU Planned Mixed Use] Districts are permitted to use both the building height and floor area options. (See Schedule of Regulations for Nonresidence Districts, Attachment 3B.)

...

C. Bonus floor area option.

- (1) In the C2 Main Street Business, C5 Train Station Mixed Use, C5T Downtown Mixed Use Transitional[, PMU Planned Mixed Use], and DW2 Downtown Design Waterfront Districts, additional development potential in the form of floor area can be earned for a project when the project includes any of the specified provisions listed herein. The bonus floor area amount is additional to the maximum floor area ratio in the respective district. (See Schedule of Regulations for Nonresidence Districts, Attachment 3B.)

...

D. Bonus building height option.

- (1) Bonus building height is also earned in the C5 Train Station Mixed Use, and C5T Downtown Mixed Use Transitional[, and PMU Planned Mixed Use] Districts in addition to the bonus floor area achieved through the provisions established in this section. Bonus height is in addition to the maximum building height in the respective district, as established in the Schedule of Regulations for Nonresidence Districts, Attachment 3B. Bonus height is earned by contributing to any of the three provisions specified in § 345-16C(3), (4) and (5) above.

...

SECTION 4: The Code of the Village of Port Chester, New York, Chapter 345, Article IX, Use and Dimensional Regulations for Nonresidence Districts, Schedule of Regulations for Nonresidence Districts, Attachment 3A, is hereby amended as shown on revised Attachment 3A attached to this local law.

SECTION 5: The Code of the Village of Port Chester, New York, Chapter 345, Article IX, Use and Dimensional Regulations for Nonresidence Districts, Schedule of Regulations for Nonresidence Districts, Attachment 3B, is hereby amended as shown on revised Attachment 3B attached to this local law, and as follows:

NOTES:

9 [A floor area bonus of 0.2 is available in accordance with § 345-16. For any mixed-use (commercial/residential) structure, a building height bonus of two stories (15 feet) is available in accordance with § 345-16.] The standards contained in the Schedules of Regulations for Nonresidence Districts shall apply to a PMU site as a whole.

SECTION 6: The Code of the Village of Port Chester, New York, Chapter 345, Article X, “Special Exception Use Regulations”, Section 345-59 is hereby amended as follows:

D.

...

(3) Notwithstanding the above, the Board of Trustees shall have jurisdiction for all applications for all special exception uses within the PMU District, with the exception of wireless telecommunications facilities. When a wireless telecommunication facility is proposed as part of a site plan or site plan amendment and no other use or site plan element is proposed or amended, the Planning Commission shall have jurisdiction pursuant to Article XVIII. When a wireless telecommunication facility is proposed as part of a site plan or site plan amendment and other uses or site plan elements are proposed or amended, the Board of Trustees shall have jurisdiction.

SECTION 7: The Code of the Village of Port Chester, New York, Chapter 345, Article XI, “Planned Mixed Use District” is hereby amended to read as follows:

§ 345-62. PMU Planned Mixed Use District

A. Purpose of district.

- (1) It is the purpose of the Planned Mixed Use (PMU) District to provide an opportunity for appropriately scaled and context-sensitive redevelopment to replace the decommissioned hospital located at 406 Boston Post Road [(Section 141.052, Block 1, Lot 2, and Section 141.052, Block 1, Lot 2.4)] and/or the adjacent twelve-story residential apartment building located at 999 High Street [(Section 141.052, Block 1, Lot 2.1)], which together comprise the largest remaining potential development site in the Village, at approximately 15 acres, and a prominent gateway to the Village.
- (2) This section provides the criteria and design standards so that high-quality, mixed-use development, including a variety of commercial, office, residential, and community facility uses, may be planned and developed in a unified and architecturally appropriate

manner. The mixed-use development shall encourage active pedestrian uses through appropriately designed, furnished, lighted, and planted streetscapes and open spaces.

(3) This section creates an incentive zoning program, similar to the one contained in §345-16, but tailored to the type of integrated mixed-use development envisioned for the PMU District in the 2012 Village of Port Chester Comprehensive Plan (“Comprehensive Plan”). It provides a mechanism for the community to receive one or more defined community benefits that would not otherwise be provided in exchange for an Applicant receiving additional development density.

(4) The development standards contained in this section shall apply to the “PMU site”, known as Section 141.052, Block 1, Lot 2, and Section 141.052, Block 1, Lot 2.4 and Section 141.052, Block 1, Lot 2.1 on the Boundary Survey titled Topographic Survey, prepared by Barrett, Bonacci & Van Weele, PC and dated August 5, 2014 and revised through January 17, 2015, available in the Village Clerk’s office.

B. Uses. The creation of a mixed-use development on the PMU site shall be comprised of one or a combination of the following uses [:]. No uses shall include a drive-thru window.

(1) Permitted principal uses.

- (a) Multifamily dwellings containing efficiency, one-bedroom and two-bedroom units only[; age-restricted housing (e.g., 55+); convalescent home or nursing home].
- (b) [Hotel or motel] Age-restricted housing (e.g., 55+).
- (c) [Bar or tavern; catering or events establishment; cabaret; table service restaurant, no drive-in, open-front, fast-food or curbside types] Convalescent home or nursing home.
- (d) [Assembly hall; membership club; fraternal organization or similar social institution not operated for a profit] Hotel or motel.
- (e) [Health club, including racquetball facilities and indoor swimming pools; commercial indoor athletic training facility; bowling alley] Limited service hotel.
- (f) [Theater] Bar or tavern.
- (g) [Retail store or personal service shop] Catering or events establishment.
- (h) [Office; office building; bank, excluding drive-in] Cabaret.
- (i) [Off-street parking lot or garage for motor vehicles; minimum requirements shall be in accordance with § 345-14] Restaurant including outdoor seating, no drive-in restaurant.
- (j) [Ground-floor office as accessory use to multifamily development] Fast Food restaurant including outdoor seating and/or kiosk, no drive-in window.
- (k) Assembly hall, membership club, fraternal organization or similar social institution not operated for a profit.
- (l) Health club, including racquetball facilities and indoor swimming pools.
- (m) Commercial indoor athletic training facility.
- (n) Bowling alley.
- (o) Theater.
- (p) Retail or personal services.

- (q) Office.
- (r) Medical and dental offices including x-ray and therapy rooms.
- (s) Bank.
- (t) Home professional office.
- (u) Off-street parking lot or garage for motor vehicles.
- (v) Research institute or laboratory.
- (w) Uses operated by the Port Chester-Rye Brook Library, or Port Chester-Rye Union Free School District.

(2) Permitted accessory uses.

- (a) Private garage or private off-street parking area[, in accordance with § 345-14].
- (b) Signs, in accordance with [§ 345-15] the requirements of this section.
- (c) Plazas accessible to the public.

(3) Special exception uses:

(a) Board of Trustees

- [(a)] (i) Church or other place of worship, parish house, rectory, Sunday school, convent, seminary; customary accessory structure or use, including cultural, recreational or athletic facility, meeting room or similar accessory structure or use related to a school, church or other place of worship.
- [(b)] (ii) Hospital; [medical and dental offices;] ethical pharmacy.
- [(c)] (iii) School, elementary or high, public, private or parochial, having a curriculum equivalent to that ordinarily given in public schools; nursery school, day camp or day-care center.
- [(d) Funeral home.]
- [(e) Radio or television station studio; excluding transmission tower.]
- [(f)] (iv) Veterinary hospital or board and care of small animals.

(b) Planning Commission

- (i) Wireless Telecommunication Facilities.

C. Dimensional standards and requirements.

(1) Dimensional standards shall apply to the PMU site as a whole, as defined in §345-62A(4) above. All buildings and site coverage within the “PMU site” shall count toward calculations of floor area ratio (FAR), site coverage and all other dimensional requirements. For purposes of calculating FAR, site coverage, building coverage, and other dimensional requirements, the “lot area” for the PMU is considered to be the total area of the PMU site.

[(1)] (2) The maximum floor area ratio (FAR) for all uses shall be [0.80] 1.4, excluding any incentive density increases which may be granted pursuant to the [requirements set forth in § 345-67, with approval by the Village Board of Trustees] provisions of paragraph (E), below.

[(2) The maximum floor area ratio (FAR) for hotel/conference uses shall be 0.40.]

[(3) The maximum floor area ratio (FAR) for commercial uses shall be 0.20.]

[(4) The maximum floor area ratio (FAR) for residential uses shall be 0.20.]

[(5) The maximum floor area ratio (FAR) for age-restricted (e.g. 55+) and/or assisted-living uses shall be 0.30.]

[(6) The maximum floor area ratio (FAR) for community facility uses shall be 0.10.]

(3) The minimum FAR for all non-residential uses shall be 25%.

[(7)] (4) The maximum site coverage (buildings, access roads and parking, but excluding walkways) shall be [70] 90%.

[(8)] (5) The maximum building height [for hotel uses] shall be the lesser of eight stories or [85] 115 feet.

(6) A minimum of 100 square feet per dwelling unit of usable open space shall be provided on the site.

[(9) The maximum building height for mixed use (commercial/residential) structures shall be five stories or 55 feet. A maximum building height of eight stories or 85 feet shall be allowable by special exception, subject to approval by the Board of Trustees and excluding any incentive density increases which may be granted pursuant to the requirements set forth in § 345-67.]

[(10) A building height bonus of two stories or 15 feet over the maximum building height allowable by special exception is available pursuant to the requirements set forth in § 345-16, with approval by the Village Board of Trustees.]

[(11) With respect to mixed use (commercial/residential) structures, the ground floor space shall consist only of commercial uses; upper floor space shall consist only of residential uses.]

D. [Approvals. The Village Board of Trustees is hereby authorized to grant site plan approval under Article V, Administration and Enforcement and special exception use approval under Article X, Special Exception Use Regulations.] Parking and loading.

(1) Off street parking and loading areas shall be designed and located based on a site-wide plan approved as part of a site plan approval.

(2) In order to soften the appearance of parking lots, parking lots shall be landscaped with groundcover, grasses, or low shrubs.

(3) The Board of Trustees, pursuant to its authority under §345-62.G, may reduce the number of off-street parking and loading spaces required by §345-14 based upon a

finding that, owing to the combination of uses proposed, adherence to the off-street parking and loading standards in §345-14 would result in the construction of unnecessary off-street parking spaces. This finding must be based on a shared parking/loading analysis completed by the Applicant and approved by the Board of Trustees at its discretion as determined during the site plan approval process. Shared parking and loading approvals shall be conditions of site plan approval and will be enforceable on all subsequent owners of property within the PMU site.

E. Zoning Incentives and Community Benefits Program.

- (1) Owing to the existing conditions of the lots within the PMU District and the unique nature of the integrated mixed-use development envisioned for the PMU District by the Comprehensive Plan, an in accordance with §7-703 of the Village Law of the State of New York, the Village finds it necessary to provide for a system of zoning incentives in exchange for specific community benefits.
- (2) Applicants for new development within the PMU district shall earn additional development potential in the form of additional FAR by providing one or more community benefits as described below.
- (3) In no cases shall the maximum FAR for a site, including additional floor area granted pursuant to this section, be more than 1.60.
- (4) Applicants making a monetary contribution in the amount of \$1,000,000 to one or more of the following Village community benefit funds shall be eligible for up to an additional 0.2 FAR:
  - (a) The Village Housing Rehabilitation Program.
  - (b) The Village Open Space Fund.
  - (c) The Village Job-Training Fund.
  - (d) The Village Affordable Housing Fund.
- (5) In accordance with §7-703h of the Village Law of the State of New York, the funds listed in §345-62(E)(4) shall be kept by the Village as dedicated funds in a separate account to be used only for their respective purposes of housing rehabilitation, open space, job-training, and affordable housing.

F. Design Criteria. In order to implement the vision of an integrated mixed-use development envisioned by the Comprehensive Plan, the following design requirements shall apply to all development within the PMU District. Applications for site plan approval shall include specific design standards, to be approved by the Board of Trustees, which implement these requirements.

- (1) Projects shall consider all contiguous lots proposed to be included within a proposed development as one 'site' and the site plan shall reflect this integrated design concept.
- (2) Projects shall feature an interior street grid and limit the use of dead end streets.

- (3) Adequate facilities for pedestrians and bicycles shall be provided and the site plan shall demonstrate that adequate and safe circulation for pedestrians and bicyclists exists within the site and between the site and the surrounding land area.
- (4) Facilities for alternative modes of transportation, including mass-transit, pedestrian, and bicycles, shall be integrated into the site design to the maximum extent practicable.
- (5) Commercial uses shall front the street-level along Boston Post Road.
- (6) Public access to Abendroth Park shall be provided to the maximum extent practicable.
- (7) Street-level architecture shall re-inforce the importance of the pedestrian and public realms. Ribbon windows are discouraged, while windows that are distinguished from the shaft of the building through the use of arches, pediments, mullions, and other treatments are encouraged.
- (8) Facades visible from Boston Post Road and Interstate 287 (I-287) shall reflect the architectural significance of their location within the site and their significance as a gateway into the Village of Port Chester.
- (9) Sites shall contain a variety of building design types to avoid excessive similarity in visual appearance.
- (10) Buildings shall be architecturally broken up vertically into a base (first-floor only), middle, and top. Likewise, buildings should be broken up architecturally into bays. These sections should be defined by building articulation or change in materials. No solid expanse of wall may exceed 30 feet in length.
- (11) Architectural elements such as cornices, belt courses, corbelling, molding, string courses, ornamentation, changes in material or color, and other sculpturing of the base shall be provided to add special interest.
- (12) Vinyl siding of any type or grade shall be prohibited on any building façade.
- (13) Parking structures shall be screened from Boston Post Road and any primary internal roadways with building uses or shall include architectural materials, elements, and treatments that are consistent with the design and quality of the proximate buildings. No vehicles shall be visible from the Boston Post Road or any primary internal roadway, except at the entrances to the structure. Where residential buildings face onto garage facades within 100 feet, garage spandrels facing those residential buildings shall be high enough (at least 30 inches) to block light from car headlights.
- (14) Ramps servicing levels of parking shall be internal and not visible from Boston Post Road and any primary internal roadway.
- (15) Rooftop mechanical equipment shall be screened.

- (16) Wireless antennae shall be screened, appropriately masked or otherwise be “stealthed”.
- (17) The streetscape, including any open space, shall be appropriately furnished to facilitate the goals of the PMU District, including the activation of the site for pedestrian use. A specific palette of street tree, lighting, sidewalk, and furnishing components shall be submitted by an Applicant for site plan approval and shall be approved by the Board of Trustees.
- (18) Signs within the PMU District shall be of varied types, sizes, and styles. A consistent approach to signage that favors expressions of tenant identity is encouraged. Allowed signage types include, but are not limited to, flat mounted signs, awning signs, canopy signs, blade signs, flags and banners, wall signs, window signs, entry embeds, sidewalk signs (menu boards) and temporary signs.
- (19) Applications for site plan approval shall include a sign management plan, which details the types, sizes, locations, and illumination of signs that are proposed to be permitted in the various portions of the PMU site. Signs may be of any durable material and shall be of a high level of craftsmanship. Signs shall be limited to a business’ name, logo or three-dimensional symbol and brief descriptive tagline (i.e., restaurant and bar, homemade ice cream). The sign management plan shall be reviewed and subject to the approval of the Board of Trustees.

G. Green Building and Site Planning. The intent of this subsection is to identify new and refer to the existing green building regulations within the Code of the Village of Port Chester. All new development within the PMU District shall adhere to the regulations contained in this subsection.

- (1) Any application for new commercial, mixed-use, or multi-family buildings shall provide a completed Leadership in Energy and Environmental Design for Neighborhood Development (LEED-ND) checklist, Enterprise Green Communities checklist, Institute of Sustainable Infrastructure (ISI) Envision checklist, or equivalent green project checklist acceptable to the Director of Planning and Economic Development or his/her designee.
- (2) All new development shall conform to Chapter 281, Stormwater Management, of the Code of the Village of Port Chester.
- (3) All new development shall conform to the applicable requirements set forth in the most current version of the New York State Stormwater Design Manual, as interpreted by the Village of Port Chester, especially Chapter 5, Green Infrastructure Practices.
- (4) Energy- and water-efficient fixtures and building technologies shall be incorporated that meet the requirements of the New York State Energy Code.
- (5) Pervious paving shall be permitted on all sites.
- (6) Green roofs shall be permitted for all building types.

(7) The recycling of construction waste shall be required.

#### H. Site Plan Approval

(1) The Board of Trustees shall be the approving agency for site plan applications within the PMU District, excluding special exception permits for wireless telecommunication facility only applications.

(2) The Board of Trustees, in exercising this authority, will follow the procedures and criteria in §345-23(C), (D), and (E), except that a Pre-Submission Conference (§345-23(C)) need not be held if an Environmental Impact Statement had previously been prepared that contemplated a site plan substantially similar to the plan being submitted for approval.

(3) All site plan applications shall adhere to the submission procedures as listed in §345-23(C) and contain the information listed in §345-23(F) and comply with the standards of §345-23(G) and (H).

(4) The Board of Trustees shall refer the site plan application to the Planning Commission for its review and recommendation.

#### SECTION 8: Conflicts with Other Provisions

If any portion of this Article is found to be in conflict with any other provision of any other local law or ordinance of the Code of the Village of Port Chester, the provision which establishes the higher standard shall prevail.

#### SECTION 9: Severability

If any clause, sentence, paragraph, subdivision, section or other part of this local law shall for any reason be adjudged by any court of competent jurisdiction to be unconstitutional or otherwise invalid, such judgment shall not affect, impair or invalidate the remainder of this Article, and it shall be construed to have been the legislative intent to enact this local law without such unconstitutional or invalid parts therein.

#### SECTION 10: Effective Date

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

Underlining denotes additions. Bracketing denotes [deletions].

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

[Amended 10-7-2002 by LL No. 18-2002; 11-3-2003 by LL No 9-2003; 1-19-2005 by LL No. 1-2005; 3-23-2006 by LL No. 6-2006; 6-1-2009 by LL No. 8-2009; 3-7-2011 by LL No. 4-2011; 3-18-2013 by LL No. 4-2013]

KEY:  
P = Permitted Use  
SE = Special Exception Use  
X = Prohibited Use

Type of Use	PMU Planned Mixed-Use  §345-57
<b>Residential Uses</b>	
1-family dwelling	x
2-family dwelling	x
Multifamily dwelling	[P] <del>x</del>
Multifamily dwelling (floors above first floor)	P
<u>Multifamily dwellings containing efficiency, one-bedroom and two-bedroom units only</u>	<u>P</u>
<u>Age-restricted housing (e.g. 55+)</u>	<u>P</u>
<b>Residential Community Facilities</b>	
Church or other place of worship, parish house, rectory, Sunday school, convent, seminary	SE
<b>General Community Facilities</b>	
Assembly hall	P
Convalescent home or nursing home	P
Hospital	SE
<u>Uses operated by the Port Chester-Rye Brook Library, or Port Chester-Rye Union Free School District</u>	<u>P</u>
Medical and dental offices, not including operating room or community x-ray or therapy room	[SE] P
Membership club, fraternal organization or similar social institution not operated for profit	P
Nursery school, day camp or day-care center	SE
Public utility facility	SE
School, elementary or high, public, private or parochial, having a curriculum equivalent to that ordinarily given in public schools	SE
Medical and dental offices including x-ray and therapy room	[SE] <u>P</u>
<u>Wireless Telecommunication Facilities</u>	<u>SE</u>
<b>Business uses</b>	
Automobile repair garage	x
Bank, excluding drive-in	P
Bar or tavern	P
Bowling alley	P
Cabaret	P
Catering and events establishment	P

**Underlining denotes additions. Bracketing denotes [deletions].**

Commercial indoor athletic training facility	P
Drive-in establishments other than restaurant, or circus, carnival or other outdoor amusements	x
Drive-in and fast-food restaurants	x
<u>Fast Food restaurant including outdoor seating and/or kiosk, no drive-in window.</u>	<u>P</u>
Food-processing shop	x
Funeral home	[SE] <del>x</del>
Gasoline station	x
Health club, including racquetball facilities and indoor swimming pools	P
Heating, air-conditioning, plumbing, electrical and similar construction businesses, excluding open storage of materials	x
<u>Home professional office</u>	<u>P</u>
Hotel or motel	P
Hotel, motel (floors above first floor)	P
Hotel, limited service	P
Marina or yacht club	x
<u>Restaurant including outdoor seating, no drive-in restaurant</u>	<u>P</u>
Theater	P
Motor vehicle sales lot, motor vehicle salesroom and accessory repair shop	x
Office, office building	P
Office, office building (floors above first floor)	P
Off-street parking for motor vehicles, but not including storage of used or new motor vehicles for sale or hire; minimum requirements shall be in accordance with §345-14	P
Pawnshops	x
Radio or television station studio, excluding transmission tower	[SE] x
Radio or television station studio, excluding transmission tower (floors above first floor)	[SE] x
Shooting ranges with accessory sales of guns and equipment	x
Table-service restaurant, no drive-in, open front, fast-food or curb-service types	P
Tax preparation office	P
Retail store or personal service shop, services clearly incidental to retail sales on the premises or to personal services	P
Veterinary hospital or board and care of small animals	SE
Wholesale business, storage building or warehouse	x
<u>Ethical pharmacy</u>	<u>SE</u>
<b>Industrial Uses</b>	
Cold storage plant, ice plant, bottling central distribution station, light or power plant or garbage or sewage disposal facility	x
Creamery, ice cream plant or bakery plant	x
Laundry or dry-cleaning plant	x
Non-nuisance industry, provided that in nonindustrial districts equipment is used that has a rating of no more than 5 horsepower	x

**Underlining denotes additions. Bracketing denotes [deletions].**

Open storage of equipment or materials	x
Printing plant	x
Research laboratory, provided that it shall not be obnoxious by reason of dissemination of smoke, dust, fumes, noise or vibration or hazardous from fire waste materials or the creation of excessive demands upon municipal services	[x] <u>P</u>
<b>Accessory Uses</b>	
CD accessory garden center	x
Customary accessory structure or use, including cultural, recreational or athletic facility, meeting room or similar accessory structure or use related to a school, church or other place of worship	SE
[Ethical pharmacy]	[SE]
Ground-floor office as accessory use to multifamily development	P
<u>Plazas accessible to the public</u>	<u>P</u>
Private garage or private off-street parking area, in accordance with §345-14	P
Sign, in accordance with §345-[15] <u>62</u>	P

**Underlining denotes additions. Bracketing denotes [deletions].**

**Zoning  
345 Attachment 3B  
Village of Port Chester  
Schedule of Regulations for Nonresidence Districts  
Part 2, Dimensional Regulations**

[Amended 4-12-1977 by L.L., No/7-1977; 10-18-1978 by L.L., No. 11-1982 by L.L., No. 25-1982; 12-3-1987 by L.L., No. 20-1987; 4-27-1988 by L.L., No. 6-1988; 3-18-2013 by L.L., No. 4-2013]

KEY  
NR= none required

	PMU Planned Mixed-Use §345-62 <sup>9</sup>
<b>Maximum Floor Area Ratio</b> (See definition in §345-2)	[0.8] <u>L<sup>1</sup>/2</u>
Maximum Floor Area Ration for 1 Story	
<b>Minimum Size of Lot:</b>	
Area, Nonresidential (square Feet	NR
Area per dwelling unit (square feet)	see § 345-62
Width (feet)	
<b>Minimum Yard Dimensions:</b>	
Front (feet)	
Side (feet)	
1	
Total of 2 on interior lot	
Rear	
Maximum Height of Building	
In stories	
In feet	
<b>Minimum Usable Open Space on Lot:</b>	
For each dwelling unit (square feet)	100

Notes:

- (a) If provided at least 10 per yard.
- (b) One-half the height of the building to which the yard is related, but not greater than 20 feet
- (c) Each 25 feet or ½ the height of the building, whichever is greater.
- (d) For each patient bed in a sanatorium, convalescent home or nursing home: 20 feet.
- (e) Must be maintained from the minimum front yard depth to the rear lot line.

- 1 A floor area ratio (FAR) bonus of 0.8 is available in accordance with §345-16.
- 2 A minimum of 575 square feet of lot area per dwelling unit can be achieved through a building height and floor area bonus program in accordance with § 345-16.
- 3 A floor area bonus of 0.5 is available in accordance with § 345-16.
- 4 A minimum of 250 square feet of lot area per dwelling unit can be achieved through a building height and floor area bonus program in accordance with § 345-16.
- 5 A minimum of 400 square feet of lot area per dwelling unit can be achieved through a building height and floor area bonus program in accordance with § 345-16.
- 6 A building height bonus of two stories (30 feet) is available in accordance with § 345-16.
- 7 A building height bonus of one story (10 feet) is available in accordance with § 345-16.
- 8 See § 345-16.
- 9 [A floor area bonus of 0.2 is available in accordance with § 345-16. For any mixed-use (commercial/residential) structure, a building height bonus of two stories (15 feet) is available with § 345-16.] The standards contained in the Schedules of Regulations for Nonresidence Districts shall apply to a PMU site as a whole.
- 10 A floor area bonus 0.2 is available in accordance with § 345-16.
- 11 A minimum of 500 square feet of lot area per dwelling unit can be achieved through a building height and floor area bonus program in accordance with § 345-16.
- 12 A floor area bonus of 0.2 is available in accordance with § 345-62.